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DOING DEMOCRACY BETTER:

HOW CAN INFORMATION AND DISCOURSE IN ELECTION AND REFERENDUM CAMPAIGNS IN THE UK BE IMPROVED?

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Front cover image of Plato and Aristotle, or Philosophy. Marble panel from the North side, lower basement of the bell tower of Florence, Italy. Museo dell'Opera del Duomo.

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Executive Summary

This report asks: How can we improve the quality of information and discourse during election and referendum campaigns?

Voters are currently badly let down by the quality of campaign information and discourse. The report finds that it would be possible to do much better. We should be ambitious about the extent to which our democratic practice can be enriched.

The report is based on extensive research into democratic practices in the UK and elsewhere, especially Ireland, the Netherlands, Germany, Canada, the United States, Australia, and New Zealand. The findings apply principally to the UK, but many are likely to extend more widely.

Starting Points

Part 1 sets out the starting points for the analysis. Having described the challenges that the report addresses and the opportunities that exist for deepening democratic practice, it defines key terms:

- High-quality information is information that is *accurate*, *relevant*, *accessible*, and *balanced*.

- High-quality discussion requires high-quality information. It is also *inclusive*, it *bridges* between people of different backgrounds and perspectives, and it is *open-minded*.

- Information can range from basic to highly developed. The report identifies an 'information ladder' with six rungs, from the most basic *procedural* information about a vote, through *factual*, *positional*, *comparative*, and *analytical* information, through to *evaluative* information designed to help voters work out their own concerns and priorities.

Part 1 also identifies three broad categories of strategy for improving the quality of information and discourse: confronting misinformation; promoting quality information; and promoting quality discussion. These form the basis of Parts 2, 3, and 4.

Confronting Misinformation

Within the category of confronting misinformation, Part 2 of the report explores three strategies:

- *Banning misinformation*: This is the most direct strategy. Chapter 2 explores detailed case studies of this approach in South Australia and New Zealand. It concludes that, while the strategy has had some success in these places, the benefits it can hope to bring are limited. In the UK context, it would likely have significant costs. The report therefore recommends against its introduction in this country.

- *Fact-checking*: Fact-checking identifies and exposes misinformation without seeking to ban it, empowering voters to make up their own minds. It has recently developed considerably. Because it is reactive to information put out by others, Chapter 3 finds that it cannot in itself offer a complete solution to the problem of poor information and discourse. But it is one important building block.

- *Transparency*: Transparency of campaigning is a prerequisite for identifying misinformation and other potentially problematic campaign tactics, such as microtargeting. Lack of transparency is particularly problematic in the digital domain. Chapter 4 finds that progress has recently been made, but that further regulatory interventions are needed.

Promoting Quality Information

Part 3 examines four approaches to promoting quality information:

- *Basic information provision*: Chapter 5 finds that the UK, in common with many democracies, does a poor job of providing basic information on how and when to vote and what the options are – particularly on who local candidates are in elections. Such information is relatively uncontroversial, so filling this gap ought not to pose great problems.

- *Voting advice applications*: A voting advice application (VAA) is a website that allows voters to answer a range of questions on their own preferences and then receive information on which parties or candidates are closest to them. Chapter 6 examines the operation of VAAs in the UK and elsewhere, especially Germany. It finds that the potential of high-quality VAAs to provide useful information is great, going well beyond even what is achieved in successful cases such as Germany. But this requires proper resourcing.

- *Policy analysis*: Many countries support impartial analyses of party policies to help voters make informed choices. In the UK, such a role is performed by the Institute for Fiscal Studies (IFS). Elsewhere – most notably in the Netherlands – it is done by an independent public body. Chapter 7 finds that such work is very valuable, and there is scope in the UK to develop it further.

- *Referendum information*: Information requirements in referendum campaigns are similar in many ways to those in elections. But there are also differences, so the report treats referendum information separately, in Chapter 8. It explores different models from Ireland and New Zealand, finding the latter to offer the optimal approach. Introducing this in the UK would raise challenges, so a gradual move would be advisable.

Promoting Quality Discussion

Part 4 turns to two strategies for directly promoting high-quality discussion. Both of these begin with carefully structured and facilitated deliberation among small groups of randomly selected citizens – so-called 'deliberative mini-publics':

- *Citizen deliberation used to set the agenda*: Under the first strategy, deliberative mini-publics discuss an issue, recommend options that ought to be pursued, and advise whether a referendum should be held on them. Chapter 9 examines mini-publics (known in these cases as citizens' assemblies) in Canada and Ireland. They work well and have great potential to improve the quality of information and discussion during the subsequent referendum campaign. This potential is not always fulfilled, so careful attention should be given to ensuring better connections are made between an assembly and the wider debate.

- *Citizen deliberation used to frame the debate*: Once a referendum question has been set or an election called, a deliberative mini-public can examine the issues and offer a perspective on the views of ordinary voters once they have had the chance to learn and discuss in depth. Chapter 10 finds that this has worked well in some US states, notably Oregon, though, again, there is scope to implement the basic model more effectively in the UK.

Putting the Pieces Together: A Model for the UK

The report thus finds that all but the first of the nine strategies outlined should be developed further in the UK. Part 5 of the report examines how these could be put together. It contends that an ambitious, integrated approach could reinvigorate our democratic practice. It recommends a model for the UK with six key components:

- High-quality information should be available to voters during both election and referendum campaigns spanning *every step of the information ladder.*

- This material should be brought together in an *information hub*. This should be flexible in structure, so that voters can find their own ways into and through the material. It should be designed so as to be accessible and relevant to the broadest possible range of citizens. It should primarily exist online, backed up by leaflets and extensive advertising. There should also be materials in other formats for voters who are not online.

- The material available through the information hub should come from *diverse sources*: it should be coordinated, but not monolithic.

- *Citizen deliberation* should be integrated into all aspects of information provision. This includes the strategies exemplified in Canada, Ireland, and Oregon, but many further, innovative approaches are possible, integrating citizen deliberation into fact-checking, VAA development, policy analysis, and other elements.

- The information hub should receive *public funding* to ensure it has the resources to fulfil its potential.

- It should be run by a new independent public body.

This is an ambitious proposal that has the potential to transform the quality of information and discourse during election and referendum campaigns.

Given its ambition, it may be hard to implement. It should therefore be introduced gradually, so that confidence in its various elements can build over time. There is potential for a wide range of actors – politicians, officials, regulators, activists, NGOs, broadcasters, academics, and others – to play important roles in this. We look forward to engaging them to help make this happen.

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Introduction

This report examines ways to strengthen democracy. Our focus is particularly on the UK, but there are valuable lessons for other countries too. The challenge we seek to address is that of how to ensure that voters can access quality information and participate in or listen to quality discussions during election and referendum campaigns.

Dissatisfaction with how democracy is functioning at present is widespread. Voters feel alienated by overblown and often misleading rhetoric. They struggle to find information they can trust, and many feel excluded from meaningful participation and influence. Politicians, meanwhile, are frustrated that they must weigh up what will play well in the media, rather than just what would best advance the public interest. Scope for reasoned policy debate often seems limited. Policy outcomes frequently look suboptimal. Democrats of all stripes worry that the system is not delivering on its promise.

Politics is unavoidably messy, and democratic decision-making – which requires compromises to be made across a wide range of interests and values – will often be disappointing. Nevertheless, we argue that our democracy could work much better than it is. We focus on improvements that are achievable. Thus, we do not present a utopian vision. Rather, we examine practices in democracies around the world that we think work particularly well, and consider whether and how they might be translated to the context of the UK. We do not say that everything that we propose would be easy. But we think it would all be achievable given political will.

Recent years have shone new light on two particular democratic challenges. One concerns participation: multiple scandals have highlighted that gender equality remains far off; many young 'digital natives' feel traditional politics is irrelevant to their lives; recent events emphasise the continuing salience of deep class, ethnic, educational, and geographic divides. The other is the challenge of democratic discourse: many voters are alienated by what politicians and campaigners talk about and how they talk about them; they struggle to find the information they want from sources they trust; they are worried about the effects of misinformation and about the rise of online 'bubbles' and 'echo chambers'.

These two challenges are not entirely separate from each other, but this report focuses on the second. The question it asks is: How can we improve the quality of information and discourse during election and referendum campaigns? That is, how can we ensure that citizens can find trustworthy, balanced information on the issues that matter to them? And how can we foster open, inclusive, reasonable discussion around key political questions?

Plan of the Report

Part 1 sets out our starting points in more detail. We describe the challenge that we seek to tackle, outline the potential solutions that we propose to explore, and explain how we have conducted our analysis. As we explain, we place the possible solutions that we identify into three categories: confronting misinformation; promoting quality information; and promoting quality discussion.

Parts 2, 3, and 4 then analyse in detail each of the three approaches in turn. The most direct way to confront misinformation is to ban it. Part 2 begins by examining practice in South Australia, the

democratic polity that has gone further down this path than any other, and in New Zealand, which has pursued similar objectives by different means. Misinformation can also be confronted simply by identifying it as such or by enhancing transparency so that others can identify it. Practice in these regards is currently in rapid flux and we review the state of debate.

Part 3 focuses on efforts to promote quality information. We look at basic information provision. Then we examine so-called 'voting advice applications' (VAAs), particularly in Germany, and strategies for providing robust analysis of parties' policy proposals, particularly in the Netherlands. We also assess public information campaigns for referendums, especially in Ireland and New Zealand.

Part 4 turns to strategies for promoting quality discussion. Here, citizens are not merely passive recipients of information. Rather, they are active in discussing ideas and creating their own ways of framing the issues. We examine the roles that bodies such as citizens' juries and citizens' assemblies can play both before and during election and referendum campaigns, drawing particularly on experience in Canada, Ireland, and the United States.

Part 5 then draws together the strands from the preceding analyses and considers what might be feasible in the UK. We argue that useful insights can be drawn from all three approaches and that none would be adequate on its own. We propose a range of measures that build on practice in all of the countries we have mentioned. We believe that adopting such measures could significantly strengthen democracy in the UK and elsewhere. We also believe that, given political will, their implementation would be feasible.

Specifically, we propose the creation of an information hub that would support and collect together a diverse range of materials intended to enhance democratic information and discussion. This would be designed to enable citizens from all walks of life to find their own ways into and through the materials it hosted. It would be coordinated to allow a connected and coherent approach, but also pluralistic in where content comes from. It would have the results of deliberation among citizens built into its core. It would be publicly funded and would be operated by an independent public body.

We recognise that this model is ambitious, and we therefore suggest a gradualist approach to reaching it. We also think it could ultimately have a transformative effect on the health of our democracy.

Part 1: Starting Points

Chapter 1. The Challenge: Ensuring Quality Democracy

This report builds from the premise that the quality of information and discourse during election and referendum campaigns could and should be improved. This first chapter explains that premise, outlines the possible approaches that we explore, and sets out how we have conducted our research. We begin by recalling some of the serious concerns about the state of our democratic discourse that have been expressed in recent years.

Contemporary Concerns

The last three years have seen the dramatic rise of the concept of 'post-truth': the idea that whether something is true or not no longer matters for whether it is voiced or believed (Ball 2017; D'Ancona 2017; Davis 2017). This has happened because of two main events: the referendum on whether the UK should remain a member of the European Union; and the contest for the American presidency between Hillary Clinton and Donald Trump.

Given the result of the Brexit referendum, it is no surprise that many Remain voters decried the quality of discussion during the campaign. The Leave side's claim that exiting the EU would bring £350 million a week back to the UK, available for spending on the NHS, has gained totemic status. Writing about another Leave claim – that Turkey's entry to the EU would unleash a new wave of immigration – Matthew D'Ancona observed, 'This was Post-Truth politics at its purest – the triumph of the visceral over the rational, the deceptively simple over the honestly complex' (D'Ancona 2017: 20). Tweeting a week before the vote, the author and Remain supporter Robert Harris said, 'How foul this referendum is: the most depressing, divisive, duplicitous political event of my lifetime' (16 June 2016).

But the problem was not one-sided: Remain campaigners promoted misinformation too. Analysis published by the UK Treasury declared – without any indication of uncertainty – that 'a vote to leave would represent an immediate and profound shock to our economy', leading to 'four quarters of negative growth' and pushing up unemployment by around 500,000 within two years (HM Treasury 2016b: 3, 8, 45, 48). It also claimed that, if the UK did a Canada-style free deal with the EU after Brexit, 'families would be £4,300 worse off' after fifteen years (HM Treasury 2016a: 6, 8, 141) – a misleading way to present the figures even if the underlying modelling was correct. Citing such statistics, one journalist complained that 'spurious fag-packet sums' had 'become the milestones' of the campaign (Conway 2016). The House of Commons Treasury Committee – comprising MPs from both referendum camps – declared, 'The public debate is being poorly served by inconsistent, unqualified and, in some cases, misleading claims and counter-claims. Members of both the "leave" and "remain" camps are making such claims' (House of Commons Treasury Committee 2016b: 4).

Donald's Trump's disregard for truthfulness – both during the election campaign and since – by now needs little adumbration. By early 2019, the American fact-checking website Politifact had analysed over 600 of his statements, rating 70 per cent of them 'mostly false', 'false' or 'pants on fire'. This compares to 25 per cent for Barack Obama, 27 per cent for Hillary Clinton, and 41 per

cent for the former Republican Speaker of the House of Representatives, Paul Ryan (Politifact n.d.).

Though the major events of 2016 in the UK and the US sparked particular attention, concerns about the quality of public political discourse extend far wider. A poll conducted for the BBC in eighteen countries, for example, found that around 79 per cent of respondents worried about what is real and fake on the internet (Globescan 2017). A 2016 survey by the Pew Research Center found that 88 per cent of adult respondents were at least somewhat confused by false content (Barthel et al. 2016).

Actions seeking to respond to these concerns can be found in many countries too. In January 2018, Ireland's Citizens' Assembly examined 'the manner in which referenda are held' and concluded by an overwhelming majority that an official body – the Referendum Commission – should be tasked with fact-checking during campaigns (Irish Citizens' Assembly 2018). A year later, the Parliamentary Assembly of the Council of Europe – representing 47 countries across the whole of Europe – agreed a report calling for wide-ranging improvements to the conduct of referendums, including changes to information provision (PACE 2019).

Debate has been especially far-reaching in relation to the role of social media in disseminating misleading and inaccurate content, and in making it harder to assess the credibility of sources of information. In a post on Facebook's own blog, Harvard professor Cass Sunstein began by welcoming the positive democratic effect that social media have upon the availability of information. But then he highlighted the dangers: above all, 'false reports ("fake news") and the proliferation of information cocoons'. He decried the tendency of social media to 'personalize' information: to give us more of what we already agree with and less of what we disagree with. 'If you live in an information cocoon, you will believe many things that are false, and you will fail to learn countless things that are true. That's awful for democracy' (Sunstein 2018). Facebook's Product Manager for Civic Engagement, Samidh Chakrabarti, acknowledged in January 2018 that social media, at worst, 'allows people to spread misinformation and corrode democracy' (Chakrabarti 2018).

Bot and troll factories are particularly significant in extending the reach of online content (Wardle and Derakhshan 2017: 18–19, 25). For example, the Oxford Internet Institute has found that, in the lead-up to the EU referendum, one third of all Twitter traffic was generated by automated bots promoting the Leave campaign (Narayanan et al. 2017). Similarly, in the US, Twitter found that more than 50,000 bot accounts, linked to Russia, tweeted about the 2016 presidential election (Kantrowitz 2018). Search engine results can be manipulated so as to amplify misinformation, conspiracy theories and extremist content. In December 2016, for example, it was reported that the first result for the 'did the holocaust happen' search was an article by the neo-Nazi group Stormfront (Roberts 2016). Just a week prior to this incident, Google's auto-complete sentences had been criticised for anti-Semitic, sexist and racist entry suggestions (Gibbs 2016). As we explore in further detail in later chapters, governments and technology companies have made rapidly accelerating efforts in recent months to respond to these challenges.

The latest developments in social media matter, but we should not imagine that traditional media are no longer important. Quite the contrary: while social media still function largely as conduits (though not neutral conduits) for information generated elsewhere, large parts of the media in the UK – especially at the national level – do not perform a simple mediating function between

campaigners and voters in the lead up to elections and referendums: they themselves behave as campaigners. This poses particular challenges for anyone interested in promoting quality democratic discourse: these parts of the media, being themselves strategic political actors, have little incentive to perform the role that we might expect of them: shedding light and holding those in power to account.

These challenges to the quality of discourse in the media are exacerbated by the crisis facing the local and regional press. These media have traditionally played a crucial role in highlighting local issues and bringing communities together, and are generally more trusted than the national press. But the decline in traditional forms of advertising and other sources of funding have threatened the financial sustainability of local journalism and thus people's access to local information.

It has sometimes been suggested to us that concern about poor quality information and discourse during election and referendum campaigns is elitist, or 'patronising' towards voters. We have been told that voters should be free to make decisions in their own way, whether experts think them misguided or not. But this fundamentally misconstrues the motivations for our project, and we wish to address it directly so that we are not misunderstood. Our contention is not that voters have failed to perform their role as citizens and that they ought to be pumped with information in order to do better. Rather, our argument is that voters deserve to be treated with more respect – by politicians, campaigners, journalists, and regulators – than sometimes they have been. Many voters are deeply disillusioned with what they see as the mendacity of politics. They want information that addresses their questions from sources they trust.

That is borne out by evidence from the Brexit referendum. The Electoral Commission and the Advertising Standards Authority (ASA) respectively received over 1,000 and 350 complaints on the misleading content of campaign materials during the referendum (UK Electoral Commission 2016b: 7; Parker 2016). Research by the Electoral Commission also found that 52 per cent of respondents did not agree that the campaign had been conducted in a fair and balanced way; 34 per cent strongly disagreed; just 34 per cent agreed (UK Electoral Commission 2016b: 47). The most common reasons for thinking the campaign was not fair or balanced were linked to the quality of information provided, particularly that the campaign had been 'one-sided/unbalanced/biased/partial' and that the information provided was 'inaccurate and misleading' (UK Electoral Commission 2016b: 47). Research conducted for the *Evening Standard* showed a similar pattern: towards the end of the campaign, 46 per cent of respondents said they thought politicians were mostly telling lies; only 19 per cent thought they were mostly telling the truth (What UK Thinks 2016).

Forty-nine per cent of respondents in the Electoral Commission survey also thought that the campaign was not covered in a balanced way in the media, against 37 per cent who thought it was (UK Electoral Commission 2016b: 48). Furthermore, most voters felt that, even when sufficiently accurate, the relevance of the information provided by the government, campaigners and the media fell short of what they wanted, particularly with regards to the implications of a vote to leave or remain in the European Union: 46 per cent of respondents felt they had insufficient information on the consequences of a Leave vote, against 45 per cent who thought they had enough (UK Electoral Commission 2016b: 46). This contrasts with the results of the 2014 Scottish referendum survey, where 61 per cent of respondents claimed to have been aware of what would happen in the event of Scottish independence (UK Electoral Commission 2014: 56).

Beyond the context of the Brexit referendum, studies have repeatedly found that a key factor deterring young people from voting is a feeling that they do not know enough about the options (e.g., Phelps 2012; Henn and Foard 2012). In the course of our research, we have spoken with numerous grassroots activists who are trying to tackle this. For them, trying to promote better information and discourse is the reverse of patronising: it is about trying to reclaim the political realm from an elite that they perceive as out of touch.

Democratic Aspirations

Thus, while concerns about the quality of democratic discourse are currently particularly high, our purpose in this report is not simply to protect politics as we know it against a rising post-truth tide. Rather, we can aspire to do more than that. We can seize the opportunity created by current anxieties to deepen our democracy further.

In the early decades after the Second World War, democracy was both conceived and practised in minimalist terms. Voters' role was to elect a government (or parliament) every few years and then leave the politicians to govern in accordance with the mandate they had received until the next election. If we read newspaper reporting from the time, there is rarely any reference back to what the public might think: the difference in tone from today's journalism is striking. Writing in the 1940s, the economist Joseph Schumpeter famously captured the prevailing orthodoxy, defining 'the democratic method' as 'that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote' (Schumpeter 1994 [1942]: 269). Voters, in this conception, were reduced to a very limited role within the system.

From the 1960s to the 1990s, a richer, liberal conception of democracy dominated. This emphasised the centrality of political rights within democracy: citizens must be able to make free and autonomous decisions as to whom or what they will vote for, and that is possible only if they are free to express themselves, hear the views of others, and participate in political discussion and action. Such a view underpinned, for example, political theorist Robert Dahl's conception of democracy as 'polyarchy', according to which the principle of democracy could be attained only if (among other conditions) equal voting rights were upheld, anyone could add options into the debate, and information was freely available to all (Dahl 1956: 67–71).

In recent decades, democratic ideas and practices have further changed, in two principal ways. First, they have become more *participatory*: there is an expectation today that voters will have opportunities to take part in more decisions and at more stages of the decision-making process. In large parts of the UK, we now elect not just councillors and parliamentarians, but also mayors and police and crime commissioners. Referendums – unheard of above the local level before 1973 – have become an acknowledged (though not frequent) part of the political landscape. Similar patterns are seen elsewhere: more offices are now subject to election (Dalton and Gray 2003); referendums have become markedly more frequent and more widespread (Renwick 2017: 435–6). Voters are now more influential beyond the ballot box too. The online petitions system introduced in the UK in 2011 and relaunched in revised form in 2015 (Kelly and Priddy 2015) has led to numerous parliamentary debates, some of which have had real-world impacts (Leston-Bandeira 2017). Such a debate was, indeed, one of the early steps in the process that culminated in the Brexit

referendum of 2016 (Cowley and Stuart 2012: 403). More broadly, the rise of opinion polling and focus groups has helped put public opinion at the heart of processes of policy-making.

Second, ideas about democracy have become increasingly *deliberative*: there is an expectation not just that decision-making in a democracy should ultimately be founded upon public opinion, but also that members of the public should be able to form their opinions in an environment rich in information, discussion, and reflection. A focus on so-called 'deliberative democracy' first emerged in academic writings in the late 1980s and early 1990s (e.g., Cohen 1989; Dryzek 1990; Fishkin 1991; Bohman 1998). By the 2000s, authors such as Dryzek (2000: v) and Goodin (2008: 2) were speaking of a 'deliberative turn' in democratic theory. Research in democratic theory is today dominated by deliberative approaches.

The debate about deliberative democracy might sometimes seem largely academic, but in fact it has both influenced and been influenced by real-world developments. Small-scale deliberative exercises such as citizens' juries have been used widely in the UK to inform policy-making on a broad range of issues (Davidson and Elstub 2014). A variety of deliberative bodies have had significant impacts on policy processes and sometimes policy outcomes in many other countries (Smith 2009). The legalisation of same-sex marriage in Ireland in 2015 and the country's repeal of the constitutional ban on abortion in May 2018 both stemmed from recommendations made by deliberative citizens' assemblies (Suiter et al. 2016; Farrell et al. 2018).

Such real-world democratic innovations have been possible precisely because the idea of deliberative democracy builds on widely shared intuitions that informed, reflective decision-making matters. If we are to empower people to participate actively and effectively in our democracy, we need to help them obtain the resources they need to make full use of the opportunities before them. If the political system as a whole is to grapple effectively with complex issues involving difficult trade-offs – such as how best to fund social care or tackle climate change – reasonable discussion is needed, rather than the easy sloganeering that can win in an environment of low information and engagement.

What Are We Aiming for?

We have said that we focus in this report on developing ways of promoting high-quality information and discussion during election and referendum campaigns. Before proceeding further, we should clarify what we mean by this. What is high-quality information? What is high-quality discussion?

High-quality information clearly has multiple features. Indeed, scholarly studies have identified ten or as many as sixteen separate dimensions (Miller 1996; Kahn et al. 2002). To avoid undue complexity, we define high-quality information as having four primary characteristics:

- **Accuracy**: Information should be neither false nor misleading. If there is uncertainty as to what is correct (as, for example, in the case of future projections), the degree and nature of this uncertainty should be clear.

- **Relevance**: Information should address the issues that matter to citizens when thinking about and making their decisions. It should do this comprehensively, addressing, so far as possible, all of the issues that matter to all parts of the electorate.

- **Accessibility**: Information should be presented in formats that are accessible to the widest possible range of citizens. It should be structured so that citizens can not just understand specific points, but also think through the choices they face in the round.

- **Balance**: Information should come from the widest possible range of perspectives. There should be an appropriate balance among these perspectives.

In the context of an election or referendum campaign, any process for fostering high-quality information needs to be able to advance these criteria in a timely manner without undue cost.

There is debate about what exactly some of these principles should mean. Notably, there are competing conceptions of balance, which receive different weight in different contexts: it may be defined in terms of equal presence of different perspectives, or presence of different perspectives in proportion to their popular support, or presence of different perspectives in proportion to their credibility among experts. We can see real-world examples of each of these approaches, for example, in media coverage in the UK: broadcasters take something close to the first approach during referendum campaigns; in election campaigns, they employ the second; on issues such as climate change, they follow the third. We explore these matters further in the course of this report.

High-quality discussion is rooted in high-quality information. In addition, it has several further features. Scholarly literature on deliberative democracy has explored many principles that authors argue effective deliberation should embody (e.g., Steiner et al. 2004: 19–26; Fishkin 2009: 33–4). Here, beyond high-quality information, we highlight three:

- **Inclusion**: Discussions should include as many people as possible, from all parts of society. All perspectives should genuinely be heard, not merely be present.

- **Bridging**: People with differing perspectives should engage with each other, not just participate in discrete silos. While there is an important place for particular groups – especially traditionally disadvantaged groups – to discuss views and experiences among themselves, if discussions take only this form they turn into 'echo chambers' that increase polarisation (Sunstein 2002).

- **Open-mindedness**: People should be encouraged to approach discussions with open minds and to listen with respect to people whose views differ from their own. Many of us will struggle to achieve this, but it is valuable to aim for more of it rather than less.

In order to be truly effective, information and discussion need not only to have these features, but also to be seen to have them on all sides of the debate. This requires that those who provide information or promote discussion should be trusted to conduct their roles in accordance with these principles. It is reasonable to suppose that trust can be enhanced by maximising trustworthiness, so it is important to design processes that will advance the principles just outlined. But often that will not be enough: trustworthiness does not always generate trust, particularly if the wider environment encourages cynicism. This is a problem that we will return to repeatedly in the chapters that follow.

Potential Solutions

Recent experiences have generated widespread concerns about the quality of democratic discourse. They have also catalysed thinking about potential solutions. Indeed, they have done more than spark just thinking: around the world, governments, parliaments, technology companies, NGOs, and others have begun increasingly to experiment with ways of discussing politics better. We therefore began our research for this report by surveying these ideas widely and identifying a range of potential solutions that we thought deserved further attention.

Our report is structured around these potential solutions. We divide the approaches we have identified into three main categories: first, those that seek directly to confront misinformation; second, those that endeavour to promote high-quality, impartial information; third, those that try to foster rich, inclusive discussions among citizens. We outline these briefly here.

Beyond these three sets of approaches, other, broader reforms that concentrate less on campaign periods themselves have also been proposed. In particular, many have argued that the deep changes to political discourse that are needed will ultimately be achieved only by combining immediate interventions with greatly enhanced citizenship education (e.g., Advisory Group on Citizenship 1998; Brett 2016: 9; House of Lords Select Committee on Citizenship and Civic Engagement 2018; Kerr 2014; Pontes et al. 2017; Scott 2011). We agree that these are important, and we return to them in the final part of the report. But we keep our predominant focus narrower.

Confronting Misinformation

One approach to improving the quality of discourse is to confront misinformation directly. Within this, we look at three particular methods:

- **Banning misinformation:** The most direct – or bluntest – approach is simply to ban misleading or false claims. Under this approach, a body is charged with determining whether claims made by campaigners are false or not. If it deems that they are, steps are taken to ensure those claims are withdrawn.

- **Fact-checking:** Rather subtler are strategies for identifying and correcting misinformation as it arises, notably through fact-checking. Here, offending material is not removed, but simply identified. Steps are then taken to disseminate that finding as widely and effectively as possible.

- **Fostering transparency:** The most indirect method fosters transparency in the provision of information. This strategy does not create a mechanism for assessing the veracity of claims. Rather, it provides information on what claims are being made by whom, so that anyone who wishes to check these claims for veracity – or for consistency or other criteria – can readily do so.

Such approaches are all reactive. In most cases, they do not offer high-quality information themselves, but rather simply respond to information that has been provided by others. In the case of fact-checking, they do provide such information, but, again, only in response to claims made and content shared by campaigners.

Promoting Quality Information

Ensuring that high-quality, impartial information is available to voters is the second broad approach to improving the quality of discourse. Solutions of this kind aim not to confront misinformation directly, but to crowd it out. Beyond that, they seek to ensure that voters have ready access to accurate, impartial information that addresses the issues they care about.

Information can come in many forms. Through our research, we have identified six types. These range from the most basic information about the procedures of the vote itself to the most sophisticated information that is intended to help voters in evaluating the options. Given this hierarchical structure, we see the six types as forming an 'information ladder', as set out in Box 1.1.

Box 1.1. The information ladder
The information that may be provided to voters during election or referendum campaigns comes in six principal types, ranging from the most basic (number 1) to the most sophisticated (number 6):   1. *procedural information* on such matters as when the election or referendum is and how and where voters can cast their ballots   2. *factual information* on what options voters can choose among, whether these be candidates, parties, or policy proposals; such information can be very basic, or extend, for example, to detailed candidate biographies or outlines of party policies   3. *positional information* on what the parties or candidates in elections think and what their policies and priorities are, or on what the views and arguments of campaigners are in a referendum   4. *comparative information* that helps voters compare their own existing preferences with the options that they can choose among – for example, by relating voters' policy preferences to the positions of political parties   5. *analytical information* that examines how the options on the ballot paper – policy commitments in an election or policy proposals in a referendum – would affect a variety of outcomes that voters might care about, such as the state of the economy or environmental sustainability   6. *evaluative information* that helps voters think through what their priorities are and what further information they need to find in order to make choices they are comfortable with.

In the course of our research, we have spoken with people who have emphasised the importance of every one of these. In practice, information of several types is often bundled together, so we will structure our analysis around four kinds of information package that are frequently discussed in the UK and frequently found in other democracies around the world. These reach up the information ladder to differing degrees:

- **Basic information provision:** The first approach provides procedural and factual information: about the voting process and about the options available to voters. Though

it seems obvious, at least to us, that such information is needed, it is remarkably neglected. We argue that straightforward gains in this area could readily be made.

- **Voting advice applications (VAAs):** VAAs are online tools that aim to assist electors by giving information of the second, third and fourth types above: on what the options are and how these relate to the electors' own preferences. Users are presented with a series of statements, with which they can agree or disagree. The tool then matches these responses to the positions of parties or candidates.

- **Policy analysis reports:** This approach adds information of the fifth type, by providing analysis of the effects of the policies that are proposed. This most often focuses on effects on the public finances and other economic outcomes, though in principle it can be extended to any outcomes that voters are interested in.

- **Referendum information:** Information needs in elections and in referendums are in principle similar. In practice, however, public information provision has tended to go further in the latter, so we examine information in referendum campaigns separately. Such information provision varies widely from case to case. Basic examples reach only the first or second rung of the information ladder, but the most developed extend all the way up to the sixth.

Promoting Quality Discussion

The approaches discussed so far conceive the enhancement of information as largely a top-down process, with little space for citizens' active engagement in setting the agenda, developing the information, or discussing the issues. The third and final approach, by contrast, is bottom-up. In its most ambitious form, it seeks to engage the mass of citizens in active deliberation during referendum campaigns. More modestly, it aims to build information provision on the basis of deliberation by representative groups of citizens – so-called 'deliberative mini-publics' – thereby promoting trust and ensuring that the information that is provided reflects regular voters' concerns.

Venues for citizen deliberation have been employed in various ways in the UK. Citizens' juries have been convened at the local level to deliberate on issues such as NHS funding, drugs and community safety, and genetically modified food and crops. Deliberative polls and participatory budgeting processes have also been held (Davidson and Elstub 2014). During the EU referendum, the Electoral Reform Society (ERS), in collaboration with other bodies, launched the Better Referendum online toolkit, which offered information and resources from both sides of the campaign and helped users organise local events during which they could engage in reflective and informed debate (Brett 2016: 33–5). Since 2015, five citizens' assemblies have been convened in the UK, three of which the Constitution Unit has been involved in: two pilot assemblies on decentralisation, devolution and democracy held in Sheffield and Southampton in 2015 (Flinders et al. 2016); a Citizens' Assembly on Brexit held in Manchester in 2017 (Renwick et al. 2017); a Citizens' Assembly on Social Care, commissioned by two House of Commons select committees, held in spring 2018 (Citizens' Assembly on Social Care 2018); and a Citizens' Assembly for Northern Ireland, which met in autumn 2018 (Citizens' Assembly for Northern Ireland 2019).

For future referendum campaigns, the ERS recommended that there 'should be an official, publicly funded resource for stimulating deliberative discussion and debate' and that the 'Electoral Commission or an appropriate alternative should provide a toolkit for members of the public to host their own deliberative discussions' (emphasis removed, Brett 2016: 10). Labour, the Liberal Democrats, and the Green Party have also advocated citizen involvement in decision-making and proposed that any future 'Constitutional Convention' should include members of the public (see Renwick and Hazell 2017: 5). There has been growing interesting among MPs and others in the idea of holding an official citizens' jury or citizens' assembly to examine options for Brexit (e.g., HC Deb 2018a; *Guardian* 2019; Renwick 2019).

Some countries have already integrated deliberative practices within election or referendum processes as a way of enhancing their perceived legitimacy and stimulating a more informed debate. This is done by making the output of the deliberations available to the general public so that they can be used as an additional source of information.

Types of citizen deliberation can be distinguished by the stage at which deliberation takes place. We identify two models:

- **Agenda-setting model:** Here, citizens are asked to deliberate on what options (if any) should be recommended to the legislature or the public before an election or referendum is called. Processes of public deliberation are thus used to set the policy-making agenda directly. The most noteworthy examples of this can be found in Canada and Ireland.

- **Framing model:** In the second version, citizen deliberation is used to review options that have already been defined: previously chosen referendum measures or (potentially) the options available at an election. A report on the conclusions of the deliberations is produced and disseminated in order to help frame wider public discussion. The main example of this has operated in Oregon since 2010.

Citizen involvement does not necessarily need to take place at these two fixed stages. Indeed, while real-world examples are limited, scholars within the 'deliberative systems' tradition have argued that spaces for citizen input can be created at other stages in the policy-making process (see, for example, Boswell 2016 and Fung 2015). Citizen involvement could be integrated within existing top-down processes as a way of enhancing their legitimacy. Ordinary citizens could, for example, contribute to fact-checking by deliberating on the accuracy and veracity of statements; or they could assist 'official' information provision facilities in identifying the issues that are of relevance to voters.

We discuss existing and innovative ways of promoting quality discussion through citizen deliberation in Parts 4 and 5.

How We Assess Effectiveness

Each of the approaches just set out strives to improve the quality of information and discussion during election and referendum campaigns. In Parts 2–4 of this report, we examine in depth how effectively they may be expected to do so. For each approach, we explore current practice and recent reform debates in the UK and internationally. For most of the approaches, we also conduct one or two detailed case studies, focusing on international examples that we think may offer

particularly valuable lessons. For each of these, we have read a wide range of documentation, analysed media reporting, and interviewed key players. A few of the approaches have emerged so recently that we have not attempted such detailed case studies: here, we limit ourselves to describing recent developments in the UK and around the world and considering how they fit into our wider analysis.

To assess these various approaches, we need criteria of evaluation. As indicated above, we view high-quality information as being accurate, relevant, accessible and balanced. High-quality discussion is rooted in quality information; in addition, it is inclusive, it bridges between people of diverse perspectives, and it is open-minded. As we explain in the individual chapters that follow, the relative salience of these criteria varies depending on the particular approach that we are analysing.

The effects of each of the approaches that we discuss emerge through a multi-stage process: first, there is how the intervention that each approach involves operates in itself; second, there is how that intervention is perceived; third, there is the wider impact of the intervention on information and discourse in general. When examining the merits of each approach, we thus divide our analysis into three parts:

1. **Operability:** Is it possible for those responsible for the intervention to generate materials that, in themselves, fulfil the characteristics that we have set out? Can they successfully provide materials that are accurate and balanced while maintaining accessibility and relevance to the issues of concern to voters?

2. **Perceptions:** Are those charged with these tasks perceived as performing them in a way that is balanced and independent? Is their work regarded as legitimate and is it respected by important political actors and the media?

3. **Impact:** By these means, does this activity promote high-quality information and discussion in the wider election or referendum campaign? Does it improve voters' perceptions of political discourse and of politics more broadly?

When examining each approach, we also consider whether and how it could work in the UK context, and how it might best be delivered. We draw these lessons together in Part 5 – the report's conclusion – where we set out proposals for how the quality of information and discourse in elections and referendums in the UK might best be improved.

Part 2: Confronting Misinformation

This part of the report considers strategies for directly confronting misinformation. Rather than providing people with high-quality information directly, these strategies react to information that has been provided by others and seek to ensure that it is of high quality. Chapter 2 examines 'anti-lying' provisions that ban false or misleading claims in the course of election or referendum campaigns. This analysis draws upon in-depth examination of the provisions operating in South Australia and New Zealand. Chapter 3 considers how fact-checking might be used to confront misinformation without banning it outright or preventing people from accessing it. Chapter 4 looks at efforts to foster transparency in the information provided to the public. In particular, it examines how the transparency requirements that currently apply to print and broadcast material might be extended to the information circulating online. The approaches discussed in chapters 3 and 4 have been developing rapidly over the last two years. Given this state of flux, we do not provide detailed case studies in these chapters, but rather survey the state of the debate regarding the nature of the interventions that are or are not desirable. The short conclusion to Part 2 brings these findings together and highlights some remaining questions.

Chapter 2. Banning Misinformation

As we explore below, mechanisms for assessing the veracity of claims and banning misinformation are widespread in the UK outside the political sphere, but much more limited within it – particularly in elections and referendums. There have been recent calls to change this by establishing a 'truth commission' or an 'Office for Electoral Integrity' that would monitor political campaigns and directly challenge misinformation. But regulators such as the Electoral Commission and Advertising Standards Authority (ASA) are very wary of taking on a role of this kind, and the fate of the Leveson inquiry's proposals illustrates the strong opposition that any such measures would likely meet.

This chapter begins by outlining the current state of debate in the UK around the extension of truthfulness regulation to the realm of elections and referendums. Through this, we seek to identify some of the concerns that are felt by opponents of such a move. We then seek to shed fresh light on the potential efficacy of such regulation by examining experience in two polities where provisions of this kind do, in different forms, operate. We look first at South Australia, where electoral law prohibits inaccurate and misleading claims, and empowers the Electoral Commission to enforce compliance. Then we explore three mechanisms operating in New Zealand: first, the Advertising Standards Authority, which – unlike the UK ASA – regulates election and referendum advertising; second, the Broadcasting Standards Authority (BSA), which regulates election advertising on television and radio; third, section 199A of the Electoral Act, which prohibits false claims in the final two days of an election campaign.

Having described each of these systems, we analyse their effects upon the quality of information and discussion using the tripartite structure set out in Chapter 1, assessing operability, perceptions, and impact. As we noted in Chapter 1, the particular questions that arise in relation to each of these areas vary from approach to approach: some aspects of high-quality information and discussion are more relevant to some than to others. In the case of measures that ban misinformation, we examine, in particular, the following:

- **Operability:** Information bans are principally designed, clearly, to advance accuracy. Crucial, therefore, is the question of whether regulators are able to make adjudications on accuracy in a way that is consistent and reliable, without any imbalance that favours one side of the political debate or another. Furthermore, they must be able to do so in a timely fashion and without requiring excessive resources. Because regulators under this mechanism work entirely reactively, the criteria of relevance and accessibility are less important than they will be for approaches examined in later chapters. Nevertheless, it is worth while to consider whether regulators feel able to make adjudications on claims by important – rather than just peripheral – actors and on issues at the heart of the campaign.

- **Perceptions:** Concerns about perceptions are central to much of the scepticism about any effort to ban misleading statements in the UK. Existing regulators fear that their perceived impartiality could be threatened if they took on such a politically sensitive role. Even if they operated with scrupulous neutrality, they worry that campaigners who suffered adverse rulings would react by undermining the regulators' integrity. It is valuable to ask whether this has happened elsewhere and what circumstances have shaped the outcomes that we find.

- **Impact:** Finally, we consider the extent of any impact of misinformation bans on the nature of political discourse and on how that discourse is seen by voters. Is there evidence that campaigners respect truthfulness more than in other polities? Is there any civilising effect upon political discourse more broadly? Do interventions reduce belief in the accuracy of claims that are actually false, or is there evidence of so-called 'backfire effects'? Do voters in these polities trust what politicians say more than elsewhere? Are they more satisfied with the state of democracy? Such questions entertain the possibility that relatively small interventions could have very wide effects, and it would not be surprising if evidence of such impact were lacking. It is valuable, nevertheless, to ask.

We find that the provisions in South Australia and some (but not all) of those in New Zealand score very well in terms of both operability and perceptions, but that their impact on actual political discourse is limited. Thus, mechanisms for banning misinformation can operate without undue difficulty – at least in the circumstances prevailing in these two polities – but the benefits from having them are constrained. In essence, there is a trade-off: in order not to impinge upon free speech, such interventions can be applied only where the inaccuracy of information is unambiguous. But most of the misleading spinning that characterises political campaign discourse is much subtler. Even in a benign context, misinformation bans – if they are not to have the chilling effect that some fear – are powerless to act against that.

In the concluding section, we briefly consider what the South Australian and New Zealand cases tell us about what would happen if this approach were adopted in the UK. We conclude that great caution is needed: the conditions that allow the approach to work in South Australia and New Zealand are not obviously present here.

Constraints on Misinformation in the UK

Strategies for assessing the truthfulness of claims and banning false or misleading content are very common – in the UK, as elsewhere – outside the sphere of politics. Food manufacturers, for example, must provide accurate information about their ingredients. Financial services companies have been subject to very large penalties for mis-selling their products, as have car manufacturers for falsifying emissions test results. The Advertising Standards Authority (ASA) polices truthfulness across most forms of advertising (ASA n.d.). As individuals, we risk nullifying our insurance policies if we give incorrect information, and if we lie while giving evidence in a trial, we risk being found in contempt of court.

Truthfulness is regulated in parts of the political sphere too. Within parliament, MPs or peers who knowingly mislead their respective House are guilty of a serious contempt and subject to a penalty. Beyond parliament, the remit of the ASA includes so-called 'cause advertising': advertising by campaigners and pressure groups seeking to influence policy on particular issues rather than to affect the result of an election or referendum (CAP News 2016b). In recent years, for example, the ASA has ruled on complaints relating to the accuracy of claims in a Brighton-based campaign against 20mph speed limits (ASA 2014a), an advertisement by the press regulation campaign group Hacked Off (ASA 2014b), and a pro-life poster in Northern Ireland (ASA 2017). Ofcom requires 'due accuracy' in broadcast news reporting (Ofcom 2017 s5). 'Accuracy' is the first principle of the Code of Conduct of the Independent Press Standards Organisation (IPSO 2018).

By contrast, there are no general provisions on misleading claims made by campaigners in elections or referendums. The Representation of the People Act 1983 prohibits knowingly making false statements in relation to a candidate's 'personal character or conduct' before or during an election (s106). But only one parliamentary election result – the election of Phil Woolas in Oldham East and Saddleworth in 2010 – has been overturned as a result of this. Since 1999, the ASA has not sought to regulate advertising relating to elections or referendums. Misinformation in this sphere is thus uniquely unconstrained.

Interest in changing this position has risen in recent years. Following the Brexit referendum, petitions were launched to 'ensure truth in political advertising' and to 'make it illegal for any UK political figure to knowingly lie or mislead'. These gathered tens of thousands of signatures (Evans 2016; UK Government and Parliament Petitions 2016). Following one of these petitions, an early day motion called in July 2016 for the establishment of an 'Office of Electoral Integrity' that would verify campaigners' claims and issue clarifications and fines where appropriate (Early day motion 278 2016). A similar proposal was made by the Electoral Reform Society (ERS) in its report on the 2016 referendum (Brett 2016: 10). Discussions that examined similar ideas were hosted by the Electoral Commission (with the participation of, among others, the ASA and the UK Statistics Authority; Bassett 2017; UK Electoral Commission 2017a: 42), and jointly by the Constitution Unit and the Committee on Standards in Public Life (CSPL) (CSPL 2016).

Both the Electoral Commission and the ASA have said, however, that they do not want a role in policing truth: they are concerned that it could compromise their reputations for independence and impartiality (Bassett 2017; UK Electoral Commission 2017a: 42; Parker 2016). When it stopped regulating electoral advertising in 1999, the ASA argued that 'the free-flow of argument in the cut-and-thrust of open debate is the best antidote to political advertising that misleads or offends' (ASA 1999: 2–3). It has recently reaffirmed that view (CAP News 2016a; Jones 2018). It highlights three reasons for this position. First, it says that it could become involved only with the support of all major political parties, which at present is not available. Second, it is concerned about the implications of intervention for free speech. Third, it sees the timeframe of election campaigns as too tight for useful interventions to be possible: even in cases that can be dealt with quickly, it sees a response time to complaints of two to three weeks as necessary to allow views on both sides to be heard and properly considered (ASA 1999; CAP News 2016a; Jones 2018).

Others have raised a number of related concerns. First, some fear that prohibiting false or misleading claims could have a 'chilling effect' on free speech (Kildea 2016). Second, whether particular statements are true or not will in some cases be highly contested (Kildea 2016). Third, bans on false statements could backfire, leading not to the correction of false beliefs, but to their further entrenchment (we explore this further in Chapter 3, when looking at fact-checking).

Indeed, the fate of the Leveson inquiry into press culture and ethics highlights strong opposition among many influential actors in the UK towards anything that could be perceived as limiting free speech or the independence of the press. The UK government's decision in early 2018 not to proceed with the 'Leveson 2' inquiry and to repeal Section 40 of the Crime and Courts Act 2013, which many media actors said would, if implemented, have had a 'chilling' effect on journalistic reporting, illustrates the opposition that any attempt at external regulation is likely to meet (Hancock 2018; News Media Association n.d.; White 2018).

It is clear that concerns about extending misinformation restrictions stem from a mixture of principled and pragmatic grounds. Some find the very idea of constraining free speech in this domain to be unacceptable. Others think such approaches would simply be impracticable, or would fail to have the desired effects. In the following two sections, we seek insights from two polities that do impose more restrictive arrangements.

South Australia

The democratic polity that has gone further than any other in seeking to ban misinformation in election campaigns is South Australia. The mid-1980s saw attempts to establish 'truth in political advertising' laws at both the federal and state levels in Australia. A federal provision was enacted in 1983, but was rapidly repealed the following year (a 1996 report by a committee of Queensland's Legislative Assembly contains a succinct review of what happened: Legislative Assembly of Queensland Legal, Constitutional, and Administrative Review Committee 1996: 3–11). Most parts of Australia have provisions that ban statements seeking to mislead voters in how to fill out the ballot paper. But only South Australia has persisted with a general anti-lying rule.

Section 113 of South Australia's Electoral Act 1985 states:

> A person who authorises, causes or permits the publication of an electoral advertisement (an advertiser) is guilty of an offence if the advertisement contains a statement purporting to be a statement of fact that is inaccurate and misleading to a material extent. (Electoral Act (South Australia) 1985, as amended, section 113(2))

The provision thus applies only to advertisements (which may be 'published by any means'), and only to those advertisements that seek to affect the outcome of an election. It could not be used, for example, against a newspaper article. It applies only to statements of fact: the Electoral Commission of South Australia has said that it takes it not to apply, for example, to 'statements of intention or opinion, or general statements of past success or failure in broad terms' (Electoral Commission of South Australia 2010: 68). Statements are caught by the provision only if they are both 'inaccurate' and 'misleading', and only if they manifest these characteristics 'to a material extent'. This final phrase is clearly vague, but it is in practice gauged in terms of whether there is a chance that the statement could have an effect upon the outcome of the election (see *King v. Electoral Commissioner* 1998, SASC 6557).

In short, the provision has limits, but is nevertheless broad: it applies, for example, to any billboards, leaflets, digital advertisements, social media posts, or broadcast advertisements produced by a party, candidate, or other organisation that seeks to affect an election result.

The most potent element of the provision allows the Electoral Commission to intervene during the course of an election campaign:

> If the Electoral Commissioner is satisfied that an electoral advertisement contains a statement purporting to be a statement of fact that is inaccurate and misleading to a material extent, the Electoral Commissioner may request the advertiser to do one or more of the following:
>
> (a) withdraw the advertisement from further publication;

(b) publish a retraction in specified terms and a specified manner and form (Electoral Act (South Australia) 1985, as amended, section 113(4))

Should an advertiser refuse such a request, the Electoral Commission can take the matter to the Supreme Court, which can order withdrawal or retraction.

These Electoral Commission powers were introduced in 1997. Previously, cases under section 113 had to go to the courts, where they would not be decided until well after the election was over (though the Electoral Commission had developed the practice of allowing advertisers an opportunity to withdraw before instigating legal action). Speaking in 1997, the Attorney General said:

> The Government believes that this is a power that would not be used often, but where there is blatantly misleading material that can be dealt with before the election then it is proper that it should be, rather than waiting until after the election to decide to prosecute. (Legislative Council (South Australia) Deb 1997b: 987)

How Does the Provision Work in Practice?

Table 2.1 summarises information provided by the Electoral Commission in its report on each election since 1997 on the number of complaints it received in relation to inaccurate or misleading advertising and the number of instances in which it has acted. It is evident that the Electoral Commission does use its powers. It did so only sparingly before 2014: its 2006 report does not even mention the number of withdrawal requests, and there were only two in 2010. The number rose sharply in 2014, however, to eleven, and it remained somewhat elevated in 2018.

Table 2.1. Complaints and actions relating to inaccurate or misleading advertising in South Australia since 1997

	1997	2002	2006	2010	2014	2018
Complaints received relating to inaccurate and misleading advertising	40	53	32	63	90	35
Cases where withdrawal or retraction requested	6	0	n/a	2	11	6
Cases where legal action taken	0	0	0	0	0	0

Sources: South Australia State Electoral Office 1997: 25–6; 2002: 42; 2006: 46; Electoral Commission of South Australia 2010: 42 and 47; 2014: 54 and 56; 2018 data kindly supplied by David Gully, Deputy Electoral Commissioner (private correspondence).

The current Deputy Electoral Commissioner for South Australia, David Gully, told us that, in practice, the Commission 'almost always' seeks the retraction as well as the withdrawal of an advertisement where, following assessment, it is deemed to breach the rules. It normally stipulates that the retraction should be made in the same form to the same people as the original statement. If a party's flier is deemed to have contained an inaccurate or misleading statement, for example, the Commission will normally request that the party send out a flier retracting the statement to the same voters. The Commission can also determine the wording of the retraction; it has, for example,

required that the party not include any material seeking to defend or explain its original contention (Gully 2017).

Systematic analysis of the nature of the requests that the Electoral Commission has made is rendered difficult by the fact that it makes no public statement in relation to them. We can, however, learn about some through a variety of reports.

The most notorious case occurred in 2010. Elections in Australia take place using a preferential voting system, allowing voters to number all candidates in order of preference. Parties frequently hand out 'how to vote' cards on polling day, advising their supporters on how to use their lower preferences. On election day in the 2010 South Australian Legislative Council elections, Labor Party activists distributed 'how to vote' cards that looked very like cards from another, small party, Family First. Whereas Family First advised its voters to give their preferences to the Liberal Party ahead of Labor, the Labor-distributed cards reversed this, thus giving Labor candidates a potential advantage (Novak and Kelton 2010). This sparked considerable disquiet. The political scientist and commentator Dean Jaensch called it 'a blatant and deliberate attempt to mislead voters' (Jaensch 2010). The Electoral Commissioner received multiple complaints, but, on advice from the Crown Solicitor's Office, concluded, 'I am not satisfied that any offence has been committed under these provisions of the Act' (Mousley 2010). The case prompted a parliamentary select committee inquiry, which recommended, inter alia, that 'the Electoral Act provisions with respect to misleading information be reviewed to enhance the enforceability of these provisions' (Select Committee on Matters Related to the General Election of 20 March 2010, 2011: 2).

Cases relating to the 2014 election included the following:

- A Liberal Party radio advertisement alleged that the Labor Prime Minister, Jay Weatherill, 'chose not to tell parents' after a 7-year-old child was raped in western Adelaide. In fact, an investigation had found that Mr Weatherill had not been informed of the case. The Electoral Commission 'ordered the Liberal Party to withdraw the ad and air a retraction' (Novak and Holderhead 2014)

- A post published on Prime Minister Weatherill's Facebook page said that, as a result of a new code of conduct for producers of free-range eggs, 'shoppers can rest assured that when they buy South Australian accredited free range eggs, that's what they're getting'. The Green Party complained that the code had not yet been implemented, so shoppers 'cannot actually buy any so-called South Australian accredited free range eggs'. The Electoral Commission upheld the complaint. It asked Labor to correct the original post and issue a new post retracting it (Novak 2014a).

- The Labor Party issued a flier attacking Liberal candidate Carolyn Habib using the slogan 'Can you trust Habib?'. The Liberals argued that the language and imagery of the flier sought to link their candidate to a former Guantánamo Bay detainee, Mamdouh Habib. It appears that they complained at the time to the Electoral Commission (Brooks 2014), but that the Commission did not find a breach of the rules. Ms Habib later complained to the Australian Human Rights Commission (Wills 2015).

To assess the provision, we ask the three principal questions set out above. First, is the system operable? Second, is it perceived as working well? Third, does it in fact have a positive impact on information and discourse during election campaigns?

Operability

It is apparent from the cases cited above that South Australia's section 113 provision does operate in practice: complaints are made; the Electoral Commission considers them; and the Commission does sometimes issue rulings that require major electoral actors to change their behaviour.

The view of the Electoral Commission on the operability of section 113 has evolved during the period since the provision was introduced. The Commission did not ask to be given the intervention powers that it received in 1997: reporting on the 1993 election, the then Electoral Commissioner said he saw 'no need to review' the existing approach (South Australia State Electoral Office 1994: 66). Most of its post-1997 reports have not, however, indicated any disagreement with that move: indeed, the only relevant recommendation in the 1997, 2002, and 2006 reports was to increase the maximum penalties in cases where misleading advertising was proved (South Australia State Electoral Office 1997: 62; 2002: 60; 2006: 64).

That said, the report on the 1997 election did note a number of 'challenges' created by the provision:

- It was time-consuming, taking 'at least 80% of the time spent dealing with complaints'.

- It was difficult for the Commission to play its role without being sucked into political controversy: it had to be 'responsive and yet peripheral as both candidates and the media attempted to involve it in the campaign'.

- There were difficulties in applying the provision to 'misleading advertising issues occurring late in the campaign, for example at polling booths on a Saturday, which can realistically only be dealt with after the election' (South Australia State Electoral Office 1997: 26)

The Commission has voiced similar concerns since then. In relation to a by-election in 2009, it noted 'that the complaints raised appeared to degenerate into a "tit for tat" distraction and the Commissioner's role was one of frustration in dealing with an extremely high workload that diverted attention away from managing the election' (Electoral Commission of South Australia 2009: 22). It recommended 'that section 113 of the Act be amended to remove the misleading to a material extent" component', on the grounds that assessing this threshold was particularly onerous (ibid.). That change would effectively have strengthened the provision. In 2010, the Commission recommended a broad review of section 113, 'with a view to discouraging the over-use of the section' (Electoral Commission of South Australia 2010: 68). Its concern was that the provision's existence raised expectations that its narrow wording often frustrated.

In 2014, the Commission expressed a rather different view. It repeated its earlier concern about the difficulty of enforcing section 113 late in the campaign. It also discussed difficulties of enforcement when parties fail to comply with requests to withdraw and/or retract. It concluded by making the following recommendation:

> Consider removing this provision as no other State in Australia has truth in political advertising. The Australian Parliament has determined that the Commonwealth Electoral Act 1918 should not regulate the content of political advertising.

There is an ethical question as to whether the Electoral Commissioner should be responsible for deciding whether political messages published or broadcast during an election are misleading to a material extent.

Enforcement of this provision compromises the role of Electoral Commissioner and often requires the Commissioner to determine who is 'right' or 'wrong' in terms of the two major parties. These decisions can then be used during political campaigning and can offend against the independence of the Electoral Commissioner. (Electoral Commission of South Australia 2014: 79)

These were the views of the Electoral Commissioner at the time of the 2014 election. The current Electoral Commissioner's report on the 2018 state elections remained pending at the time of writing; it will be valuable to see what assessment this makes of the section 113 provision.

The UK Electoral Commission, as we have seen, has long strongly opposed the idea that it might act as a 'truth commissioner', fearing that such a role could detract from its perceived neutrality and its ability to perform its other functions. It is striking, therefore, that the Electoral Commission of South Australia – a body charged with just this role – has often been broadly comfortable with it. That is not to say it does not see challenges. The section 113 provision poses significant administrative burdens. It risks pulling the Commission into the bear pit of the election campaign. And it is difficult to operate effectively in the closing stages of an election campaign, when there is insufficient time to investigate complaints and seek appropriate remedies. Nevertheless, aside from the one comment from 2014 quoted above, the Commission has apparently, on balance, seen section 113 as valuable.

Perceptions

That leads on to the question of whether similar perceptions are shared by others in South Australia. The current powers of the Electoral Commission in respect of inaccurate and misleading advertising were not uncontroversial when the Liberal government in 1997 first introduced them. Paul Holloway, speaking for Labor during the parliamentary debate on the proposal, suggested that it would undermine free speech. He said, 'If this is the way the Government intends to operate, we will have elections rather like those in places like Singapore, where the Opposition is harassed and muzzled simply for opposing the Government of the day.' Under the proposal, he continued, 'every single pamphlet would end up being vetted by lawyers and so couched in qualifying language that they would, in my view, not serve the public interest. (Legislative Council (South Australia) Deb 1997a: 923). He later added that 'the whole provision could become something of a lawyers' feast' (Legislative Council (South Australia) Deb 1997c: 1059).

In the years since 1997, by contrast, we have found only one significant statement of opposition to section 113 by a political party: shortly after the 2014 election, the Liberal Party made a submission to the parliamentary Select Committee on Electoral Matters in South Australia saying, 'It is the Party's view that the provision should be repealed.' The submission described the provision as 'an interference in the conduct of a free and fair election campaign'. It added that it 'unnecessarily draws the Commissioner into the election campaign. This places the Commissioner in the invidious role of both administrator of fair and unbiased elections on the one hand and adjudicator on the other.' (Liberal Party of South Australia 2014: 5). This submission was made in

the name of the party's now former State Director, Geoffrey Greene, who reiterated it in oral evidence to the committee (Select Committee on Electoral Matters in South Australia 2015: 60–1)

Today, however, both Labor and the Liberals support the principle of section 113. In the course of our research, we interviewed both the then Attorney General of South Australia, John Rau, who was responsible for electoral law, and the then Shadow Attorney General, Vickie Chapman, who became Attorney General following the state elections in March 2018. We also interviewed the State Secretary of the Labor Party (Reggie Martin) and State Director of the Liberal Party (Sascha Meldrum), who are responsible for ensuring their parties' compliance with electoral law. All of them supported the principle of section 113. Referring to the ban on inaccurate and misleading statements, John Rau, said 'I don't see that there's any principled argument against that' (Rau 2017). He added that 'stealing office by the tactical utilization of malicious or false material' is wrong. Vickie Chapman said there was no case for abolishing section 113 (Chapman 2017). Sascha Meldrum described it as a 'good thing' to have a deterrent against misleading advertising, saying 'everyone supports the section 113 system in principle' (Meldrum 2017). The Labor government between 2014 and 2018 chose not to adopt the former Electoral Commissioner's suggestion of repealing the provision, and the Liberal government elected in 2018 maintains the same view.

That said, none of the people we interviewed suggested that the provision operates without difficulty. John Rau acknowledged that 'where the boundary between opinion and objective fact lies is a fairly contested piece of turf' and that it is difficult to secure adequate remedy towards the end of the campaign. He also voiced sympathy for the Electoral Commission's concern that it can become embroiled in political contestation. 'On balance', however, he said:

> if you turn your mind to the alternatives, there's no other independent institution that's got particular expertise in elections, in our system anyway, and there's no other independent institution that has any likelihood of understanding the practical time constraints involved in the adjudication of a matter and the delivery of a remedy. So, whilst I acknowledge that the Electoral Commission is an imperfect adjudicator because of the potentially conflicting position it's putting it in, compared to all of the other options, it appears to be the best of the set of choices. (Rau 2017)

Vickie Chapman acknowledged the same problem. She suggested that a 'judicial officer' might be given the role instead (Chapman 2017), though other interviewees were concerned this could lead to delays. Sascha Meldrum pointed towards some practical concerns and also said there should be a mechanism to appeal against the Electoral Commission's decisions (Meldrum 2017).

One of the fears noted earlier was that the parties might 'weaponise' section 113 as a political tool against their opponents. John Rau agreed that this is a danger: 'there is a serious risk that the making of complaints under this would become a tactical weapon to be utilized itself as a method of disrupting the opponents' campaign – notwithstanding that there was no merit in the claim. It takes their eyes off the ball, it distracts them, it wastes their time.' (Rau 2017). But Reggie Martin, Labor State Secretary, described the incentives differently. He suggested that a party's case can be undermined if it makes a complaint that is not upheld: its opponents can then claim their arguments have been independently verified (Martin 2017). We also interviewed a prominent Adelaide journalist, Tom Richardson. He agreed that parties will inevitably seek to use any legal provision to their own advantage. But he also argued that section 113 benefits voters by acting as 'a safeguard against fanciful statements' (Richardson 2017).

The deepest concern expressed in the UK debate on confronting misinformation is that the body responsible for adjudicating claims may be perceived as biased, or may be accused of bias by partisan actors with an interest in undermining its authority. One stark instance of this occurred in 2014, when a former leader of the South Australian Liberal Party, Isobel Redmond, described the then Electoral Commissioner as 'utterly corrupt' (House of Assembly (South Australia) Deb 2014a: 210). When asked to explain her remark, she listed five instances in which she believed the Electoral Commission's decisions had unduly favoured the Labor Party. She concluded: over a period of time I watched these decisions, which seemed to go in a remarkably one-sided fashion; they were always found against the Liberal Party and in favour of the ALP [Australian Labor Party]' (House of Assembly (South Australia) Deb (2014b): 509–11, quotation at p. 510).

But this appears to have been a very isolated instance. Isobel Redmond eventually agreed to withdraw her remark (House of Assembly (South Australia) Deb (2014c): 686–7), and the Liberal Party figures we spoke with did not wish to associate themselves with it. Sascha Meldrum acknowledged that 'the issue of bias could come up', but saw the risk as 'fairly remote' (Meldrum 2017). On the Labor side, meanwhile, the party's State Secretary told us that officials at the Electoral Commission were 'ultra-professional' in their dealings with parties and that there was 'no question about any bias' (Martin 2017).

In order to survey wider views on section 113, we have gathered and analysed media reporting of its operation. Using the Nexis UK and ProQuest databases, our search string[1] captured 224 articles between 1987 and 2017. Some of these proved, on closer reading, not to be relevant, but many did contain reporting or commentary on section 113. It is striking that, beyond Isobel Redmond's remarks, we found no direct accusations of Electoral Commission bias at all, and no attempts to undermine the Commission's legitimacy. The concerns noted above of the former Electoral Commissioner, Kay Mousley, were, however, reported (e.g., Holderhead 2015).

By contrast, the importance of having a mechanism for protecting truthfulness in electoral campaigning was frequently highlighted in the media. Where the operation of section 113 was criticised, this was most often on the ground that it was too weak, not that it was overbearing. There were several proposals to expand the provision, both within South Australia and to Australia as a whole. The independent Senator Nick Xenophon said that the requirement to demonstrate claims were inaccurate and misleading 'to a material extent' set 'too high a bar' and ought to be removed. He added that the Electoral Commission should be able to judge whether material was 'partly wrong' (Novak 2014b). Another article criticised the provision for covering only 'electoral advertisements' (Jaensch 2004).

The most frequent voice in these debates is that of the political scientist and commentator Professor Dean Jaensch. He has persistently argued in favour of 'truth in advertising' provisions, saying, 'It is a basic premise of democracy that the electors should have an equivalent "consumer protection" as the public does in its transactions in the commercial and business world.' (Jaensch 2012: 4). Citing, for example, the 2010 controversy over 'how to vote' cards, he contends that the section 113 provision should be strengthened. He advocates the creation of a permanent Honesty in Politics Commission comprising 'commissioners who have no formal connections with political

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[1] "electoral commission" OR "electoral commissioner" OR Mousley OR "Electoral Act" + advertising OR advertisement OR advertise OR "electoral laws" OR "electoral act" OR Mousley + lie OR lies OR truth OR false OR misleading OR lying OR deceive OR dishonest NOT tennis OR soccer OR "Local Govenrment act"

parties, an unimpeachable reputation and a strong legal background', which would have 'the ability and the resources to assess and make judgments about truth' (Jaensch 2017).

Overall, then, it appears that the section 113 provision is very widely accepted in South Australia. As the journalist Tom Richardson put it to us, 'No one sees an issue with it. It doesn't loom large in the political landscape. It is just one of the things that are taken for granted in election campaigns.' (Richardson 2017)

Impact

The most important question – but also the hardest to answer – is that of whether section 113 improves information and discourse during election campaigns in South Australia. Here, evidence from different sources appears to suggest different conclusions. On the one hand, it is difficult to discern any difference in the tenor of political discourse in South Australia compared with other democracies on the basis of casual observation of media reporting or of parliamentary debates: the political tussle can often be caustic and the rhetoric overblown.

On the other hand, the opinion of experts and those with direct exposure to the effects of section 113 appears universally to be that it is worth while. It may not transform discussion, but it does set boundaries. Speaking to us in 2017, the then Attorney General, John Rau, was cautious but positive:

> Whether or not this thing has a demonstrably positive effect, I don't know. But I think, given that we've got it and given that it does provide some sanction, if we were to remove it, the act of removal would be pretty much a green light, I would have thought, to all of those people who want to press the boundaries and have a go. (Rau 2017)

Journalist Tom Richardson said, 'It does matter.' He said that it has no chilling effect on free speech. Rather, it 'forces people to be a bit less strident'; 'the benefit is that politicians understand that they can't peddle blatant falsehoods' (Richardson 2017). The legal scholar Professor John Williams said, 'It makes the political operatives pause – we can't tell a blatant lie; we have to have a factual basis for what we say'. He concluded, 'It's absolutely better than nothing' (Williams 2017).

Turning to public opinion, we have found no survey evidence relating directly to perceptions of the quality of political discourse. But the 2016 Australian Election Study did ask respondents, 'In general, do you feel that the people in government are too often interested in looking after themselves, or do you feel that they can be trusted to do the right thing nearly all the time?' The proportion willing to say that people in government can 'sometimes' or 'usually' be trusted was higher in South Australia (at 39 per cent) than in any other state (the Australia-wide average was 29 per cent) (our calculations from data at Australian Election Study 2016). Whether this could in any way be attributed to the constraint imposed by section 113 on political discourse is, however, wholly unclear.

Concluding Remarks on South Australia

The overall impression that emerges from this analysis of South Australia's anti-lying law is that it is benign. It does not have an enormous effect on information or discourse, but it does constrain politicians from making claims that are demonstrably false. It is not entirely straightforward to

operate: dealing with complaints takes substantial resources, at a time when the Electoral Commission is already working hard to deliver the election itself; and the Electoral Commission must act carefully to assert its role without becoming unduly embroiled in the campaign. Nevertheless, the great majority of those who have been directly affected by it think it is worth the effort.

Importantly, one of the biggest concerns expressed in the UK – that a body tasked with adjudicating on the truthfulness of campaign claims would not be taken seriously and would see its reputation trashed by those who found doing so useful – has simply not arisen. Politicians sometimes disagree with specific rulings of the Electoral Commission. But only very rarely have they questioned its integrity or the value of its task.

Nevertheless, we have significant doubts as to whether equivalent provisions would operate so easily if they were transferred to the UK. We pursue these doubts in the final section of this chapter. Before that, we add an additional case: that of New Zealand.

New Zealand

New Zealand, like South Australia, seeks to prevent misleading advertising during election and referendum campaigns. For the most part, however, it does so through a different route: voluntary self-regulation within the advertising industry. As in the UK, the New Zealand Advertising Standards Authority (ASA) is an industry body that produces advertising codes of practice and that, through its Advertising Standards Complaints Board, polices compliance with these codes. Unlike its UK counterpart, the New Zealand ASA examines all advertising, including election advertising.

Besides the ASA, the New Zealand regulatory system also has two further elements. First, election advertising on television and radio is regulated by a separate body, the Broadcasting Standards Authority. Second, a different regime applies to advertising published on polling day or the two days preceding polling day: during this period, it is a 'corrupt practice' under electoral law to publish campaign material that contains 'a statement of fact that the person knows is false in a material particular' (Electoral Act (New Zealand) 1993 (as amended), section 199A).

In what follows, we outline each of these elements before analysing their effects.

New Zealand Advertising Standards Authority

The New Zealand ASA is in many ways very similar to its UK counterpart. Its members are media companies, communications agencies, and advertisers, who appoint its chair. Its Complaints Board comprises nine members: a chair, four 'independent public members' who are not connected to the media or advertising industries, and four representatives of ASA members (New Zealand Advertising Standards Authority 2016a).

The ASA has produced a series of industry codes of practice. Most relevant for current purposes is the Advertising Code of Ethics and, specifically, its Rule 2:

> **Truthful Presentation** – Advertisements should not contain any statement or visual presentation or create an overall impression which directly or by implication, omission, ambiguity or exaggerated claim is misleading or deceptive, is likely to deceive or mislead

the consumer, makes false and misleading representation, abuses the trust of the consumer or exploits his/her lack of experience or knowledge. (Obvious hyperbole, identifiable as such, is not considered to be misleading). (New Zealand Advertising Standards Authority n.d.)

In addition, where decisions are made relating to electoral advertising, close attention is also always given to Rule 11:

Advocacy Advertising – Expression of opinion in advocacy advertising is an essential and desirable part of the functioning of a democratic society. Therefore such opinions may be robust. However, opinion should be clearly distinguishable from factual information. The identity of an advertiser in matters of public interest or political issue should be clear. (New Zealand Advertising Standards Authority n.d.)

This means that the ASA exercises particular caution before ruling against political (including electoral) advertising. Rulings on such advertising routinely carry the following paragraph:

The Chair observed that in a free and democratic society, differences of political opinion should be openly debated without undue hindrance or interference from authorities such as the Complaints Board, and in no way should political parties, politicians, lobby groups or advocates be unnecessarily fettered by a technical or unduly strict interpretation of the rules and regulations. (e.g., New Zealand Advertising Standards Authority 2017d: 2)

The ASA's Complaints Board decides whether to uphold a complaint against an advertisement. The ASA does not have formal enforcement powers, but the expectation if it upholds a complaint is that the advertisement will be altered or removed. The ASA's Chief Executive, Hilary Souter, told us that this is normally not a problem: advertising agencies and media companies are themselves members of the ASA (either directly or through their trade associations) and wish to uphold the regulatory framework. She said, however, that advertisers have sometimes refused to remove material from their own websites or from other advertising media that they directly control, such as their own vehicles (Souter 2017).

The ASA's average turnaround time for deciding complaints is twelve days. For political advertising close to elections, however, the ASA recognises the need for a rapid response. It therefore aims to deal with complaints on these matters within three days (Souter 2017).

The commonest categories of complaints received by the ASA relate to therapeutics, household goods, and vehicles or transport (New Zealand Advertising Standards Authority 2016b). But it also receives complaints about political advertising. Specifically, it received fourteen complaints relating to the most recent general election, held in September 2017. These are summarised in Table 2.2.

As is apparent, in many cases the chair of the ASA's Complaints Board decides without reference to the Board as a whole and without seeking a response from the advertiser that there are no grounds to consider a complaint any further. Even where complaints are subject to investigation and decision by the full Board, most are ultimately not upheld.

Table 2.2. Complaints relating to electoral advertising decided by the New Zealand ASA, 2017

	Number of cases
Complaints Board Chair decided there were no grounds to proceed	7
Complaints Board Chair decided the matter was already settled	1
Complaints Board did not uphold the complaint	4
Complaints Board upheld the complaint	2
Total complaints	**14**

Source: Our own calculations, based on information on the New Zealand ASA's website.

To help see how the system operates in practice, we outline some of these cases. We begin with the two 2017 cases that were upheld, both of which attacked Labour Party policy on abortion:

- One concerned a post on the Facebook and Twitter feeds of a campaigning organisation called Saving Down Syndrome (SDS). This contained what might have been construed as a mock-up of a Labour Party advertisement bearing the words 'Abortion up to birth for babies with disabilities'. Alongside it was a statement from the SDS beginning, 'This sends a strong discriminatory message…'. Having considered the text and imagery, the Complaints Board concluded 'that consumers may consider the post showed a Labour Party advertisement and the organisation's reaction to it' and that this was 'likely to mislead or confuse consumers in breach of the requirements of Rule 2 and Rule 11 of the Code of Ethics' (New Zealand Advertising Standards Authority 2017a: 6).

- The second case related to a sponsored Facebook post by a group called the Make New Zealand Great Again Party (which did not run in the election). This contained a picture of the Labour Party leader with the words, in quotation marks, 'My Labour Party will end child poverty through abortion. No children. No poverty'. The Complaints Board found that this 'created the impression the statement shown next to the image of Jacinda Ardern was a quote from her' when that was not the case. It concluded that 'the advertisement was misleading and in breach of Rule 2' (New Zealand Advertising Standards Authority 2017b: 1).

It is useful also to look at one complaint that was not upheld, but that was subject to detailed consideration by the Board. This concerned two National Party advertisements, both of which appeared on the party's Facebook page and both of which characterised the Labour Party's tax policies. It helps us see where the Complaints Board places the line between what is acceptable and what is not acceptable, and is summarised in Box 2.1.

ASA ruling 17/327 related to complaints against two National Party advertisements characterising Labour's tax plans.

The first advertisement said that, under Labour's proposals, 'You will pay $1,060 more tax from 1 April 2018'. The complainants said that Labour was proposing not a tax rise, but only the reversal of a tax reduction that had been legislated for by the National government. The Complaints Board 'acknowledged that there could be differing views about whether the removal of a tax cut was a tax increase, but regardless, based on current legislation, some people will pay more income tax under a Labour Government from 1 April 2018'. The Board concluded that 'the advertisement did not reach the threshold to mislead and was not in breach of Rule 2 of the Code of Ethics' (New Zealand Advertising Standards Authority 2017c: 4).

The second advertisement listed six taxes that it claimed were part of Labour's tax plans. The complainants said each of these claims was misleading. They said, for example, that a claim about capital gains tax was linked to a picture of a house, but that Labour had 'explicitly ruled out' imposing capital gains tax on family homes. The National Party, given an opportunity to respond, said, 'There is no suggestion that the home shown in the advertisement was the "family home"' (ibid.: 6).

The Complaints Board was split in its view of this advertisement. 'The majority said the context of the advertisement from the National Party, on their Facebook page and YouTube channel, made it clear it presented their opinion and what they considered to be a point of difference in policy.' They concluded that, 'taking into account the political nature of the advertisement, the context in which it appeared and level of parody, the advertisement had not met the threshold to mislead consumers'.

The minority took a different view. They concluded that 'the advertisement implied Labour would introduce the taxes presented and it conflated taxes that had been announced by the Labour Party with those that had not'. They said, 'the advertisement was likely to mislead consumers in breach of Rule 2 of the Code of Ethics' (ibid.: 9).

These cases illustrate the ASA's cautious approach. Notably, it is generous in allowing campaigners to express their interpretations of their opponents' policies, so long as they make it evident that these are *their* interpretations. It is not, however, limitlessly generous. In a case from the 2014 election, an advertisement by the small Conservative Party was deemed to have been misleading in its description of New Zealand First policy towards alcohol. The advertisement said that New Zealand First would not implement 'the 5 key recommendations' (and elsewhere that it would not implement 'all 5 recommendations') of a Law Commission report on this matter. The report had in fact contained many more than five recommendations. The Complaints Board found that it was misleading to pick out only five recommendations and suggest there were no others (New Zealand Advertising Standards Authority 2014: 5). It rejected, however, complaints relating to various other parts of the same advertisement.

Broadcasting Standards Authority

The ASA in New Zealand handles all advertising complaints with one exception: election advertisements on television and radio. These are dealt with, instead, by the Broadcasting Standards Authority (BSA), which is responsible for upholding standards across all broadcast output. Broadcast election advertising in New Zealand is tightly restricted: only parties or their candidates may promote such advertising; parties may pay for such advertising only using money allocated to them from a fixed pot of public funds. The fact that this advertising is regulated by a statutory body – the BSA – rather than the non-governmental ASA reflects this strict approach.

The BSA has four members, appointed by the Governor General on the recommendation of the Minister of Broadcasting. The chair must be a barrister or solicitor. One member is appointed after consultation with the broadcasting industry, another after consultation with public interest groups (Broadcasting Act (New Zealand) 1993, as amended, section 26).

The BSA has several codes of practice, all of which contain accuracy requirements. The free-to-air television code, for example, states:

> Broadcasters should make reasonable efforts to ensure that news, current affairs and factual programming:
>
> - is accurate in relation to all material points of fact
>
> - does not mislead. (New Zealand Broadcasting Standards Authority 2016: 39)

Since 1989, the BSA has received complaints relating to 27 election advertisements. Eighteen of these related partly or wholly to accuracy, making this the most frequent basis for complaints. The BSA has, however, wholly or partly upheld only three of these (our calculations, using information on the BSA website):

- One case was trivial. In 2005, the Māori Party complained that a Labour Party advertisement was inaccurate in claiming the Māori Party had voted with the National Party in parliament 227 times: it said the true figure was lower. The BSA found that the true figure was in fact at least 277. Thus, while it found a breach of the code, this was not to the detriment of the claimant (New Zealand Broadcasting Standards Authority 2005).

- We need to go back to the 1996 election for a case in which a complaint was upheld on a matter of any substance. In that year, a radio advertisement for a Progressive Green Party candidate said that, if he was elected in his constituency, his party would gain an additional 'list' seat through New Zealand's Mixed-Member Proportional (MMP) electoral system. The complainant pointed out that the Progressive Green Party had in opinion polls never reached half the level of support that would have entitled it to that extra seat. The BSA deemed the advertisement to be inaccurate and upheld the complaint (New Zealand Broadcasting Standards Authority 1996).

- In 1990, a Labour Party advertisement claimed that, if elected, the National Party would 'abolish weekend pay rates … by Christmas'. The National Party complained, saying this was 'false, misleading and deceptive'. The BSA agreed. It required that a statement be read out once on three consecutive days on each of the stations on which the advertisement had been broadcast (New Zealand Broadcasting Standards Authority 1990).

A distinct peculiarity of the New Zealand system is that the complaints just cited are made against the broadcaster for broadcasting the inaccurate advertisement, not against the party for putting it together. The implication is that broadcasters should conduct their own assessment of the advertisements that are submitted to them and refuse to broadcast material that they deem inaccurate. We think this feature of the system is indefensible: broadcasters include, for example, small local radio stations, which cannot be expected to have the resources or expertise to make impartial adjudications of such sensitive matters. We will not take account of this feature in our assessment below. Rather, we will focus on whether the strategies for adjudicating on accuracy and seeking redress function effectively and could be transplanted to the UK.

Electoral Act 1993, section 199A

The third leg of New Zealand's arrangements for promoting accuracy in election advertising is provided by section 199A of the Electoral Act, which was inserted into the law through an amendment passed in 2002. As originally passed, it stated:

> Every person is guilty of a corrupt practice who, with the intention of influencing the vote of any elector, at any time on polling day before the close of the poll, or at any time on any of the 2 days immediately preceding polling day, publishes, distributes, broadcasts, or exhibits, or causes to be published, distributed, broadcast, or exhibited, in or in view of any public place a statement of fact that the person knows is false in a material particular. (Electoral Amendment Act (New Zealand) 2002, section 81)

Every general election in New Zealand is followed by an inquiry by parliament's Justice and Electoral Committee (JEC) that evaluates the operation of electoral law and makes recommendations. Section 199A was added on the basis of JEC inquiry into the 1999 election. The committee noted the roles of the ASA and BSA, but said they could not work effectively at the end of a campaign, when there was no time for an adjudication to be made. Parties and candidates, similarly, had insufficient time to rebut false claims themselves. They said:

> This means that there is a real danger in such situations that electors will base their electoral choices on erroneous information. There is also a temptation for unscrupulous candidates to exploit media and voters over the last few days of the campaign by issuing misleading statements. (New Zealand House of Representatives Justice and Electoral Committee 2001: 91–2)

They continued:

> We do not wish to see people's right to freedom of expression unduly limited, especially during election campaigns, but we consider that there is a very narrow class of expressions that should be limited in order to protect the integrity of the electoral decision. The expressions that should be limited are deliberately false statements of fact made on election day and the two preceding days with the intention of influencing the vote of any elector. (ibid., p. 92)

The National Party members of the committee dissented from this view, saying 'the public is the best body to sit in judgment on political debate' (ibid., p. 94).

Section 199A was revised in 2017 in light of a court case arising from the 2014 election. In that election, as we saw above, the ASA ruled that a Conservative Party advertisement had misrepresented one of the policies of the New Zealand First party. The Conservative Party did not, however, remove the advertisement from its website, and it was therefore online during the period covered by section 199A. New Zealand First leader Winston Peters asked the Electoral Commission to refer the matter to the police on the basis that the Conservative Party continued to publish the advertisement during the proscribed period despite the ASA's ruling that it contained false information. The Electoral Commission declined to do so, saying that, because the advertisement was first published before the two-day window, it was not covered by section 199A. The High Court, in a 2016 judgement, disagreed, saying that, if material continued to be available online during the two-day period, it was being published during that period (*Peters v. Electoral Commission* 2016). Section 199A was amended to clarify that it applied only to material *first* published during the window (Electoral Amendment Act (New Zealand) 2017, section 98). The government, explaining this amendment, said that, in light of the High Court's judgement, section 199A was no longer 'appropriate' in its original form:

> The large quantity of information on the internet which could be in scope of this interpretation, such as on blogs and social media which is archived or difficult to take down, could discourage commentary or lead to large numbers of complaints under section 199A. (New Zealand Ministry of Justice 2016: 7)

Thus, the government evidently wanted the provision to continue to have only limited application.

The limits of section 199A's applicability are illustrated by the extent of its usage since it was introduced in 2002. The case of *Peters v. Electoral Commission* is in fact the only case to have reached the courts during that period. The Electoral Commission told us that they had in this time referred one case to the police, but the police found no breach and opted to pursue the matter no further.

We now turn to assessing the New Zealand system by examining the same three questions as before: is the system operable; is it perceived as working well; and does it in fact has a positive impact on information and discourse during election campaigns?

Operability

As we have seen, the UK ASA does not wish to extend its remit into electoral advertising, and has identified several potential dangers that doing so could create. The New Zealand ASA acknowledges that there are potential difficulties, but says that, at least in the New Zealand context, these are surmountable. The ASA's Chief Executive, Hilary Souter, said, 'It's not without its challenges. But there are more positives than negatives about having this role.' She added, 'Just because it's hard doesn't mean you shouldn't do it' (Souter 2017).

She agreed that judging on political matters can be contentious and raise deep philosophical questions. But she pointed out that this applies to cause advertising (which, we should recall, is covered by the UK ASA) as well as to electoral advertising. She said that the New Zealand ASA's relationship with political parties is mostly positive and cooperative.

With regard to timeframes, she highlighted the ASA's three-day turnaround time during election campaigns, which is also mirrored by the BSA and the Press Council. Within this, parties whose advertisements have been subject to complaint have twenty-four hours to respond. She agreed

that this is very quick, but said that advertisements themselves have very rapid turnaround times and that the system must respond to that. At the same time, she acknowledged that, even with these very rapid decisions, it is difficult to deal with problems effectively during the final week of the campaign.

That difficulty is, as we have seen, the reason for the existence of section 199A of the Electoral Act. As the preceding section showed, however, only one case has ever reached the courts under section 199A, and that was brought against the Electoral Commission for failing to act, not against an advertiser. In that sense, this part of the New Zealand system simply does not operate at all. The role of the BSA also appears marginal, having made no significant adverse decisions for over twenty years.

Perceptions

We have found no evidence of concerns regarding the role of the New Zealand ASA in electoral advertising. We spoke to two former secretaries of the Labour Party (Barnett 2017; Smith 2017), a prominent pollster and blogger with ties to the National Party (Farrar 2017), and a prominent electoral lawyer (Edgeler 2017). All supported the ASA's work. David Farrar said it was 'a very good regulator', while Tim Barnett characterised it as 'genuinely neutral'. We have also reviewed available newspaper reporting and commentary, and have found no criticisms at all of the ASA's work.

Opinion is more divided, however, on the BSA. Some of our interviewees simply bracketed it together with the ASA. Others noted that its members are appointed by government ministers. One said, 'Appointments to the BSA are made by the government of the day. Any government normally appoints its friends' (Smith 2017) – though he also argued that this did not undermine confidence in the system. Questioning of the BSA's independence has been a recurrent theme of media coverage as well, especially in the early 2000s, when some criticised appointments to the BSA by the then Labour government as political (Taylor 2002; Espiner 2002, 2003a, 2003b; *National Business Review* 2003; *Dominion Post* 2008). A senior National Party MP expressed regret at the time 'that the current Government has adopted a strategy of making politically motivated appointments to the BSA' (McCully 2004), and a media executive voiced concerns over 'state control' (Impey 2004).

Views of section 199A, meanwhile, tend to be dismissive. Tim Barnett, as well as being Labour Party General Secretary between 2012 and 2015 (and therefore the person responsible for ensuring compliance with electoral law), was the chair of the Justice and Electoral Committee when, in 2001, it recommended the introduction of the section 199A provision. Despite these roles, he acknowledged that he had forgotten section 199A existed, as did a senior political journalist whom we spoke with. Mike Smith, similarly, had no memory that the provision had ever been a consideration in how campaigns were conducted. David Farrar was aware of it, but saw it as impractical. Graeme Edgeler said he expected no one would ever be convicted under it: it would be very difficult to prove that all the thresholds stated within the law had been met, including that the person making the statement knew it to be false. He also argued that, in principle, the law is an inappropriate interference with free speech.

Impact

It can readily be seen from the foregoing paragraphs that section 199A has no impact. Not only has it never led to legal action: in addition, politicians and journalists are unaware it even exists. Further evidence comes from the reports of the Justice and Electoral Committee, none of which since the measure was introduced have so much as mentioned section 199A. It appears that the provision has simply not entered political actors' consciousness.

The work of the ASA and BSA is generally seen as impactful. As we noted above, advertisers do tend to abide by ASA rulings – though we have also noted at least one case where a party did not remove from its Facebook page material that was deemed to have been misleading. David Farrar commented that the system does affect the major parties' behaviour, as they do not want the distraction of an adverse ruling (Farrar 2017).

As in South Australia, however, it seems that this impact is limited. The work of the ASA and BSA puts outer limits on acceptable political discourse, but does not change in any fundamental way the broad character of that discourse. None of the people we spoke to thought that the regulators' interventions made a substantial difference to the basic tenor of campaigning. Most thought that having limits and forcing parties to think about those limits before acting was worth while. But some did question their value.

Concluding Remarks on New Zealand

The New Zealand case is valuable, for it allows us to see the varying effects of different strategies in the same context. We saw that regulation by a non-governmental body – the New Zealand ASA – works well and is widely supported. This success depends, importantly, on buy-in by politicians across the political spectrum as well as by journalists and other campaigners. On the other hand, even in this supportive environment, the legitimacy and impartiality of regulation by a body appointed by ministers – the BSA – is sometimes questioned. The legal ban on false statements at the end of the campaign period, meanwhile, simply does not work. Finally, even the work of the ASA has little overall effect on campaign discourse.

Lessons for the UK

We conclude this analysis of measures intended to ban misleading campaign statements by briefly considering what lessons might be drawn for the UK. We develop these themes further in Part 5.

On the one hand, the preceding discussions of experience in Australia and New Zealand show that direct intervention against misleading claims can be successful. The evidence suggests the following:

- Regulators are able to apply rules regarding false, inaccurate, and/or misleading statements in ways that they themselves consider to be reliable and fair. They believe it is possible to draw clear and meaningful lines between acceptable and unacceptable material. They acknowledge that this is not easy and that it imposes significant burdens on them. But they tend to think it is workable.

- Regulators also find that they are able to apply the rules in a timely fashion. They employ expedited procedures during election or referendum campaigns, delivering their rulings within a matter of days.

- In most cases, others with direct experience of these regulators' work also see it as reliable, fair, and timely. They agree that regulation in this area is far from straightforward, and we did hear some concerns about delays. But they do not think it impossible to operate the system in a defensible way. Importantly, we have seen almost no concerns in either South Australia or New Zealand that the regulation of truthfulness in elections and referendums might violate the principle of free speech.

- At least in the political cultures that we have been analysing – those of South Australia and New Zealand – significant political actors have not sought to undermine confidence in the bodies responsible for upholding these rules. Major political parties sometimes indicate disagreement with specific decisions, but they have not sought to turn the regulators into political footballs. Nor have newspapers or other media actors.

- The regulators' interventions are seen as effective. They do not transform the character of political debate: politicians are still robust in their claims about each other's records and policies, and voters still distrust them. But participants of all kinds consider that the rules do a valuable job of laying down limits and giving campaigners pause before making claims that they cannot defend.

On the other hand, we have also identified concerns about how these systems operate in South Australia and New Zealand:

- Provisions that cannot practically be applied during the campaign period itself – most clearly, New Zealand's rules against false statements in the final days of the campaign – simply do not work. While this rule could be used to void an election result after the fact, that would be a very large step, which no one has been willing to take.

- It is paramount that the bodies responsible for policing the rules should be independent and perceived as such. Even in New Zealand's relatively forgiving political environment, we found persistent (though low-level) criticisms of the BSA's lack of independence, which did at times undermine confidence in its work.

- While the provisions we have examined may set broad limits, they do not change the basic tenor of political debate. Heavy spinning and caustic negativity remain pervasive. In order to ensure there is plenty room for legitimate free speech, regulators intervene only against blatant falsehoods. That leaves most of the speech that many citizens find so alienating unaffected – and there could be a danger that this will discredit the system. There is insufficient evidence to draw conclusions regarding any potential impacts on trust in politicians.

Furthermore, notwithstanding the largely positive experiences in South Australia and New Zealand, we have grave doubts about whether systems such as these could be expected to operate effectively in the UK.

- One issue is scale. South Australia and New Zealand are both small polities in which, at the level of the political elite, everyone knows everyone else. We suspect this is important for building trust and for allowing the rapid decision-making that is indispensable to success. The UK ASA told us that they thought turnaround times of a few days would simply not be feasible here.

- A much broader issue relates to political and media culture. As noted above, we found no instance in South Australia or New Zealand in which a significant political actor sought to discredit one of the regulators in this area as a political tactic. This was essential to the effective operation of the system: had significant voices worked to undermine the regulators, the latter could not have done their job effectively. We – and all those working within the UK system with whom we have spoken – find it unimaginable that the same would apply in the UK. Some campaigners and newspapers are only too willing to undermine the legitimacy of any actor who gets in the way of their agenda. If this happens, interventions are likely to be ineffective, and may even generate 'backfire effects', such as we discuss, in relation to fact-checking, in the next chapter.

In short, we think the lesson from experience in South Australia and New Zealand is that mechanisms for banning misinformation can work, but only in a context in which the body responsible for upholding the rules is trusted and campaigners see that attacking that body would do them more harm than good. No one we spoke to in Adelaide or Wellington thought these matters were easy: all acknowledged difficulties, but said that, on balance, they thought it better to have these systems than not. If the context is different, the balance is different too. For the reasons we have just set out, we think the balance is markedly different at present in the UK. Accordingly, we do not recommend the introduction of mechanisms for directly banning misleading claims in the UK today.

Finally, we have concentrated in this chapter on the *efficacy* of banning misinformation, but we ought also to consider the argument that such a measure should be rejected *in principle*. Is there a case for saying that, whatever the practicalities, restrictions on free speech in election and referendum campaigns are never tolerable?

As we have seen, such restrictions are routinely accepted in most areas of commercial and public life. Regulation of cause advertising is also accepted, so long as it does not stray into matters of opinion. So the claim must be that there is something particular about elections and referendums. The argument might be that state intervention in the process through which the citizens decide who will control the state reverses the proper balance of power. But the state regulates all other aspects of elections and referendums – not least, the electoral system itself. And the power imbalance between voters and resourceful campaigners should also be acknowledged: as in other spheres of life, rules may enhance rather than detract from ordinary citizens' freedom to act autonomously. Furthermore, if the part of the state that regulates misinformation is genuinely independent of political control – that is, of those whose power is at stake in the election – then the objection to such regulation falls.

This is not the place for deep philosophising. Suffice to say that we are not persuaded that an *in principle* case against banning misinformation in election and referendum campaigns can be made. The issues of practicability and efficacy that we have focused on in this chapter are therefore paramount.

Chapter 3. Fact-Checking

The second approach to confronting misinformation involves identifying the accuracy or veracity of a claim, and informing the public of this adjudication. This has come in recent years to be known as 'fact-checking'. By judging the accuracy of a statement and, if necessary, providing a correction, fact-checking aims to nudge people towards high-quality information without preventing their access to disputed content.

Both demand for and supply of independent political fact-checking have increased in recent years given the growth of the internet as a channel for news dissemination and consumption: (mis)information can be quickly and easily shared without people knowing whether claims are correct and originate from reliable sources. Innovative ways of using fact-checking and disseminating its results have proliferated, both in the UK and internationally (Folb 2017; Sharockman 2017). As we explore below, both the BBC and Channel 4 have expanded their fact-checking operations, and internet companies have explored ways of integrating fact-checking into their platforms.

Given this is a fast-moving topic, this chapter provides an outline of recent developments, but does not attempt a full-scale assessment using our tripartite structure of operability, perceptions and impact. Evidence remains too limited to conduct such an in-depth study. Rather, we begin by describing political fact-checking and highlighting concerns relating to its effectiveness in confronting misinformation. Then we look at the growth of fact-checking in the UK and internationally. Then we examine two innovative uses of fact-checking: attaching visual indicators to online content, and increasing the prominence of information from reliable sources.

Political Fact-Checking

The process of checking facts is, of course, an essential and age-old activity among journalists and many others. But rigorous, independent 'fact-checking' has become a distinct operation in the last decade or so as the internet has grown in importance as a source of information. Independent political fact-checking organisations have increased in both number and influence (Folb 2017; Greenblatt 2017; Sharockman 2017; Stencel and Griffin 2018). Drawing on relevant data and expertise, they adjudicate disputes about the veracity of claims or news stories and publish their conclusions. Though fact-checking is typically done on textual material, it has recently been applied to audio-visual sources as well (see, for example, Woodford 2018).

Fact-checking is reactive: it typically occurs once a claim has been made. That is why it fits into the 'confronting misinformation' approach we have identified. In explaining why a statement or story is true or false, however, fact-checkers also provide additional, impartial information to back up their assessment.

Research on fact-checking is still in its early stages. Studies have focused particularly on the effectiveness of fact-checking in correcting people's misperceptions, and there is little agreement among scholars on the impact such interventions have on people's acceptance of correct information. Some argue that fact-checking is effective in increasing accurate understanding of political issues (Fridkin et al. 2015; Wood and Porter 2016). Others argue that people will continue to believe in a false claim and will not accept a correction, if the latter runs counter to their existing

view ('belief persistence'; Nyhan and Reifler 2010). Particularly among highly partisan groups, a correction might actually further entrench belief in a piece of misinformation – the so-called 'backfire effect' (Nyhan and Reifler 2010) – because people feel their perspective is under attack. Even when a person does accept the results of fact-checking, his or her political attitudes can continue to be influenced by the misleading claim – in what Emily Thorson terms 'belief echoes' (Thorson 2016: 461). She argues that these echoes are created either automatically – when misinformation has a stronger 'affective charge' than a correction – or through a conscious deliberative process, in which a person reasons that the existence of a false claim must have some basis of truth (Thorson 2016: 464–5). To improve the impact of fact-checking, Thorson argues that corrections should be phrased as affirmations, rather than negations of the original misleading claim, so that they may have a stronger affective charge (Thorson 2016: 476).

A further concern raised in the literature relates to the need for fact-checkers to be aware of their role in inadvertently widening the reach of misinformation (Thorson 2016: 476; Wardle and Derakhshan 2017). Rather than nudging people towards accurate information, fact-checkers may contribute to increasing the spread of a misleading claim. Wardle and Derakhshan thus argue that journalists and fact-checking organisations should decide when not to provide 'oxygen' to misinformation (what they term 'strategic silence'; Wardle and Derakhshan 2017: 19). They say that the 'media needs to consider that publishing debunks can cause more harm than good, especially as agents behind dis-information campaigns see media amplification as a key technique for success' (Wardle and Derakhshan 2017: 19). Such timing considerations are highly sensitive given that debunking misinformation becomes more difficult once it is widespread (Southwell and Thorson 2015: 590).

Finally, many of us spend much of our time in 'echo chambers' and 'filter bubbles' – highly partisan information environments giving limited exposure to alternative viewpoints, which are artificially enhanced by algorithmic filtering. As a result, citizens may not seek or be exposed to corrective and incongruent information at all (Schmidt et al. 2017; Shin and Thorson 2017). This should alert us to the difficulties in disseminating fact-checks among the wider electorate.

The Growth of Fact-Checking

As we have noted, fact-checking as a distinct operation is a relatively new phenomenon. Even in the last two years, the number of such initiatives has grown substantially, reflecting increased demand for the verification and correction of information. As of August 2018, Duke University's Reporters' Lab counts 156 active fact-checkers worldwide, six of which are located in the UK. This corresponds to a 37 per cent increase since 2017 and a 255 per cent increase since the database started in 2014 (Duke Reporters' Lab n.d.; Stencel 2017). Fact-checkers are usually set up as part of a media organisation, which reflects their original journalistic focus, or as independent third-sector initiatives.

Four of the six UK fact-checkers are connected to media organisations. The most prominent are those run by the BBC and Channel 4. The BBC's Reality Check was originally set up on an ad hoc basis for the 2010 and 2015 general elections and the 2016 EU referendum. In early 2017, then Director of BBC News James Harding announced that Reality Check would become permanent and would extend its remit to include fake news (Jackson 2017a). Harding explained:

The BBC can't edit the internet, but we won't stand aside either. We will fact check the most popular outliers on Facebook, Instagram and other social media. […] Where we see deliberately misleading stories masquerading as news, we'll publish a Reality Check that says so. And we want Reality Check to be more than a public service, we want it to be hugely popular. We will aim to use styles and formats – online, on TV and on radio – that ensure the facts are more fascinating and grabby than the falsehoods (Jackson 2017a)

In addition to its online services, Harding announced in December 2017 that the BBC would launch a 'Reality Check Roadshow': a series of events targeted at secondary school and sixth-form students, as part of a wider media literacy project aimed at 'helping young people identify real news' (Harding 2017).

Since 2005, Channel 4 has been verifying the accuracy of politicians' statements through its FactCheck team (Deans 2005). Dorothy Byrne, Channel 4's Head of News and Current Affairs, stated at the time that she believed 'FactCheck will be an important service to the public during the election period. With so many statements flying around, it is often difficult for the voter to know where the truth lies' (Deans 2005). Following the 2016 US election, the team increased its scope to include misleading claims circulating on social media (Jackson 2017b). Such increased efforts by both Reality Check and FactCheck indicate that fact-checking has come to be seen as an effective way of confronting misinformation, particularly that circulating online.

The remaining two UK fact-checkers have been established as independent, non-partisan third-sector organisations. The largest and best known is Full Fact, which was founded in 2010. Its mission is to 'improve the quality and accountability of public debate for everyone, and that means stopping misinformation at its source' (Full Fact n.d.). In addition to publishing fact-checks, Full Fact works closely with government, journalists and research institutions, produces educational tools, and pro-actively pushes for corrections and withdrawals of misleading claims (Full Fact n.d.). For example, in response to pressure from Full Fact, David Cameron issued a ministerial correction of a misleading statement made during Prime Minister's Questions on 2 March 2016 (Full Fact 2016a; Cameron 2016). In 2016, Full Fact joined forces with the UK Statistics Authority, the House of Commons Library, and the Economic and Social Research Council to set up the 'Need to Know' project, which aims to ensure that accurate data and analysis are available for fact-checks, and to help the organisation anticipate the information that people need (Full Fact 2016b).

Fact-checkers have also partnered with verification platforms and news organisations, and collaborated in monitoring disinformation during election campaigns. First Draft, a coalition of digital media verification experts, collaborated with 37 newsrooms, including the BBC, on the CrossCheck project, which monitored content for the 2017 French presidential election; with Full Fact on the 2017 UK general election; and with the German fact-checking organisation Correctiv on the #WahlCheck2017 project (Wardle 2017). In 2018, it collaborated with 24 Brazilian media companies to monitor mis- and dis-information during the country's presidential election (Comprova n.d.). During the US presidential election in 2016, First Draft participated in the Electionland project, organised by ProPublica, a not-for-profit journalism organisation (Reid 2016).

Innovative Uses of Fact-Checking

The previous section looked at the recent growth of fact-checking as a distinct operation. A difficulty with fact-checking such as we have described it, however, is that it is not always visible in the places where misinformation is being spread. Few people look at the websites of fact-checking organisations directly, and increasing numbers of people access news from sources other than the traditional outlets. In response to this, internet companies have begun to explore ways of integrating the results of fact-checking into their platforms. In this section, we briefly explore two of these. First, visual indicators can be incorporated into the content displayed on these platforms, based on the assessments of independent fact-checkers. Second, content judged to come from reliable sources on the basis of external verification can be presented more prominently in online search results.

Visual Indicators

Attaching a warning label or tag to a misleading claim is one way of exposing misinformation without preventing access to content. Solutions of this kind have been exclusively explored for online platforms, where they are easier to implement.

Eleven days after the 2016 US presidential election, Mark Zuckerberg posted a Facebook status in which he responded to criticisms that the platform had done too little to combat misinformation, by outlining the steps it was taking (Zuckerberg 2016). One of these measures was the inclusion of a warning label to allow users to distinguish between true and false content. This would rely on the collaboration of users, who would report content as a 'fake news story', and of third-party fact-checkers, who would verify the accuracy of the information. If content was deemed inaccurate by at least two of the three independent fact-checkers, it would feature a tag stating that it had been disputed. People could still share the story, but would receive a warning before doing so. To remove the financial incentive to create fake news, it would not be possible to advertise or promote such content (Mosseri 2016). In 2017, Facebook went further by prohibiting pages whose posts had been repeatedly disputed from advertising (Shukla and Lyons 2017).

The precise effect of the 'disputed' tag on slowing the spread of misinformation and nudging people towards accurate content is hard to ascertain, particularly given Facebook's reluctance to share data (Levin 2017; Schwartz 2017a and 2017b). Facebook itself says there has been a decline in fake news on the platform (Schwartz 2017a). But some studies suggest that attaching warning labels may actually have had a negative impact. Pennycook and Rand (2017), for example, found that the disputed tag had a small impact on how accurately users' perceived the truth or falsehood of stories; but they also observed an 'implied truth' effect on false content that was not tagged. Internet entrepreneur Kalev Leetaru (2017) argues that the disputed tag may actually produce a 'backfire effect': rather than nudging people towards accurate information and helping them to discern among content, the warning label may further entrench their belief in the falsehood and perhaps even act as a 'stamp of approval and a mark of stature' (Leetaru 2017). This may increase the sharing of tagged stories on Facebook, particularly among those who perceive fact-checkers to be biased (Borel 2017; Levin 2017). Indeed, Facebook's fact-checkers have been accused of partisan bias and of attempting to 'control the discourse' (Young 2016). This latter point raises a further concern, namely that third-party organisations, responsible for verifying statements and

acting as 'arbiters of truth', will face difficulties in establishing and maintaining their credibility, independence and trustworthiness.

In light of such concerns, Facebook changed tack in late 2017. Rather than disputing content, Facebook switched to a 'related articles' feature that would provide additional perspectives and information on a story. Related articles are stories produced by independent fact-checkers; they appear when a user is about to click on or share an article that contains misleading content (Smith et al. 2017). This feature seeks to entice users to reflect on the accuracy of a story and thus nudge them towards reading and sharing more fact-based information (Lyons 2017). Though limited research is available on its impact, Tessa Lyons, product manager for Facebook's Newsfeed, has said that the feature appears to have made people less likely to share false stories (Facebook Newsroom 2018).

In 2018, Facebook also announced that it would 'prioritize news that is trustworthy, informative, and local' (Zuckerberg 2018). Facebook users themselves would determine which sources they trusted as part of Facebook's ongoing quality surveys (Mosseri 2018). Further ways for citizens to be involved in directly confronting misinformation and promoting high-quality information will be explored in Part 5 of the report. In 2019, Facebook began to work directly with Full Fact to provide high-quality fact-checks of potentially problematic content in the UK (Full Fact 2019).

Outside the Facebook realm, other approaches that have been implemented include browser extensions that flag unreliable or misleading websites (Feldman 2016), and attaching a visual indicator to indicate that a source is trustworthy. The latter option has been highlighted by First Draft as a potential option for technology companies to fight misinformation directly. According to First Draft, tech organisations could work together to build a set of visual indicators that 'would help users ascertain the truth of a piece of content' (Wardle and Derakhshan 2017: 80). In 2017, Google, Facebook and Twitter, among others, worked with 75 news organisations in developing 'Trust Indicators' that would be used by the Trust Project, a consortium of top news companies whose objective was to develop transparency standards to help people assess the quality and credibility of journalism (Trust Project n.d.). Little information is available on how the trust indicators work in practice, though Google is considering how best to integrate them into its search function (Chang 2017). Facebook has already tested them by allowing a limited number of publishers to upload additional information about themselves, which users can view before clicking on a story (Anker 2017).

Upgrading Reliable Content

Google was initially dismissive of concerns about misinformation being prominently displayed in its search results. Following criticism of the prominence of anti-Semitic search results, a spokesperson for the company said, 'The fact that hate sites appear in Search results does not mean that Google endorses these views' (Roberts 2016). Following US Senate Intelligence Committee hearings on social media influence in elections and in an effort to ward off regulation, however, Google has taken steps to confront misinformation by improving the quality of the results it displays.

Rather than tagging disputed content, Google is adjusting its algorithms and evaluation methods to ensure that 'authoritative content' is displayed more prominently than are less reliable sources (Gomes 2017). It updated its Search Quality Rater Guidelines to help its evaluators judge the

quality of content and sources. Alongside Bing, Yahoo! and Yandex, it co-founded schema.org, a project aimed at creating a 'structured data markup schema' giving search engines more accurate understanding of the type of information contained on web pages and improving the results they display (Schema.org n.d.). Most importantly, to enable users to 'make more informed judgements', Google now allows a publisher that has been 'algorithmically determined to be an authoritative source of information' to display a 'Fact Check' tag in Google News (Kosslyn and Yu 2017). When someone searches for a claim that has been fact-checked by an approved source, Google displays information on the statement, who made it and who fact-checked it (Kosslyn and Yu 2017). Google has also incorporated direct feedback tools to enable people to flag content that appears in auto-complete suggestions and featured snippets (Gomes 2017).

Concluding Remarks

This chapter has outlined measures that have been proposed or implemented to identify and expose misinformation without banning it. Given their relative novelty, it is difficult to judge accurately the full impact of these approaches on the quality of information and discourse circulating online. However, increased efforts by media and third-sector fact-checkers suggest that there is demand for their work, and that they can play an important role during elections and referendums. It appears that, at least in part, tech companies have taken action as a way of avoiding state regulation, which had seemed increasingly likely during heated inquiries by the US Congress.

Despite its limits, the evidence does allow us to tentatively conclude that fact-checking and similar approaches might help expose and curb the spread of fake news, and disseminate high-quality information in so doing. At least in the UK, independent fact-checking organisations are not as constrained as bodies such as the Advertising Standards Authority or the UK Statistics Authority in the extent to which they can intervene during campaigns. Despite lacking enforcement or sanctioning powers, by adjudicating on the accuracy of content and even pushing for corrections, these initiatives may thus have similar effects to the work of the Electoral Commission in South Australia discussed in Chapter 2, though without the coercive element.

It is, however, unlikely that any of the approaches outlined above could be effective by themselves in penetrating echo chambers and improving the quality of discourse. Fact-checking and tagging misinformation can alert some citizens to misleading content, but that may not always have the intended effect, nor a particularly wide reach. In this regard, major tech companies are increasingly exploring strategies that involve not just identifying misinformation, but also drawing attention towards quality information: Facebook's 'related articles' feature and Google's efforts to upgrade content from reliable sources both do this. High-quality, impartial information is necessary to ensure that citizens can make informed decisions on their own terms. Strategies that seek to provide high-quality information are our focus in Part 3 of this report.

This change of strategy – from one that curbs misinformation to one that actively promotes high-quality information – has in some cases been accompanied by a move to allow people themselves to judge the trustworthiness of news sources, as in Facebook's quality surveys. Citizen input might also be extended to fact-checking more broadly – for example, people could be involved more directly in deciding which issues are most salient and relevant to the electorate and therefore most deserve fact-checkers' attention. If perceived as legitimate by other users, such citizen input might alleviate potential backfire effects and have a greater chance of penetrating insulated echo

chambers. Information verified by one's peers might be more acceptable even to more partisan groups. Parts 4 and 5 of this report will consider further ways in which citizens could participate more actively in the production and dissemination of high-quality information.

Chapter 4. Fostering Transparency

The third and final approach to confronting misinformation that we consider is more indirect still. The strategy here does not directly involve identifying misinformation at all. Rather, transparency is used to enable others to identify misinformation or other features of campaign discourse. Transparency provisions aim to enable people to find out who is saying what and for what purpose. They allow journalists, regulators and the general public to scrutinise and, if necessary, challenge claims made in campaign material, and to hold those who have made them accountable.

Transparency is already a core principle underpinning how election and referendum campaigns are conducted in the UK. But the current rules were established before online campaigning became significant and before social media had even been imagined. Those rules are therefore severely out of date. As a result, Sir John Holmes, Chair of the Electoral Commission, has warned that we are 'facing a perfect storm where the credibility of our electoral processes could be in peril' (Holmes 2017).

This chapter looks at how the principle of transparency could be strengthened, particularly by extending it online. Some measures have been proposed by governments or independent bodies, and, as in the previous chapter, internet companies themselves have begun to act. We first outline the current state of debate in relation to transparency. In doing so, we identify three specific concerns, relating to micro-targeted dark ads and opaque campaign spending. We then examine possible solutions that have been proposed or implemented, drawing on UK and international experience.

As in the previous chapter, the relative novelty and lack of practical implementation of such strategies means we cannot assess them in detail. Rather, we outline how the transparency agenda is developing and consider how this fits into our wider analysis.

Transparency: The State of Debate

As we noted above, the principle of transparency is already well entrenched in the regulation of election and referendum campaigns in the UK. Printed political campaign materials have long required an 'imprint' disclosing who produced and paid for them. In its 1998 report that led to the current rules around the funding of political parties and of election and referendum campaigning, the Committee on Standards in Public Life (CSPL) said, 'The most significant part of our philosophy depends on transparency. Some of our witnesses suggested this in itself would solve all the problems' (CSPL 1998: 2). The rules enacted following that report – in the Political Parties, Elections and Referendums Act (PPERA) 2000 – stipulate that political donations exceeding a certain amount, as well as all campaign spending, must be reported. This allows the public and media to know who is financing parties or campaigners, and how money is being spent. It may also deter corruption and enhance public confidence in the political process.

Since then, however, the nature of campaigning – in the UK and elsewhere – has changed dramatically, with parties and campaigners focusing their spending primarily online. In 2015, the Conservative Party spent around £1.2 million to target swing voters in key constituencies via Facebook (Allen 2016; Facebook Business n.d.(a)). Both Hillary Clinton and Donald Trump focused on reaching voters via highly targeted online advertising during the 2016 US presidential

race (Epstein 2016). Dominic Cummings, campaign director of Vote Leave, has said that during the EU referendum this campaign spent around 98 per cent of its budget on digital activities (Cummings 2017a), mostly on 'persuading a group of about 9 million people defined as: between 35–55, outside London and Scotland, excluding Ukip supporters and associated characteristics, and some other criteria' (Cummings 2017b).

The first concern that this shift leads to relates to so-called 'micro-targeting' and 'dark ads':

- 'Micro-targeting' refers to the ability to focus particular messages on specific groups of voters. The data gathered from internet users allow political advertisers to build highly specific 'custom audiences', tailoring campaigns to particular geographical areas or to groups based on socio-demographic, behavioural, or psychological characteristics (Goodman et al. 2017: 16). Campaigners can therefore easily focus advertising on swing voters in marginal constituencies.

- 'Dark ads' are non-public advertisements that are visible only to the advertiser and a targeted individual or group. They were launched by Facebook in 2013 as a way of allowing commercial organisations to test advertising campaigns on different audiences, without these appearing on the company's Facebook page (Facebook Business n.d.(b)). Twitter also offers dark ads in the form of 'promoted-only' tweets, which are shown to targeted users and do not appear on the sponsoring account's profile (Twitter n.d.).

The combination of micro-targeting and dark ads creates the danger that campaigners can promote misleading or divisive messages to specific groups of voters who are thought to be particularly susceptible to them, without the recipient knowing that they are being targeted and how. Fellow users are unaware of what content is being shared with others, thus allowing campaigners to promote different, mutually incompatible messages to different groups. While targeted messaging has always been a feature of politics, online campaigning takes it to a wholly different level. It is alleged, for example, that the Trump campaign used dark posts to discredit Hillary Clinton among African-American voters and thus discourage them from voting (Lecher 2016). Given that these posts are hidden, it is impossible to identify, scrutinise, challenge or fact-check them (Goodman et al. 2017: 19), and it is difficult after the election to hold campaigners to account for meeting their promises. For these reasons, some argue that dark ads represent a 'significant step away from the norms of the democratic process' (Ilves 2018).

The second transparency concern relates to disclosure requirements online. Unlike in print and broadcast, campaign materials disseminated online do not in current UK law require an 'imprint' disclosing who sponsored and paid for them, which may mean that voters cannot identify who they are receiving information from. This is of particular concern given that research conducted for the Electoral Commission found that participants considered digital material to be ubiquitous, greater in volume and thus more likely to gain their attention (Sood and Hollings 2018: 5). The lack of a disclosure also makes it hard to ascertain the degree of involvement of non-party or foreign actors in purchasing political advertising or promoting content. Following the 2016 US presidential election, for example, it transpired that Russia had purchased dark posts on Facebook and targeted them at US citizens (Vaidhyanathan 2017). Facebook said these advertisements 'appeared to focus on amplifying divisive social and political messages across the ideological spectrum – touching on topics from LGBT matters to race issues to immigration to gun rights' (Stamos 2017).

A third concern relates to financial transparency. Parties and campaigners are required to record all donations and loans exceeding a certain amount that they receive after registration with the Electoral Commission. The Electoral Commission makes public details of donations that exceed a certain threshold (Electoral Commission n.d.(a)). There are, however, no requirements to report how much funding was received prior to registration. Furthermore, reporting of spending online and on social media is opaque. The Electoral Commission currently asks parties and campaigners to report how much they spend on digital campaigning, but invoices do not need to detail where and how money is allocated (Goodman et al. 2017: 5). Parties and campaigners can thus 'hide' their spending on online advertising under larger categories, such as market research, advertising, and unsolicited campaign material (Council of Europe Committee of Experts in Media Pluralism and Transparency of Media Ownership 2017; Tambini 2018). This lack of transparency has implications for the regulation of constituency- and national-level spending. Currently, there are strict spending limits at the constituency level, which aim to remove the influence of money in politics and enable smaller parties and independent candidates to challenge incumbents (Moore 2016). But, given the limited amount of information they need to provide on digital spending, campaigners may be able to circumvent local spending limits by attributing social media spending to the national campaign.

In all of these areas, concerns are heightened by the ease with which the rules can be legally circumvented and consequent difficulties faced by those charged with enforcing them. Third-party campaigners and external agencies are not subject to the same rules as political parties or registered campaigners, and the extent of their involvement is hard to ascertain (UK Electoral Commission 2016a: 28, 55). The transnational reach of tech companies and unofficial campaigners raises jurisdictional concerns relating to enforcement of the rules (Damian Collins 2018).

Though they have become slightly more transparent in this regard, tech companies have so far been reluctant to publish data on how their algorithms work and on how their platforms are used by campaigners to collect user data and disseminate information and advertising (Ilves 2018). This has hindered the work of academic researchers attempting to understand the extent of misinformation, micro-targeting and dark ads (Brandom 2018; Olmstead and Barthel 2015) and of parliamentary inquiries, such as those conducted by the House of Commons Digital, Culture, Media, and Sport (DCMS) Committee in the UK, and the US Senate Select Committee on Intelligence (Damian Collins 2018; House of Commons Digital, Culture, Media, and Sport Committee 2018, 2019; Fandos et al. 2017). In an interim report published in summer 2018, the DCMS Committee explicitly criticised this lack of transparency:

> What we found, time and again, during the course of our inquiry, was the failure on occasions of Facebook and other tech companies, to provide us with the information that we sought. We undertook fifteen exchanges of correspondence with Facebook, and two oral evidence sessions, in an attempt to elicit some of the information that they held, including information regarding users' data, foreign interference and details of the so-called 'dark ads' that had reached Facebook users. Facebook consistently responded to questions by giving the minimal amount of information possible, and routinely failed to offer information relevant to the inquiry, unless it had been expressly asked for. (House of Commons DCMS Committee 2018: 18)

Given the concerns above, there have been growing calls for electoral law to be strengthened and updated for the digital age (see, for example, House of Commons DCMS Committee 2019: 60).

In particular, fostering transparency in online content is necessary to ensure that voters are aware of the information they are receiving, for what reasons and for which purposes; to enable scrutiny by political watchdogs, journalists and the broader public; and to hold advertisers accountable for what they communicate.

Proposed Solutions

Imprint and Disclosure Requirements

An initial way of fostering transparency is to require online political content to display an imprint or disclosure statement, indicating who is sponsoring and paying for an advertisement. This would be a simple extension of requirements already in place for print and broadcast material.

Repeatedly since 2003, the UK Electoral Commission has recommended including an 'imprint' on online campaign material, as with print and broadcast (UK Electoral Commission 2018: 8–9). The imprint would include information on who has published and (if relevant) paid for election material, and would 'help voters to assess the credibility of campaign messages' (UK Electoral Commission 2018: 9). Digital imprints were trialled during the 2014 Scottish Independence Referendum and worked fairly well. The Electoral Commission acknowledged, however, that there had been 'some confusion amongst campaigners and the public about what did and did not require an imprint' (UK Electoral Commission 2014: 110). It proposed that only social media accounts used primarily for campaigning for a certain outcome should be required to display an imprint, thus excluding individuals or organisations who 'were just expressing their views on an outcome' (UK Electoral Commission 2014: 110–11).

Numerous committees, inquiries and organisations have now endorsed the extension of imprints to online campaigning. These include the Law Commission (2016: 156), Lord Hodgson's review of third-party campaigning (Hodgson 2016: 62–3), CSPL (2017: 61), the House of Commons DCMS Committee (2018: 15–6, 2019: 60), the Information Commissioner's Office (2018), the Independent Commission on Referendums (2018), and Full Fact (2018). The DCMS Committee suggested that there should be 'clear, persistent banners on all paid-for political adverts and videos, indicating the source and the advertiser' (House of Commons DCMS Committee 2019: 60). In response to both the CSPL and DCMS Committee inquiries, the government launched a consultation in July 2018 to review 'whether the requirement to have imprints, which is added to election material to show who is responsible for producing it, should be extended to digital communications.' (Cabinet Office and Smith 2018).

Calls to require imprints or disclosures on online political ads have been made internationally as well. The European Commission's High Level Expert Group on Fake News and Online Disinformation said in its final report that: 'All digital media should provide the necessary information to help the reader to identify who is behind a certain type of information. Platforms should display this information' (European Commission Directorate-General for Communication Networks, Content and Technology 2018: 22).

Some countries have already implemented such extensions. An example is New Zealand. Election advertising rules there apply to any medium, including social media. If the content of an advertisement 'can reasonably be regarded as encouraging or persuading voters to vote for the

candidate, the Commission will require it to display a "promoter statement" (New Zealand Electoral Commission 2017a: 12). The statement must indicate the name and address of the person sponsoring the advertisement and must be clearly displayed on the advertisement itself and in the 'About' section of a campaigner's social media profile (New Zealand Electoral Commission 2017a: 12). The rules also apply to third parties and individuals who are paid to promote election-related content. The Commission does not pro-actively monitor compliance, but it responds to complaints (New Zealand Electoral Commission 2018a). A similar provision can also be found in Australia (Australian Electoral Commission 2018).

In the online realm, Snapchat was one of the first social media platforms to have guidelines on political advertising. It requires sponsors to 'clearly identify who paid for the communication and whether or not the ad was authorized by a candidate and/or organization' (Snap Inc. n.d.). If such information is not provided, Snapchat reserves the right not to run an advertisement. Snapchat also prohibits 'misleading or deceptive' advertisements, though it is not clear in its guidelines how such content is verified (Snap Inc. n.d.).

Since May 2018, Facebook has required political advertisers in the US to verify their identity and location before purchasing advertising, and political advertisements need to feature a 'Paid for by' disclosure. Promoters have to disclose their intention to run political advertisements, their identity, their location, and the organisation they represent (Goldman 2017; Kaplan 2017). Disclosure statements include details of the advertiser and the cost of the advertisement, and an explanation of why the advertisement is visible to a particular user (Newton 2018). In October 2018, Facebook announced that it would extend these verification and disclosure requirements to the UK (Cellan-Jones 2018).

In late May 2018, Twitter launched its own 'Political Campaigning Policy' in the US. As part of this, political advertisers need to self-identify and certify that they are located in the US (Gadde and Falck 2018). This requires candidates and committees to provide their Federal Election Commission (FEC) ID, and organisations and individuals not registered with the FEC have to submit a notarised form (Gadde and Falck 2018). Twitter displays a 'visual badge' and disclaimer information for promoted content from certified accounts, so as to enable users to identify political campaigning advertisements and know who paid for and authorised them (Gadde and Falck 2018).

Similarly, Google now includes 'in-ad disclosures' identifying who is running advertisements on its search engine, YouTube and the Google Display Network (Google n.d.). It has also tightened up its requirements for political and election content. The company no longer displays in its search results or advertisements websites and publishers that mask or misrepresent their country of origin. It requires election advertisers to proactively 'identify who they are and where they are based' and checks whether they are permitted to run an advertisement in the US election campaign (Google n.d.; Wong 2017; Walker n.d.). Following up on an earlier pledge, in August 2018, the company added a new 'political advertising on Google' section to its annual transparency report (Smith 2018). This collates information on who is purchasing election-related advertisements and how much money is being spent (Google 2018).

Advertisement Databases

Another option to foster transparency involves the creation of a database of political advertising. This would require parties and campaigners to submit copies of all digital advertisements, including

information on the amount spent and the groups targeted, which would then be published by an independent body. Alternatively, tech companies could publish advertisements running on their platform directly, or – as suggested by Philip Howard and Bence Kollanyi of the Oxford Internet Institute – they could 'file all political advertising and political bot networks with election officials' (Howard and Kollanyi 2017). Citizens could then consult such a database to view all the advertisements that campaigners are running. Repositories of this kind could aid regulatory scrutiny and help in holding parties and campaigners to account for claims made in targeted advertising.

Creating an ads database as a way of enhancing transparency is the subject of considerable debate in the US. In October 2017, the Honest Ads bill was introduced to the US Senate. This bipartisan bill was sponsored by Democratic Senators Amy Klobuchar and Mark Warner, and the late Republican Senator John McCain. By bringing regulation of social media advertising in line with that of print and broadcast material, the bill aims to 'enhance transparency and accountability for online political advertisements by requiring those who purchase and publish such ads to disclose information about the advertisements to the public, and for other purposes' (S.1989 – Honest Ads Act 2017–18). The bill would require digital platforms with more than 50 million monthly viewers to maintain a public record of all political advertising purchased by individuals or groups who spend more than $500 on advertising. The record would include a copy of the advertisement, information on the target audience, the number of views generated, the dates and times of publication, the rates charged, and the advertiser's contact details.

Tech platforms themselves have made some progress with regards to creating online advertising repositories. Twitter has launched a 'Transparency Center' for all advertising, including 'promoted-only' advertisements that are otherwise only visible to targeted users and do not appear on a promoter's Twitter profile. This feature is available to everyone, regardless of whether they have a Twitter account: by searching for a specific Twitter handle, anyone can see all advertisements run by that account within the preceding seven days, including any advertisements that were subsequently taken down (Falck 2018). For US political advertisements that fall under the company's new political campaigning policy, users can view further details such as billing information, spending, impressions per tweet, and demographic targeting data (Falck 2018). Twitter has promised to enhance the Transparency Center in the future and to consider how to internationalise its political campaigning and issue advertising policies (Falck 2018).

In late 2017, Facebook also announced that it would enhance the transparency of political advertising by allowing users to view all the advertisements a promoter is running on Facebook, Messenger and Instagram through a new 'View Ads' feature (Goldman 2017). This feature was vetted in Canada and implemented in Ireland ahead of the May 2018 referendum on liberalising abortion law (Weckler 2018). It was subsequently rolled out internationally in the summer of 2018 (Lapowsky and Matsakis 2018). In October 2018, Facebook announced that its advertisement library would be available in the UK as well (Cellan-Jones 2018). While the current version allows users to view only active advertisements, Facebook has said it will launch an expanded version in the US that will also include a searchable archive of past advertisements, including details on the total amounts spent, the number of impressions received and demographic information on the audience reached (Goldman 2017).

In August 2018, concurrently with its transparency report, Google launched its own library of political advertising: a searchable public database that allows users to view all election-related

advertisements appearing on Google's networks from 31 May 2018 onwards (Gesenhues 2018). The database is updated weekly and users can search by advertiser or candidate name, date range, amount spent, impressions, or format (image, text or video) (Transparency Report n.d.). The library is currently available only for the US, though Google plans to expand it internationally (Gesenhues 2018).

The creation of an advertising database is generating increasing debate in the UK as well. The citizen-led Who Targets Me? project, launched shortly before the 2017 general election, offers a browser extension that allows citizens to view which campaigns are targeting them and how they are being profiled (McGoogan 2017). It also enables the Who Targets Me? team to monitor and log dark ads promoted online (Who Targets Me? n.d.). The tool was downloaded by around 12,000 users for the 2017 election and has since been extended internationally (Tidey n.d.).

The efforts of tech companies to build political advertising databases have received significant support, including by the Electoral Commission. In its 2018 report on digital campaigning, the Commission said that 'Databases like these would bring greater transparency for voters. They would also make it easier for us to enforce the spending rules. We would be able to see what adverts a campaigner has taken out and how much they paid' (UK Electoral Commission 2018: 13) The elections watchdog recommended that tech companies' online databases should follow the UK's rules for elections and referendums (UK Electoral Commission 2018: 13).

But many take the view that decisions on the form of such databases should not lie in the hands of the tech companies themselves. The DCMS Committee, for example, recommends:

> Political advertising items should be publicly accessible in a searchable repository – who is paying for the ads, which organisations are sponsoring the ad, who is being targeted by the ads – so that members of the public can understand the behaviour of individual advertisers. It should be run independently of the advertising industry and of political parties. (House of Commons DCMS Committee 2019: 61)

Similar recommendations have recently been made by Full Fact (2018: 31), the Independent Commission on Referendums (2018: 188), the founders of Who Targets Me? (UK Electoral Commission 2018b: 13) and the Institute of Practitioners in Advertising (IPA 2018).

The only legislative proposal in this regard in the UK has been a private member's bill introduced by Baroness O'Neill in 2017, which aims to 'improve transparency in respect of election and referendum material' (UK Parliament 2017). The bill would amend section 143 of PPERA to require advertisers to submit a copy of any election or referendum advertisement to the Electoral Commission, which would then make it publicly available (UK Parliament 2017). Second reading on the bill is, however, yet to be scheduled.

Financial Transparency

Transparency could also be enhanced by strengthening requirements around how campaign donations and spending are reported. As outlined in the introduction, transparency is already a core principle underpinning regulation in this area. The options proposed therefore aim merely to update the current regulatory framework.

To improve transparency around digital spending, new categories for online and social media spending could be created in expense returns. In its 2018 report on digital campaigning, the Electoral Commission, for example, stated:

> Each of the UK's governments and legislatures should amend the rules for reporting spending. They should make campaigners sub-divide their spending returns into different types of spending. These categories should give more information about the money spent on digital campaigns. (UK Electoral Commission 2018: 12)

Baroness O'Neill's bill, noted above, recommended clarifying what should count as campaign and candidate election expenditure as a way of tackling both micro-targeting and enhancing transparency in spending reporting. It stated that 'advertising whose effects are wholly or substantially confined to individuals within an area in which a candidate is standing shall be counted as election expenses in relation to that candidate unless specified conditions are met' (UK Parliament 2017).

Regarding funding, transparency could be increased further by requiring parties to report existing funds and their sources. The Electoral Commission has recommended that

> The UK Government and Parliament should amend the law so that all new parties and referendum campaigners with assets or liabilities over £500 have to submit a declaration of assets and liabilities upon registration. The declaration should include an estimate of the costs the campaigner has invested in buying or developing the data they hold when they register. (UK Electoral Commission 2018: 20).

The Independent Commission on Referendums supported this recommendation, stating that 'it should be clarified in law that 'referendum expenses' include spending on goods and services purchased prior to the regulated period but used during the regulated period.' (Independent Commission on Referendums 2018: 155).

None of these recommendations have yet been taken up, however.

Concluding Remarks

Efforts to foster transparency have increased in recent years – and, indeed, months – due to concerns about the conduct of online campaigning. Such initiatives have sought primarily to align the regulation of online content with that of print and broadcast material, as in the cases of imprint and disclosure requirements. Proposals to create advertising databases and to strengthen spending and donation reporting have also been put forward. These ideas all aim to ensure that the public is aware of who is making a claim and by what means, thus fostering transparency, openness and accuracy of debate.

The limited implementation of these proposals means that we cannot fully assess their effectiveness in fostering transparency and, consequently, in improving the quality of the information available to citizens. In most cases, they would merely extend existing regulation for other types of campaign material, so they would be relatively easy to implement and we can be confident they would strengthen transparency.

As the Scottish experience with imprint requirements shows, deciding what is a political advertisement might prove difficult. For example, Facebook told the DCMS Committee in June 2018 that 'they had no way of categorising which adverts could be classified as political' (House of Commons DCMS Committee 2018: 37). There has already been some criticism of the fact that Facebook's database includes advertisements run by news organisations, not just political campaigners (Jerde 2018). Such difficulties point to the need for government and parliament to set the requirements for transparency and ensure they are enforced. As many have pointed out, these are now fundamental aspects of how the democratic system operates, and they cannot simply be left in the hands of the tech companies.

Furthermore, on their own, measures to improve transparency are unlikely to transform the quality of discourse: the information available to voters often falls short even when it is entirely public, so publicity on its own is no panacea. Efforts to foster transparency should therefore be pursued alongside the other strategies explored throughout this report.

Conclusion to Part 2

This part of the report has examined strategies for – more or less directly – confronting misinformation. We examined three approaches: banning misinformation; fact-checking; and fostering transparency.

Methods of promoting the results of fact-checking and of deepening transparency in the online world are developing rapidly, and we have therefore not conducted detailed case studies of the latest proposals. Nevertheless, it is clear that improvements in these areas are both possible and potentially important. They often extend provisions that have proved to be effective in other domains. There is a growing consensus around the desirability, for example, of extending imprint requirements to online advertising, developing databases of such advertising, and curtailing the online reach of those who deliberately generate misinformation for private gain. Governments and internet companies alike are increasingly recognising the need to act. We welcome the fact that such strategies will continue to be tested and refined, and we encourage all actors to pursue this with urgency. Actions by tech companies are a start, but regulatory and legislative changes are needed too. At the same time, we should be realistic in our expectations: measures such as these will not transform political information and discourse on their own.

Much the most controversial proposal discussed in this part of our analysis is the idea that false or misleading information should be banned in the context of election and referendum campaigning. We have seen that strategies of this kind work well in at least two polities – South Australia and New Zealand – in the sense that they can operate effectively, they are accepted by the vast majority of political actors, and they have some positive impact. We have also seen, however, that that impact is limited, and that there is good reason to think the success of this approach depends on conditions that are absent in the UK today. In the wrong circumstances, there is a danger that such provisions could do more harm than good. Accordingly, we have recommended against the introduction of any system for banning misinformation at present.

Approaches that seek merely to confront misinformation therefore cannot solve all the problems of information and discourse that we see today. This suggests that more pro-active measures for ensuring high-quality information is widely available are needed. We turn to these in Part 3.

Part 3: Promoting Quality Information

Our conclusion at the end of the preceding part of this report was that, while some strategies for confronting misinformation during election and referendum campaigns are valuable and important, they cannot transform discourse on their own. We need also to investigate methods for promoting high-quality information more actively, thereby helping citizens to find the resources they want. It is to this task that we now turn.

In Chapter 1, we described an 'information ladder' that delineates six levels of information provision, from the most basic to the most advanced. In this part of our report, we will examine four approaches to information provision that reach up this ladder to different degrees:

- Chapter 5 looks at mechanisms for basic information provision. These encompass the first and second rungs of the ladder: procedural information about the vote and factual information on the options that voters can choose among. Information of this kind is remarkably neglected, and it would be relatively straightforward to correct this.

- Chapter 6 considers Voting Advice Applications (VAAs): online tools that seek to provide users with neutral and high-quality information on the issues salient in an election or referendum. These move up to the third and fourth rungs of the ladder: they enable voters to see how their own views compare with the positions put forward by parties or candidates in an election or with the options in a referendum. We draw primarily upon a case study of the German Wahl-O-Mat, which is the most frequently used VAA worldwide in absolute numbers.

- Chapter 7 examines systems for analysing parties' policies and manifestos prior to an election. Here, information provision shifts on to the fifth rung: the options available to voters are not merely described, but also analysed. We focus in this case mainly on the work of the Dutch Centraal Planbureau (CPB), which is the longest-standing information provider of this kind.

- Finally, Chapter 8 investigates neutral information provision in referendum campaigns. Such provision varies widely, reaching different rungs of the ladder in different cases. We focus particularly on examples that reach the upper levels: the work of Ireland's Referendum Commissions reaches the third rung, while information campaigns run by several bodies at different times in New Zealand have hit the sixth.

Based on these analyses, the conclusion to Part 3 draws out implications for the UK.

Chapter 5. Basic Information in Elections and Referendums

'Basic' information is information that can be found on the bottom two rungs of our information ladder: procedural information about when the vote will take place and how people can cast their ballots; and simple factual information on what the options are. It would seem incontrovertible that such information should be readily available to voters. But often that is not the case. In this brief chapter, we set out the current situation in the UK, explore the different approaches taken in other countries, and set out lessons that might be learnt.

Existing Practice in the UK

Provision of basic information in the UK at present differs somewhat between elections and referendums.

Elections

In elections at all levels, local authorities are responsible for running the poll, while the Electoral Commission has only advisory and supervisory roles. It is therefore local authorities that have traditionally been the source of election information. Information on the first rung of our ladder – basic procedural information on what position is up for election, when polling will take place, and which polling station the elector should attend – is available on the polling card, sent by post to each registered elector by local councils. This, however, includes no second-rung information, on the candidates who are running. Voters can now find this by going to their local council's website. But, even here, they will typically find only the formal 'statement of persons nominated', giving the name of each candidate, their description (such as 'The Conservative Party Candidate', 'Labour Party', or 'Independent'), the name of their proposer, and, in some cases, their home address. No other information is provided.

In recent years, the Electoral Commission has become increasingly active as an information provider. Its 'Your Vote Matters' website (until 2017 called 'About My Vote') includes general information, including a step-by-step guide to voting in person at a polling station, application forms for voting by post or proxy, and further information on how to vote by post or proxy (UK Electoral Commission n.d.(b)). At general elections, it also includes a facility that allows voters to enter their postcode and thereby find their polling station and the list of candidates standing in their area (UK Electoral Commission 2017b). But the candidate information is simply compiled from the statements of persons nominated. While this is an accessible and easily used source of information on all candidates nationwide, therefore, it does not provide material not already available from local councils.

With one exception discussed below, voters seeking further information must rely on the media, independent websites, or materials provided by the candidates themselves. Local media will often run candidate profiles of various kinds. The BBC includes candidate names on its website for parliamentary elections, but no further information – and for local elections it does not go even this far.

Nevertheless, in an important recent development, an independent group called Democracy Club has since 2010 operated a website – Who Can I Vote For? (Democracy Club n.d.) – that seeks to provide basic information on all candidates running in elections at all levels. Where available this includes basic biographical information, a feed from the candidate's Twitter account, other forms of contact information, and previous electoral history. Candidates can provide a CV or statement. Where relevant, there is a link to the information relating to the candidate's record in parliament available on another website: theyworkforyou.com. Often, particularly in local elections, much of this information is missing for some candidates: Democracy Club relies on the work of volunteers in gathering local information, so its capacity is limited. Nevertheless, Democracy Club's work is now widely recognised and praised. The Electoral Commission encourages local councils to respond to Democracy's Club's requests for local polling station information (UK Electoral Commission 2017b), and Democracy Club generally provides the polling station finder tools on councils' websites.

Candidates themselves, of course, also provide information through a variety of channels. In parliamentary elections, this includes an 'election address': one postal communication sent free of charge to all eligible electors or all households in the constituency. While having official status, however, the election address is like any other campaign advertisement, the content and format of which is determined by the candidate her- or himself: beyond rules on size and weight, and a general requirement that it contain 'matter relating to the election only' (Representation of the People Act 1983 (as amended), section 91(1)(a)), the only restrictions on what candidates may include are those applying to any publications, relating to offence, obscenity, and indecency (Royal Mail 2017: 25). Communications such as these are clearly important channels through which candidates may convey their core messages to voters. But they are often a source of concerns about poor quality information and discourse during election and referendum campaigns, rather than a solution.

As noted above, there is one exception to this pattern of information provision in elections in the UK, which relates to elections for police and crime commissioners. In this case, there is no freepost election address. Instead, in order to alleviate concerns about limited public awareness of the candidates for such low-profile elections, candidates are entitled to submit a statement, which is then included on an official website (Cabinet Office 2016). As in the case of other campaign materials, these statements are prepared by candidates and are not subject to accuracy checks; there is therefore a danger that they propound misinformation. Nevertheless, they differ from other materials in two important respects:

- First, the statements from all candidates are gathered together in one official place. This may make it easier for voters to compare across candidates and gain a sense of the choice that is available to them.

- Second, the form of the statement is much more tightly prescribed than is a parliamentary election address. In addition to the restrictions that apply to those addresses, it cannot refer to any other candidate. It consists simply of a text of up to 300 words, without formatting except boldface or bullet points, plus a photograph of the candidate alone and the registered emblem of the party for which the candidate is running (Police and Crime Commissioner Elections Order 2012, schedule 8).

These restrictions mean that the statement must be about the candidate and his or her platform: it cannot contain overt negative messaging about another candidate. Nor can it contain large or colourful slogans or other graphics. Such rules certainly add to the sobriety of the communications. There may, however, be a concern that they render them too uninteresting for many voters to pay them much attention, which constitutes a potential limit on accessibility.

Referendums

Turning to (national) referendums, it is again the responsibility of local authorities to issue polling cards with information on where people can vote. Beyond that, the Electoral Commission has a greater role in providing general information than is the case for elections. In the last two UK-wide referendums – on the voting system for elections to the House of Commons (in 2011) and on EU membership (in 2016), the Electoral Commission had a statutory duty to 'take whatever steps they think appropriate to promote public awareness about the referendum and how to vote in it' (Parliamentary Voting System and Constituencies Act 2011, schedule 1, paragraph 9(1); European Union Referendum Act 2015, schedule 3, paragraph 11(1)). To fulfil this, in addition to information on its website, the Commission delivered a leaflet to every household in the UK, supported by advertising across a range of media (UK Electoral Commission 2011: 44–6; 2016b: 38). This leaflet stated the referendum question and explained when and how to vote.

Beyond this, the law underpinning the 2011 referendum also said, 'The Electoral Commission may take whatever steps they think appropriate to provide, for persons entitled to vote in the referendum, information about each of the two voting systems referred to in the referendum question' (Parliamentary Voting System and Constituencies Act 2011, schedule 1, paragraph 9(2)). The Commission's leaflet therefore included short explanations of the two voting systems that voters could choose between: First Past the Post and the Alternative Vote. The legislation for the 2016 referendum did not repeat this provision, so the Commission's leaflet for that referendum included no explanations of the options. Instead, the Commission gave one page within the leaflet to each of the two designated lead campaign groups – one for Remain, the other for Leave. The campaigns used this space to put across their core campaign messages. There were no limits as to the format of these pages comparable to those for police and crime commissioner elections. The campaigns thus presented highly designed pages, including pictures and graphics.

Concluding Remarks on Existing Practice in the UK

This summary suggests that provision of *procedural* information in relation to elections and referendums is now relatively unproblematic in the UK: information on when, where, and how to vote is given both on polling cards and online, and online resources are extensively advertised. But basic *factual* information about the options is harder to find. This especially applies to elections: systematic information about candidates is minimal and not widely disseminated.

This serious lacuna has been noted by others too. The innovation charity Nesta sought to build a database of candidates in the 2017 general election. Its researchers gathered information from a variety of sources, but explained that 'In many cases (about 30 per cent), very little information was available on an individual candidate, often not more than a picture or a name on a party website.' They commented:

This surprising lack of transparency is problematic, and hampers the democratic process: how can voters make an informed decision about choosing their local representative with so little information available? (Bego et al. 2017)

Referring to information available in the 2018 local elections, the Electoral Reform Society commented that the relevant sections of council websites are 'often … extremely basic or ill-designed'. While praising the work of Democracy Club, it added: 'we think it's high time for a properly-funded national election resource, with candidate details and statements' (Electoral Reform Society 2018).

Strikingly, one body that might be expected to enter these debates – but that has not – is the Electoral Commission. We have found no discussion of the availability of information on candidates in its reports on recent general elections. Referring to the Your Vote Matters website in its regular bulletin for election administrators at the time of the 2017 general election, it said, 'We hope the provision of this information will prove a useful resource for both the public and administrators' (UK Electoral Commission 2017b). But it appears not to have conducted any public evaluation of that usefulness subsequently. That such a basic aspect of electoral democracy receives so little attention is surprising.

In the following section we examine different approaches taken in other countries around the world to the provision of information on the options available to voters at elections.

Practice around the World

As we explore in later chapters, there are some countries where information on the options available at elections extends far beyond provision in the UK and scales the rungs of our information ladder. Here, we focus solely on basic information about candidates: who they are, their backgrounds, and what their general pitch to voters is.

Our research suggests that the country in which systematic information on candidates is most readily available is the United States. This information comes from a mix of official and unofficial sources.

In terms of official information, there is considerable variation from state to state. Some states provide only the most basic information: candidates' names and party affiliations. Texas is one such state, and the Vote Texas website includes a statement saying 'As an impartial entity, this website only includes candidate name and political party affiliation information. Political stances with regard to issues are not referenced on this site. Such information can be obtained through Web searches or by visiting a particular candidate's Web page' (Texas Secretary of State 2018).

By contrast, other states go much further. In California, for example, all voting households receive by post a *Voter Information Guide*, which, for the 2018 November midterm elections extended to almost one hundred pages. This includes material relating to citizen-initiated referendums, but here we focus on elections. For each of the positions up for election, the guide contains very basic information on the nature of the office, followed by statements provided by each of the candidates. The candidates are free to use this statement as they wish, and they vary in the degree to which they focus on biographical information, their values, key policy views, record in office, or intentions should they win election. Each statement is accompanied by a photograph and basic

contact information. Figure 5.1 reproduces a sample page of the 2018 guide, covering the candidates for the position of state Attorney General. As is visible there, each page carries a footer saying (inter alia), 'Statements on this page were supplied by the candidates and have not been checked for accuracy. Each statement was voluntarily submitted and paid for by the candidate.'

Figure 5.1. California Voter Information Guide 2018: Sample page

Source: California Secretary of State (2018: 81).

Beyond these official information sources, a number of independent bodies seek to provide information on candidates at elections in the United States. The best known of these is Ballotpedia, which styles itself as 'the digital encyclopedia of American politics and elections'. It adds that 'Ballotpedia is written by our team of professional researchers, writers, and elections analysts' and that its 'content must be neutral, accurate, and verifiable' (Ballotpedia 2018a). It provides extensive

information on all electoral contests and the candidates running in them. To pick the same example as we used above for official information – namely the California Attorney General contest – the information on candidates covers their careers and electoral histories, which presidential candidates they have previously endorsed, the campaign donations they have received in past elections, and links to a variety of further resources (Ballotpedia 2018b). Other sites offering similar resources include Vote Smart (2018), which particularly focuses on endorsements received by candidates, and Politics1 (2018), where information is more limited. Further sites provide more specialised information: for example, Open Secrets, run by the Center for Responsive Politics (2018), focuses on candidate campaign finances.

Outside the United States, official information on candidates tends to be very limited, rarely covering more than their names, occupations, and where they live – and sometimes, as in the UK, less even than that. One exception to this is the information provided for local elections in New Zealand. Candidates there are entitled to submit a 'candidate profile statement' of up to 150 words along with their nomination papers, and this is then included in the documentation sent to voters. This statement 'must be confined to information concerning the candidate … and the candidate's policies and intentions if elected to office' (Local Electoral Act (New Zealand) 2001, section 61). Examples of such statements are shown in Figure 5.2.

Figure 5.2. Candidate Statements in New Zealand: Waitākere Ranges Local Board By-Election, 24 May 2018

Source: Auckland Council (2018).

Systematic information provision by independent NGOs is also rare outside the United States, though some voting advice applications (VAAs – see Chapter 6) include basic factual information alongside information that falls further up the information ladder. Ireland, for example, has a candidate-focused VAA that includes basic information on candidates' personal histories and platforms as well as their responses to a range of specific policy questions (WhichCandidate n.d.).

Beyond these two sources of information – information provided through official channels and through independent NGOs – a third model is that basic information on contests and candidates is produced by media organisations, particularly by public service broadcasters. The most extensive example we have found is that of the Australian Broadcasting Corporation (ABC), which produces a detailed online election guide ahead of each major election. At the 2016 federal election, for example, it provided substantial information on the contest in each constituency (known in Australia as an 'electorate'), including a constituency profile, a history of voting in each constituency, short profiles of all the candidates, and links to the candidates' websites (Australian Broadcasting Corporation 2016a). This material is prepared by ABC's Election Analyst, Antony Green, with a team of assistants, drawing on candidates' and parties' own websites and Facebook pages, and other readily available materials (Antony Green, private correspondence, 29 January 2019). The candidate profiles contain solely biographical information, and rarely stray into matters that might be deemed controversial. They are thus intended as useful background for voters, and do not replace the policy debates of the campaign itself.

Lessons for the UK

These brief accounts of basic information provision raise two principal questions. First, who should publish such information? Second, what kind of information should be provided?

With regard to the first of these questions, we have identified three models in the existing international practice: information can be published by the authorities responsible for running the election, by independent NGOs, or by neutral broadcasters. As we discuss in detail in relation to VAAs in the following chapter, there are both advantages and disadvantages in relying on independent NGOs. On the one hand, their independence adds to the plurality of information provision across the board and may encourage innovation in the development of new approaches to information, its presentation, and its dissemination. On the other hand, verifying the genuine neutrality of such organisations can sometimes be difficult, and NGOs can also lack the resources to complete the job to a high standard. In addition, without powerful partners – either official election bodies or media organisations – they may struggle to be noticed amidst the election cacophony. For these reasons, official bodies or media organisations with an established record of impartiality need to be involved at least in some way. That is already the case to a small extent in the UK, in that local councils, with Electoral Commission encouragement, work with Democracy Club in providing information on polling stations.

Which model of provision is best is likely to depend on exactly what information is included. Beyond the most basic information, there are essentially two models. First, candidates can be asked to provide their own information, which may be a statement subject to specified constraints, or a series of answers to specific questions. Second, the information publisher can generate information itself, such as biographies, summaries of past records, and links to other resources. Clearly, it is

also possible to combine at least some elements of both models: for example, a candidate statement can be combined with information on election histories and other matters.

Again, there are advantages and disadvantages to both approaches. Relying on candidate submissions reduces the resources required to gather material, particularly if candidates can make their submissions along with their official nomination papers. There is also little danger with such information that candidates will feel they have been misrepresented, unless the restrictions on the information they are allowed to provide are very tight. On the other hand, such statements may themselves propagate false or misleading claims and may not help voters in getting beyond the broader campaign rhetoric.

We will see in the next three chapters that similar choices to these repeat when we look at more expansive forms of information provision. We will therefore not attempt final conclusions at this stage. We draw together the key themes relating to strategies for providing quality information in the conclusion to this part of the report, and we reach final recommendations in the conclusion to the report as a whole, in Part 5.

Chapter 6. Voting Advice Applications

A Voting Advice Application (VAA) is an online 'quiz' through which users can express their opinions on a series of statements concerning different issues and receive a result showing how their position compares with that of the parties or, in some cases, the candidates taking part in an election. Such quizzes offer voters both factual information on parties or policy proposals, and comparative information on how their existing preferences 'match' the parties' positions. Despite their name, they aim not to advise voters on whom to vote for, but to offer high-quality, readily understandable information, giving their users a starting point for further engaging with political debates and developing their own views. VAAs are most often used in elections, though Chapter 8 examines an example of a VAA-like tool used in a referendum in New Zealand.

We first provide an overview of VAAs around the world, outlining their origins, describing how they work, and exploring existing evidence on their potential impact. Section two then focuses on the UK: we describe how VAAs have been developed in the UK and consider proposals for improving their development and delivery. Drawing on this experience, section three considers alternative ways for developing and delivering VAAs. We identify three models: VAAs provided by private organisations; public bodies that commission or endorse VAAs; and public bodies that directly provide VAAs. Section four is devoted to our case study of the German Wahl-O-Mat. We assess this through our standard tripartite framework, focusing in particular on the following:

- **Operability**: VAAs aim to provide high-quality information for voters. We therefore begin by examining whether developers themselves feel that they are able to provide information that: is accessible to voters in terms of design and how information is conveyed; addresses issues that are relevant to voters or the campaign debate; accurately portrays parties' positions; and ensures balance across parties and issues. What mechanisms do developers put in place to achieve this? How do they ensure that electors know that such tools are available? Do they have any concerns about the VAA's operability?

- **Perceptions**: We consider what perceptions the media and politicians have of VAAs as a mechanism for improving the quality of information and discussion. Do they engage with VAAs? Do they accept and trust the information provided by VAAs? Do they perceive that information as accurate, relevant, balanced and accessible? What is their perception of the credibility and legitimacy of VAA developers?

- **Impact**: We finally consider evidence on whether VAAs have in fact contributed to improving the quality of information and discussion. Are voters aware of VAAs as tools for obtaining information? To what extent do the media raise public awareness of VAAs through their coverage? What are voters' perceptions of using VAAs? Do they feel that VAAs provide them with high-quality information? Is there any evidence that VAAs shape the broader discourse and claims made during campaigns?

Bringing together the evidence from the preceding sections, section five draws out key lessons for the UK. We suggest that there is a strong case for public sponsorship for one or more VAAs in

the UK. This could unlock the great potential that exists for enhancing both the content of VAAs and their reach across the electorate.

Comparative Overview

The first VAA was developed in the Netherlands for the 1989 general election. The StemWijzer – which translates as the noun 'voting indicator', but also as the imperative verb 'vote more wisely' – was developed by the Institute for Political Participation (now ProDemos), an NGO whose mission is to provide information about and engage people with democracy and the rule of law (ProDemos n.d.). The StemWijzer was originally offered as an educational resource in secondary schools. Available on paper or as a diskette, it aimed to increase students' knowledge of the differences and similarities among parties, and to help new voters develop their own party political choices (Schuszler et al. 2003: 194–5). Subsequent editions were offered to the general public as well and, since 2002, the StemWijzer has only been available online (Schuszler et al. 2003: 194–5).

Though online voting advice tools were also available in Finland in the mid-to-late 1990s, the widespread diffusion of these applications began in the 2000s given increased access to technology and the internet among larger sections of the population (Garzia 2010: 14; VAA Research Network n.d.). A variety of organisations began to develop VAAs, including third sector and media companies, public bodies, political parties, academics and private entrepreneurs. Most long-established democracies have experience of at least one VAA. A 2016 global census conducted by researchers belonging to the VAA Research Network found 182 active VAAs worldwide, 144 of which were in Europe (VAA Research Network 2016).

In a context of declining turnout and political participation, and in which many citizens vote on issues rather than on party loyalties, VAAs are widely seen as helping voters learn about differences in policy positions and find a party that suits their views (Andreadis and Wall 2014: 116; Dalton 2012; Dalton and Bürklin 2003).

How Do VAAs Work in Practice?

All VAAs present users with a series of statements to respond to. But they vary in many ways: how statements are selected and whether parties are involved; the quantity and type of statements provided; the type of answers a user can give and the inclusion of additional information; and how results are presented (see Garzia and Marschall 2012: 207–9).

Statement Development and Collaboration with Parties

Traditionally, methodologically rigorous VAAs adopt the following criteria when determining which issues to include:

- A wide variety of topics should be covered and the number of statements on each issue should be proportional to its salience and relevance in the debate

- Statements should be linked to political cleavages and relevant to the next parliament

- The statements should differentiate among parties

    (Van Camp et al. 2014: 12–13)

The widespread diffusion of VAAs and the fact they can be developed easily means that these criteria might not always be strictly adhered to, though most developers take them into account.

As a starting point for developing statements, some applications use official party material, such as manifestos or prior policy statements. Others begin by formulating a list of salient issues and then request parties to position themselves in respect to each statement. Parties' involvement in the process thus varies. For example, the developers of Kieskompas, a Dutch VAA, liaise with journalists and academics to identify the most relevant issues, and use manifestos to determine parties' positions. Parties can check their placement and formally approve it, but must provide formal documentation to justify a change of position (Kleinnijenhuis and Scholten 2007: 43–5). By contrast, the StemWijzer's editors send an initial master list of around 70–100 statements to party stakeholders. It is the parties' responsibility to determine their position on the issues and provide further information. The StemWijzer's editors then sift through the responses and finalise the set of questions (Schuszler et al. 2003: 195).

If they are involved, parties can clarify their positions, provide additional information and correct any discrepancies or mistakes. Building a close relationship with parties might also help a tool achieve political buy-in and remove concerns that positions have been determined in a biased or methodologically inaccurate way. However, some argue that drawing parties into the statement selection process may enable them to manipulate the tool and provide strategic or even incorrect information, especially if their positions are not subsequently cross-referenced against manifestos or public statements (Kleinnijenhuis and Scholten 2007: 43–4). Each approach thus has advantages and disadvantages, the strength of which depends upon the context.

Statements and Answers

The average VAA presents users with around 30 statements, but this varies depending on the type of audience developers wish to reach. Some argue that including fewer questions might prevent an 'information overload' and make the VAA easier to use. Conversely, including more questions can help users to learn about all the relevant issues, which might be more appropriate for those seeking deeper information. It is also possible to let users decide how many questions they wish to answer. When completing the Swiss smartvote, for example, users can choose between a 'deluxe' version, comprising around 70 statements, and a 'rapid' version, with about 35 questions (Ladner et al. 2010: 7). An alternative is to include many questions, but allow the user to end the quiz at any time. This was possible in Verto, a VAA built by Bite the Ballot for the 2015 UK general election (Bite the Ballot 2016: 5).

As VAAs have become more refined, some developers have acknowledged that voters base their decisions not solely on policy issues, but also on leader characteristics and tactical considerations. Some VAAs have thus incorporated additional elements. The Dutch Kieskompas was developed as an alternative to the StemWijzer specifically to allow users to express views on the performance and personality of leaders, as well as policy positions (Rosema 2007: 79). Some British VAAs, such as GE2017, allow users to enter their postcode; they then provide information on whether their constituency is safe or marginal (Evans 2018).

VAAs may also offer users additional information on the issues, candidates, or parties' positions, or explanations provided by parties to justify their placements. In recent editions, the StemWijzer provides users with information on party positions in the course of the test, which can be accessed by clicking on the 'What do the parties think?' button (Figure 6.1).

Figure 6.1. Example of additional information on parties' positions (StemWijzer, Netherlands, 2018)

The options offered to a user when completing the quiz can also vary. In many VAAs, users answer with either agree, disagree or neutral, or on a five-point scale (Figure 6.2), with most also including a 'skip' option if a user does not wish to answer a question. Other VAAs only allow users to agree or disagree without the possibility of skipping or having a neutral opinion. Offering only two options simplifies and speeds up the process, but may also reduce opportunities for reflection and force users to make a 'yes or no' binary decision, rather than take a more nuanced position. Again, choosing one model over the other depends on the type of user a VAA wishes to reach. A compromise approach allows both yes/no and more nuanced positions. In the GE2017 tool, for example, users first chose whether they agreed or disagreed with a statement; they could then either provide additional details on their position or proceed directly to the next question (Evans 2018).

Furthermore, most VAAs allow users to weight certain topics more according to the salience they attach to them, and to select the parties against which they would like to compare their position (e.g. those currently in government or only left- or right-wing parties).

Figure 6.2. Example of a five-point scale statement (Election Compass, UK, 2017)

Screenshot from uk.electioncompass.org, online voting advice application developed by Kieskompas B.V. for the UK general election, 2017

Presentation of Results

Perhaps the most obvious difference between VAAs is in how they present results to the user and what issue dimensions they allow for. Three broad families of VAAs can be identified on this basis. One model arranges results as a list of parties in descending order according to the percentage to which they match the user's own position. Only one dimension is shown: proximity to the user. This is the 'traditional' model used by the StemWijzer and applications following its example (Figure 6.3a).

Another model presents results on a two-dimensional grid, with the *x*-axis representing the left–right political dimension and the *y*-axis the socio-cultural progressive–conservative dimension (Figure 6.3b). The Kieskompas was one of the first VAAs to go beyond the linear representation of a user's position and include a socio-cultural dimension in the results (Marschall and Garzia 2014: 2).

The final model visualises a user's position as a spider's web, with multiple dimensions being taken into account, such as environmental protection, law and order, or immigration. The Swiss smartvote (Figure 6.3c) was one of the first to adopt this spatial model and displays results on eight major issue dimensions, with values ranging from zero to 100 (Marschall and Garzia 2014: 2–4). Different colours or shading indicate how a user's position compares with that of a chosen list or candidate.

Figure 6.3. Examples of visual presentation of results

a. StemWijzer, Netherlands, 2018
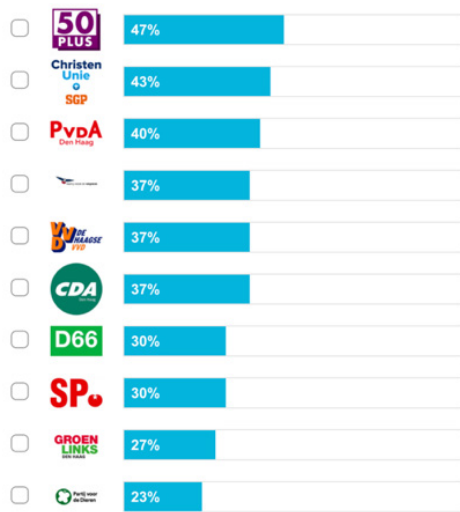
b. Vote Compass, New Zealand, 2017
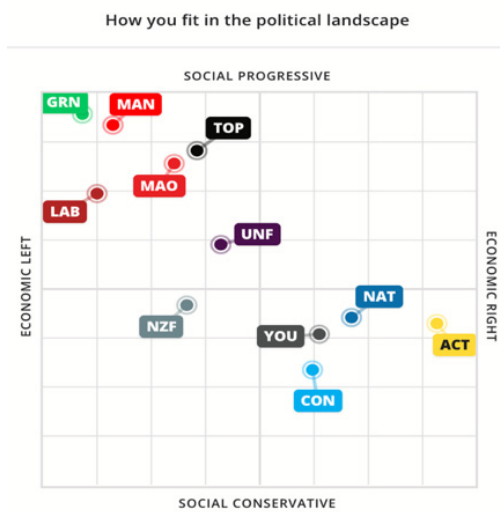
© Vote Compass New Zealand 2017

c. smartvote, Switzerland, 2018
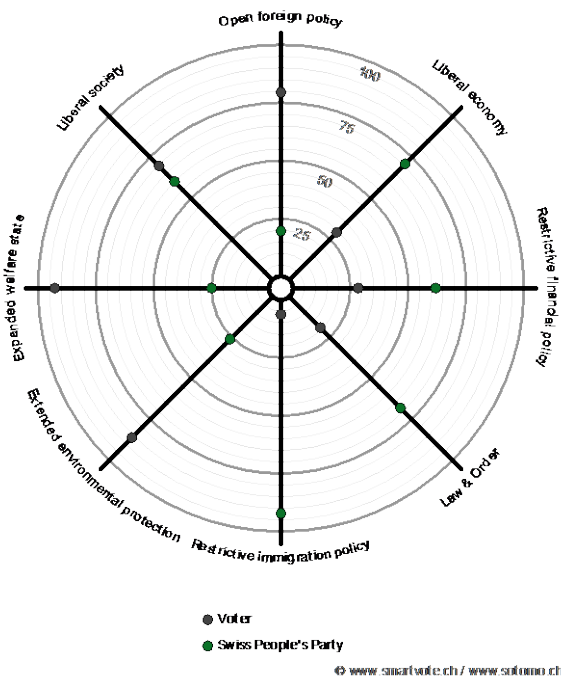
© www.smartvote.ch

Impact

We now review existing research on the impact of VAAs. This focuses particularly on users' demographic composition, and the effects of using a VAA. It draws mostly on survey data (post-quiz or election studies). Given that participation is voluntary, the responses to the surveys may be affected by self-selection bias and it may not be possible to isolate 'pure VAA effects' on users' knowledge and behaviour (Garzia and Marschall 2016: 381; Ladner and Pianzola 2010: 214)

Demographically, most studies report that the typical VAA user is young, male, and with higher education, income and political interest than the average voter (Alvarez et al. 2014: 83; Fivaz and Nadig 2010: 182; Garzia and Marschall 2016: 381; Vassil 2011: 37–56). It would seem, therefore, that previously engaged segments of the population are overrepresented among VAA users. But the high usage rates among younger voters indicate that, by making effective use of technology, these applications might also reach some less engaged groups.

Researchers have distinguished two potential effects of VAAs on users: those on the 'cognitive dimension (political interest and political knowledge)'; and those on the 'behavioural dimension (electoral participation and party/candidate choice)' (Garzia and Marschall 2016: 381–2). Cognitively, they find that VAAs offer voters easy access to political information, thus increasing their political knowledge and interest. VAAs reduce the time and costs associated with obtaining and comparing information on parties' policies (Andreadis and Wall 2014: 116; Garzia 2010: 19; Ladner and Pianzola 2010: 121). Garzia finds that the 'main reason for visiting a VAA website is exactly to collect more information on the positions of political parties (Garzia 2010: 23). Ruusuvirta shows that, in the 2007 election in Finland, 'those who had used online voting advice applications rank them as the most important source of electorally relevant information, even above the traditionally important newspaper and TV coverage of current affairs' (Ruusuvirta 2010: 61). Fivaz and Nadig find that the Swiss smartvote serves 'as a kind of an appetizer for about half its users' and prompts them to search for further information on political issues or candidates (Fivaz and Nadig 2010: 187) – another way in which VAAs may increase users' political interest and knowledge.

Behaviourally, some researchers find that VAAs have a positive – albeit small – impact on users' likelihood to vote, particularly among younger age groups (Rosema et al. 2014: 241) and those with lower levels of education (Alvarez et al. 2014: 83). Other studies indicate that VAAs may have a stronger mobilising effect on women and the politically uninterested, though they are proportionally less likely to use the tool (Fivaz and Nadig 2010: 185; Garzia et al. 2017: 16; Ladner and Pianzola 2010: 213–14). VAAs may also lead users to change their voting behaviour by prompting them to switch their support to another party. Though VAAs do not seek to change people's voting intentions, such switches do constitute clear evidence that they influence voters' thinking and may affect their behaviour. While only 22 per cent of StemWijzer users said the VAA affected their voting choice (Kantar Public 2017), 67 per cent of smartvote users said so (Ladner et al. 2010: 10). Andreadis and Wall (2014: 115) find that VAA use is indeed associated with 'an increased likelihood to "switch" between parties, controlling for an array of confounding factors'. While effects on turnout are hard to track post-quiz, VAAs may have a subtler behavioural effect by making users more likely to engage in political discussion with others (Garzia et al. 2017: 3). The 'fun' and easy-to-use quiz format, combined with the possibility of easily sharing results online, may motivate users to discuss their results with family and friends (Schuszler et al. 2003: 200).

Voting Advice Applications in the UK

In this section, we look at the UK experience with VAAs and the debate on their use and effectiveness during elections. We begin by describing some of the features of VAAs that have been developed in this country. We then consider how they have operated in practice and what proposals have been advanced to improve their development and delivery.

Overview of UK VAAs

VAAs are a relatively new phenomenon in the United Kingdom, having been first developed for the 2005 general election by ThoughtPlay Ltd (Who Should You Vote For? n.d.) and for the 2008 London mayoral elections by Unlock Democracy (Vote Match n.d.). They have risen in prominence since the 2015 general election and have been developed by multiple third-sector organisations, academics and private entrepreneurs. Usage figures are varied, with GE2017, Vote Match and Who Should You Vote For? being used most (Table 6.1). A mixture of organic growth through social media and access to traditional media publicity has boosted usage figures. For example, the *Daily Telegraph* sponsored Vote Match in the 2010 and 2015 general elections, and around 90 per cent of users found Verto through the website of *The Independent* (Unlock Democracy 2015; Bite the Ballot 2016: 10).

Table 6.1. Some of the most popular VAAs in the UK

Name	Developer	Number of users	Years active
GE2017.com	Explaain	Over two million	2017 general election
Verto	Bite the Ballot and Demos	400,000 in 2015	2015 general election; 2016 London mayoral election
Vote for Policies	Vote for Policies	910,000 in 2015	2010, 2015 and 2017 general elections
Vote Match	Unlock Democracy	1.2 million in 2010	2008 London mayoral election; 2009 and 2014 European Parliament elections; 2010 and 2015 general elections
Who Should You Vote For?	Who Should You Vote For?	1.1 million in 2015	2005, 2010, 2015 and 2017 general elections

Sources: Bite the Ballot 2016; Chocqueel-Mangan 2016; Evans 2017; Vote for Policies n.d.; Vote Match 2014 and n.d.; Who Should You Vote For? n.d.

With more applications available, the VAA landscape has differentiated and matured. Vote Match and Verto are two of the most methodologically rigorous applications.

- Vote Match closely followed the StemWijzer's methodology and design. Its developer, Unlock Democracy, selected statements and specified party positions in consultation with journalists, academics and other experts. It then submitted these to political parties, which could change their positionings if they provided 'compelling evidence' (Vote Match 2014). For the 2010 and 2015 versions of the tool, the process was supervised by an independent advisory board comprising academics, pollsters, other civic society organisations, and people with digital expertise (Runswick 2018).

- Verto was first developed by Bite the Ballot, in collaboration with Demos, the Political Studies Association and academics in the run-up to the 2015 general election. Statements were selected by Demos on the basis of research, public and official sources, expert groups,

and consultation with parties (Bite the Ballot 2016: 5). Focus groups with young people were also used for developing topics, allowing for a bottom-up process of statement formulation. As with Vote Match, parties were asked to sign off their positions and the development process was scrutinised by an academic steering group (Sani 2018). Unlike Vote Match, Verto targeted young people in particular, and this affected the design of the VAA. For example, it allowed users to answer as many questions as they wished, and offered a 'Tinder-style' tick/cross option (Bite the Ballot 2016: 1, 4–5).

Other VAAs prioritise the usability and design aspects of the tool, which in some cases reflects the professional backgrounds of their developers. Vote for Policies is unlike other VAAs in that it presents users with a series of 'policy packages' from which to choose, rather than a series of individual policy statements. These packages are drawn directly from party manifestos and submitted to parties for comment and approval (Vote for Policies n.d.). GE2017 was one of the most advanced VAAs, as it provided for a highly personalised experience, allowing users to decide the level of detail in how they answered questions. It also included a feature for tactical voting and vote swapping, and linked to other websites – Vote for Policies, Represent and Position Dial – where users could learn more about policies and parties (Evans 2018). A final example is provided by Who Should You Vote For?, which – as far as we know – is the only UK VAA to be developed completely independently of parties. Statements are selected on the basis of policy statements and, if required, speeches and related statements. If a party's position cannot be identified, developers assign it a neutral position (Who Should You Vote For? n.d.).

As in other countries, VAAs in the UK aim to stimulate engagement and help users make informed and independent voting decisions by easing access to information on parties. Most also aim to increase turnout or, at least, voter registration. Vote Match was initially set up as an experiment designed to understand if it could increase turnout in the 2008 London mayoral election (Runswick 2018). Verto's stated aim was to engage young people and encourage users to register (Bite the Ballot 2016: 4).

Independent research aimed at assessing the design features, user base and effects of VAAs has been almost non-existent in the UK. Some developers have, however, conducted their own research. In terms of user base, 40 per cent of those who used Verto in 2015 were aged between 18 and 25 years, which is in line both with Bite the Ballot's aim of engaging younger voters and with the broader profile of VAA users (Bite the Ballot 2016: 1). Though Verto included the policies of the Scottish National Party and Plaid Cymru, users were mostly concentrated in England, particularly in London (Bite the Ballot 2016: 5). Research conducted following the 2010 version of Vote Match UK provides some insight into this VAA's cognitive and behavioural effects. Seventy-five per cent of respondents said they became more aware of policy differences among parties following the test, and 57 per cent were motivated to seek out further information on political issues. Furthermore, 12.7 per cent of respondents changed their mind on whom to vote for and 4.5 per cent said they were motivated to vote after using the application (Mills 2014; Vote Match 2014).

How Have UK VAAs Operated in Practice?

Clearly, VAAs can work in the UK context and a variety of organisations and individuals have shown increasing interest in developing such tools. Their use is quite limited in absolute numbers:

only slightly over two million people (roughly four per cent of eligible voters) used GE2017, the most popular VAA in 2017. For comparison, the StemWijzer had 6.8 million users during the 2017 Dutch election campaign, constituting 53 per cent of the electorate (*De Telegraaf* 2017b). But UK usage is rising: GE2017 had double the numbers of users of the most frequently used tool in any previous election.

The VAA developers with whom we spoke felt that they were able to provide accessible, accurate, and balanced information on issues that were relevant to the public. They felt that they provided a 'point of reference' for people who were not going to vote or who needed more information. Most developers argued that the mechanisms put in place throughout the statement formulation process and when liaising with parties guaranteed the quality of the information and the credibility of the process. For example, Alexandra Runswick of Vote Match, Jeremy Evans of GE2017 and Michael Sani of Verto referred to oversight by an advisory board as one of the factors contributing to the neutrality and credibility of the process. Developers also felt that they were generally able to reach their target audience (general public or young people) both organically and via partnerships with media organisations.

But our interviewees also raised concerns about the long-term feasibility and sustainability of developing VAAs. Everyone we spoke with stressed that developing a VAA is extremely time- and resource-intensive, particularly given the small size of the organisations working on such tools. The lack of a deadline for publishing manifestos was raised by almost everyone. In order to ensure that a VAA provides accurate information on policies, its developers need enough time to read manifestos and, if necessary, liaise with parties to check and correct any discrepancies. One interviewee said that, ideally, an organisation would have one full-time staff member working on the VAA for several months. But late publication of election material clearly makes this difficult. Some floated the idea of regulating the publication date for manifestos to ensure that the public – and developers – have enough time to read through the material. Snap elections present further problems. VAAs cannot be finalised in advance given the need to include salient and manifesto-specific issues, so much work needs to be done in a very short time-frame to ensure they are up and running well before polling day. Some developers had to put all their other work on hold to prepare the VAA.

Time costs are exacerbated by budgetary constraints. All developers we spoke with had to seek external funding to create a VAA, from commercial sponsors or grant-making foundations. Reliance on external funding also means that most UK VAAs are developed as side projects, which ensures that organisations can continue to raise revenue through other activities. Some interviewees contrasted this situation with the two most successful VAAs, the StemWijzer and the Wahl-O-Mat, which receive large amounts of public funding and can thus dedicate more resources to developing and publicising their VAAs. Alexandra Runswick said that in both Germany and the Netherlands 'a significant amount of central funding is absolutely key. It gives it credibility; it guarantees its independence' (Runswick 2018).

Another concern raised related to the promotion and reach of a VAA. To date, media organisations such as the *Telegraph*, *Independent* and *Huffington Post* have helped market certain VAAs. While its reach is much larger, the BBC has been unwilling to partner with VAA developers: it is concerned that locating voters relative to parties could be seen as promoting one party over another. Organic growth via people sharing results on social media has also extended reach, particularly in the case

of GE2017. While developers were proud of what they were able to achieve given the above constraints, some felt that more could be done to market and broaden the reach of VAAs.

Political buy-in is another obstacle standing in the way of a well-developed VAA with wide reach. Our conversations suggest that, to date, parties have been co-operative and, even in the context of short election campaigns, willing to devote time and resources to answering the statements submitted by multiple developers. Matt Chocqueel-Mangan, the founder and creator of Vote for Policies, said he had 'very amicable' interactions with parties and they all provided feedback (Chocqueel-Mangan 2018). But others felt that parties' engagement with VAAs has been more limited. Alexandra Runswick said it was 'really hard to get political parties to see any value in this kind of engagement – they just didn't see why it was worth their time' (Runswick 2018). Parties' reluctance to answer the VAA's questions meant that sometimes the Vote Match team had to fill in results on the basis of publicly available information. Michael Sani of Bite the Ballot also said there is still some resistance among parties, even though they could benefit from marketing their policies through a VAA (Sani 2018).

Political buy-in links to concerns about the broader political and media culture in the UK, which might hinder acceptance of the kind of information provided by VAAs. One of our interviewees expressed scepticism about the political and media elites' attitude towards VAAs and similar projects designed to improve the quality of discourse and stimulate engagement. That person said: 'we don't seem to have a political culture that actually values that'; 'all Westminster-based political journalists were really, really sneery. […] Their whole attitude was that this is pointless'. By contrast, 'Local media loved it and they were brilliant and thought it was a great idea'.

Proposals for Improvement

Within the VAA community, there has been considerable debate on how to build on the work they have done to date. There is much interest in combining their efforts to build a single, well-resourced VAA that can be a focal point for both parties and voters and thus ensure the long-term sustainability of this strategy. The involvement of a public body such as the Electoral Commission, through funding and/or endorsement, is seen by many as essential for the full flourishing of the VAA model. In this sub-section, we examine such proposals in more detail.

Currently, developers in the UK rely on philanthropy to produce VAAs, which has significant consequences for the sustainability of this model. Lack of resources not only affects whether a VAA can be built at all, but also hinders the maximisation of this mechanism's potential as a way of promoting high-quality information. VAAs could be very useful tools for presenting users with different kinds of comparative information in an accessible manner. But to do so effectively, accurately, and impartially, the VAAs themselves need to be built well – and this requires significant resources, which have proved difficult to obtain from philanthropic sources.

For example, in a majoritarian system – such as the UK – where campaigning takes place at both national and constituency levels, VAAs should provide information not only on national parties and party leaders, but also on constituency issues and individual candidates. Much more could also be done in terms of weighting policy issues, accessibility, and security. Currently, VAAs do not account for the fact that parties might sometimes include policies in their manifestos that make them 'look good', but are not particularly important for their overall vision. This can lead to users being matched with disparate parties simply because they agree with them on an issue that has no

bearing on their overall positioning. Weighting policies according to their relative importance in a party's programme would allow a VAA to further differentiate among parties and offer users greater clarity. Areeq Chowdhury, founder of WebRoots Democracy, emphasised to us that VAAs should be accessible to all electors, including those with disabilities, and that they should be protected from potential hacking and security breaches. A well-resourced and well-developed VAA might receive support from the National Cybersecurity Centre, which would not be an option for smaller civil society organisations.

Beyond philanthropy, other possible ways of funding VAAs in the UK context include advertising, mining users' data, or public support. The commercial route (advertising and data mining) is clearly the most likely to offer financial security, but it is highly problematic when it comes to the quality of information provided and the credibility and impartiality of the organisation producing the tool. To date, VAA developers in the UK have been averse to this model.

An alternative would be broadcaster sponsorship. As we explore further in the following section, this model is quite widespread internationally, for example in New Zealand, where the public service broadcaster sponsors the country's main VAA. It is clear, however, that the BBC has chosen not to go down this route in the UK, given concerns about the contentious and sensitive political environment in which it operates and the need to protect its reputation for impartiality. Entering this domain would be difficult for the organisation, as it could be seen as endorsing the information contained in the VAA – even though the BBC itself would not be involved in its development at all. Private or commercially funded broadcasters – such as Sky, ITN/ITV or Channel 4 – could sponsor a VAA with less fear of being accused of bias.

These considerations suggest that state support for VAAs merits further investigation. Such a proposal has received considerable interest among VAA developers and civil society organisations. Most recently, it has been picked up by Explaain, the developers of GE2017, who are promoting collaboration among VAA developers, research institutions, think tanks, and state and public bodies (Evans 2017).

In written evidence to a consultation on voter engagement conducted by the House of Commons Political and Constitutional Reform Committee (PCRC), Demos (who had been involved in developing Verto) said

> the Committee should not dismiss the possibility of the state playing a role in the construction and promotion of a Voting Advice Application (VAA) as a means of informing non-voters and encouraging voter turnout. Such state involvement, as in Germany, has increased engagement with and the effectiveness of VAAs, and driven up turnout significantly […] While the efforts of third sector and civil society organisations to create VAAs are laudable, these efforts have been necessary because of the continued failure of the state to engage in innovative digital efforts to increase voter turnout (Demos 2015)

A similar position has been taken by WebRoots Democracy, which recommended that the 'Electoral Commission should look into developing an official, independently-verified and researched voting advice application for the 2020 General Elections' (WebRoots Democracy 2017: 26). Legislation would be updated to require the Electoral Commission to oversee a VAA project, which would benefit from the Commission's experience in increasing political awareness and engagement, and access to marketing opportunities. Such an official VAA would also be likely to

have increased funding at its disposal, which would enable it to deliver features such as those mentioned above (Chowdhury 2018).

Most people we spoke with were in favour of public sponsorship: they argued that state involvement would help address most, if not all, the issues outlined above. First, developers could devote more time and resources to VAAs, without neglecting other projects and having to rush to set up a VAA. Second, official endorsement could help with the promotion of the tool and allow developers to reach wider audiences through more established channels. For example, many interviewees suggested that a link to a VAA could be included on polling cards and in election advertising, as already happens with 'register to vote' promotions. Third, public sponsorship might enhance the legitimacy of VAAs and lead to more active engagement with and trust in VAAs among both political parties and the public. Michael Sani, for example, stated that, with a single VAA,

> people would take it a little bit more seriously in terms of their actual positions on things. Parties would be a little bit more engaged. They might also then promote people to use it. They would talk more actively about the policies because they know people are going to be exposed to them (Sani 2018)

Fourth, public sponsorship could help formalise and unify the process. This would mean, for example, that parties would only have to provide one set of answers – rather than liaising with different developers. It could also prevent confusion among users, who – given the current uncoordinated proliferation of VAAs – might receive different results from different tools.

Our interviewees did also express some notes of caution with regard to any single, official VAA or VAA platform. First, there is broad agreement that direct state information provision would not be trusted and that the state should therefore become involved only at arm's length. This would ensure that people have access to high-quality, accurate information, while guaranteeing the independence and credibility of the process and information provided. Second, a single tool might struggle to engage all users of different ages and dispositions. Voters will vary in the time they are willing to spend on the VAA. Some might prefer an application that is 'gamified' and 'native' in the palm of their hand, while others prefer a more in-depth VAA with richer information and wider comparisons. To aid this, a platform or 'information hub' hosting multiple linked VAAs might be preferable to a single VAA. This would facilitate targeting of separate segments of the population; it might also assuage concerns that an organisation could steer a VAA towards a particular ideology.

Outside the VAA community, debate on these tools as mechanisms for providing information and stimulating voter engagement has been limited in the UK compared to other countries. As far as we know, the Green Party is the only party to have actively promoted VAAs: it has included links to the Vote for Policies application in its election leaflets (e.g. Green Party 2014 and 2015) and Caroline Lucas recommended the quiz in a Facebook post prior to the 2015 general election (Lucas 2015). Amelia Womack, deputy leader of the Green Party, thought that VAAs are effective in helping people express an independent, objective understanding of the electoral options, without being influenced by the media and others. She also emphasised the need for rigorous methodology to ensure parties' positions are not misrepresented, and she recalled the example of a VAA where the Green Party's policies had been confused with those of the Democratic Unionist Party (Womack 2018). She agreed in principle with the idea of official endorsement and funding of a

VAA, as this would help people access strong, independent information. But she expressed reservations about direct state involvement, lest this affect the tool's independence and trustworthiness (Womack 2018).

The PCRC looked at VAAs as part of its 2014 inquiry into voter engagement in the UK mentioned above. This considered ways of improving the 'level and quality of information available to voters' (PCRC 2014: 71). Its report included VAAs as one way to stimulate political engagement and recommended their development by independent organisations such as Bite the Ballot (PCRC 2014: 71). Similarly, the 2015 Speaker's Commission on Digital Democracy (DDC) encouraged 'public education bodies and charities to consider how to make available and publicise trustworthy information about candidates and their policies, including by means of voter advice applications' (DDC 2015: 11, 58 (Recommendation 22)). Both the PCRC and DDC reports advocate VAA development by civil society organisations and suggest that parliament is unlikely to want to play a direct role. Indeed, the DDC said that this 'is not something that Parliament could or should do on its website, because of the need to remain impartial.' (DDC 2015: 58). In response to the PCRC's interim report, the Electoral Commission also rejected the idea – floated by some civil society organisations as mentioned above – that they could assume this role, stating that they 'agree with the Committee that ideas such as voting advice applications would not be appropriate for the Commission to produce' (UK Electoral Commission 2015: 23).

The debate on the role of VAAs has been picking up in the UK in recent years. Overall, it appears that VAAs are generally recognised as providing an effective mechanism for engaging and providing high-quality information to the public. Parliament and the Electoral Commission have not seen it as their role to establish or endorse a VAA. But civil society organisations tend to reflect the views in the VAA community in thinking that public support of some form would be necessary to build on the work of VAA developers to date.

Concluding Remarks on VAAs in the UK

Our examination of the development of VAAs in the UK and how they might be improved has brought to light a key issue: the question of whether some form of public sponsorship for developing these tools would be desirable. The evidence from the VAA community and civil society organisations suggests that, for this approach to be well developed, have a wide impact and be sustainable in the long term, some form of state involvement through funding and/or endorsement may be necessary. State involvement could strengthen VAAs' development, funding, publicity, political buy-in, and legitimacy. More broadly, it could contribute to formalising VAAs as part of the election process, with consequences, for example, for parties' participation and the publication dates of manifestos. But there are also genuine concerns about impartiality and the appropriateness of state involvement.

In what follows, we seek to explore forms of state involvement and whether they might be suitable for the UK context, given the concerns expressed on both sides of the debate. The following section describes alternative models for delivering VAAs. In exploring these – including the German model in particular – we will seek to answer questions and concerns raised in the UK debate, which relate to operability and perceptions as follows:

- **Operability**: We seek to understand the extent to which state involvement improves how VAAs operate in practice. Does it allow more time and resources to be dedicated to

developing the tool? Does it have an impact on the design, accessibility and security of the tool?

- **Perceptions**: Does the involvement of the state affect perceptions of VAAs among the media and political parties? Does it help achieve political buy-in? To what extent does it affect the quantity and quality of media coverage?

- **Impact**: Finally, we consider the extent to which public sponsorship enhances the VAAs' contribution to improving the quality of information and debate. Does state involvement allow for more and improved promotion, and increase VAAs' reach? Does it stimulate acceptance of and trust in this kind of information? Does it contribute to the credibility and legitimacy of those who develop VAAs? Conversely, does it raise doubts about independence and impartiality?

Alternative Models of Delivery

Debate on VAAs in the UK raised the issue of the kind of organisation or body responsible for delivering this tool. Looking at VAAs comparatively, we can identify three broad models of delivery. First, VAAs can be developed by private organisations either individually or collaboratively. These might be NGOs, media organisations, universities or private entrepreneurs. This model is used by all UK VAAs, many Danish VAAs (such as those sponsored and produced by the *Altinget* newspaper), and the international iSideWith (VAA Research Network 2016). In the Netherlands, the daily newspaper *Trouw* and the Amsterdam Free University collaborated in creating the Kieskompas (Vote Compass) in 2006. New Zealand's On the Fence is developed by Massey University's Design+Democracy Project, with input from Radio New Zealand, Generation Zero (a youth-led organisation) and Platform Charitable Trust (VAA Research Network 2016).

Second, a public body might commission or sponsor a VAA developed by a separate organisation. The Dutch StemWijzer falls within this category, as it receives some state funding for its activities (ProDemos n.d.). The Australian public service broadcaster, ABC, sponsored a version of Vote Compass (an international VAA built by Vox Pop Labs) and hosted it on its website. The tool was used by over 1.2 million respondents during the 2016 federal elections (ABC 2016b: 62). Furthermore, ABC used the data thus generated to shape its election coverage (see, for example, ABC News 2013) and provide information more relevant to voters. In its 2016 annual report, it stated that the 'results allowed ABC News and Radio to better understand audience interest in specific policy areas and to provide more in-depth coverage of those issues, complementing the day-to-day reporting of campaign events' (ABC 2016b: 83).

In New Zealand, the Electoral Commission has provided funding *and* publicity to Vote Compass since 2014 (New Zealand Electoral Commission 2014: 14–15). In collaboration with political scientists from Auckland University, the main state-owned television station in New Zealand, TVNZ, decided to establish Vote Compass and asked for the support of the Electoral Commission. The Commission's remit includes 'helping people access information in a way that enables them to come to their conclusions and make their own decisions', and, after careful assessment of the quality and impartiality of the Vote Compass tool, it chose to support the initiative (New Zealand Electoral Commission 2014: 14). In addition to providing funding, the Commission links to the VAA from its main elections website, thus enhancing the tool's access to

publicity. The Electoral Commission reported that the tool was used by 330,000 New Zealanders in the 2014 election (around ten per cent of the electorate; New Zealand Electoral Commission 2014: 15). This process works both ways, as around 13,600 people accessed the Commission's 'Check, Update, Enrol' page after having used the VAA (New Zealand Electoral Commission 2014: 15). In 2017, the Commission supported three VAAs – On the Fence, Policy and Vote Compass – and the tools were used by around 700,000 electors, with over 7,000 clicking through to enrol from On the Fence and Vote Compass (New Zealand Electoral Commission 2018b: 21). The New Zealand case thus offers evidence on the efficacy of arms-length state involvement in a VAA.

A final model consists in the state being involved throughout the process, from initial development to promotion and publicity. As far as we know, this model is only used in Germany, where the Federal Agency for Civic Education (BPB) is actively involved in the development of the Wahl-O-Mat application. We will examine this model in depth in the following section. As this VAA is the most widely used of any worldwide, we will seek to understand the extent to which the state's involvement contributes to the Wahl-O-Mat's operability, how it is perceived, and its impact.

Germany's Wahl-O-Mat

This section considers how the state can be involved during the development and delivery of a VAA by examining in depth the German Wahl-O-Mat, the most frequently used VAA worldwide in absolute numbers. Whereas most VAAs are developed by private organisations, such as media companies, the Wahl-O-Mat is unique in being developed and sponsored by the German Federal Agency for Civic Education (Bundeszentrale für politische Bildung, hereafter BPB). This section describes how the Wahl-O-Mat works, looking at its development process and design. It then assesses the effectiveness of this VAA by considering its operability, perceptions and impact.

How Does the Wahl-O-Mat Work in Practice?

The Wahl-O-Mat ('Vote-O-Mat') was created in 1998 by the BPB and first used prior to the 2002 Bundestag elections (Marschall and Schmidt 2010: 65). The BPB is a 'governmental agency attached to the Ministry of the Interior' (Marschall and Schultze 2015: 526). Though institutionally linked to the government, it is a 'supra-party organization' supervised by an all-party parliamentary board (Marschall and Schultze 2015: 526). Given its role of fostering civic engagement and education, the BPB developed the Wahl-O-Mat as a way of countering declining voter turnout and responding to increased electoral volatility and dealignment. By focusing on salient issues, highlighting differences between parties, and adapting to the public's increasing use of the internet, the BPB aimed, through the Wahl-O-Mat, to tackle 'the view that voting won't make a difference' and stimulate political debate and engagement (Marschall 2008: 138–9).

In addition to its state sponsorship, the Wahl-O-Mat is also unique in how its content is developed at each election. Broad policy fields are selected by a panel of political scientists and academics. But the statements themselves are formulated on the basis of party manifestos and other publicly available information by a group of 20–25 first- or second-time voters under the age of 27 (known as 'editorial staff'), who represent a state or the entire federal territory (BPB 2017; Marschall 2008: 138; Marschall and Schmidt 2010: 67). Young people are included in the statement selection process because the Wahl-O-Mat originally targeted young and first-time voters, for whom clear

and independent information was considered particularly important. Though the Wahl-O-Mat quickly widened its appeal to the entire electorate, younger voters still make up the entire editorial staff.

Figure 6.4. Example of a Wahl-O-Mat statement
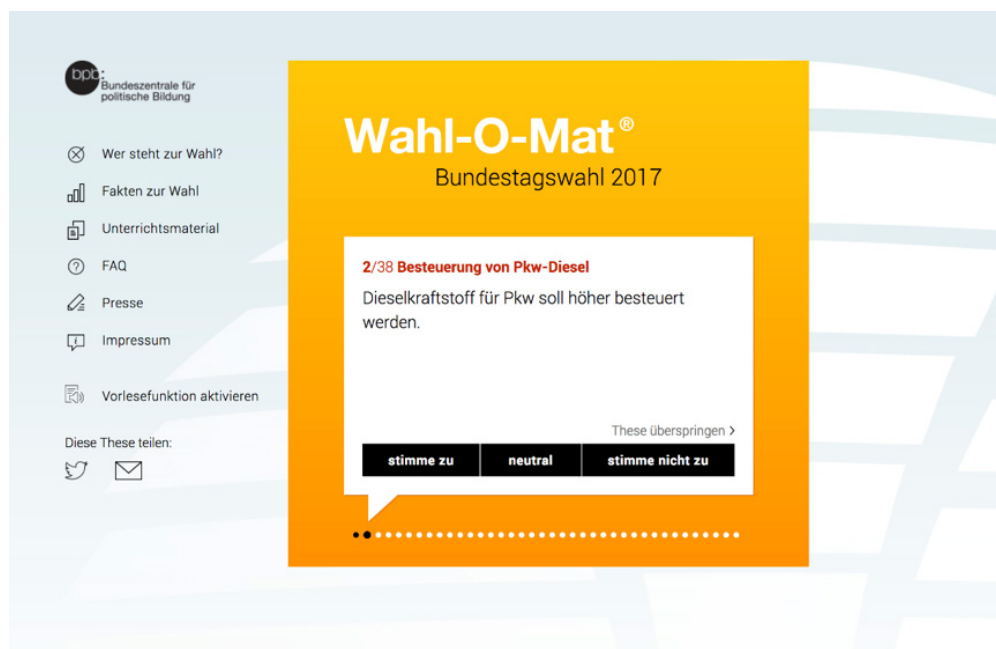
© bpb

Development of the tool begins around three months before the elections and takes place in several workshops. The 'editors' work in thematic units and select statements that are easy to understand, address relevant issues and differentiate among parties. The editorial staff are assisted by journalists, political scientists and experts in different fields (BPB 2017; Marschall 2008: 138). An initial set of around 60–100 statements are presented to parties via a secure online system.[2] Parties have between two and three weeks to position themselves on each issue and, if they wish, provide a justification for their placement (BPB 2017). Parties can also supply additional information, that will be displayed in the results screen, and, in the event of discrepancies, can revise their answer. A team of political scientists verifies the quality of the answers provided, though parties are ultimately responsible for deciding their positioning (BPB 2017). The final list of approximately 38 statements are selected by the Wahl-O-Mat editorial staff about a week before the tool goes live (BPB 2017). The BPB is not involved in the development of topics or statements, or in determining parties' positions. Rather, it oversees the process by convening the editorial staff and expert panel, and providing funding, resources and publicity.

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[2] Originally, the Wahl-O-Mat only allowed up to six parties to take part, i.e. only those that had or were projected to gain a seat in parliament (Marschall 2009: 486). During the 2008 Bavarian elections, however, the Ecological Democratic Party initiated an injunction against the local Wahl-O-Mat convenor, on the grounds that their exclusion contradicted its commitment to impartiality. Since the injunction, the BPB has allowed all parties standing a national list to participate in the federal Wahl-O-Mat: around 30 parties (Marschall 2011: 41).

Figure 6.5. Example of a party's explanation

Begründungen der Parteien

Vergleichen Sie Ihre Antworten mit denen der Parteien. Viele Parteien haben ihre Antworten zu den Thesen begründet. Sie können diese ein- oder ausblenden.

1/38 Bundeswehr im Inneren ⓘ

Bei der Terrorismusbekämpfung soll die Bundeswehr im Inland eingesetzt werden dürfen.

nächste These ›

●●

Ihre Position 👤 ☒

DiB ☒

💬 **Begründung der Partei:**

„Die klare Trennung von Militär und Polizei ist fest im Grundgesetz verankert - und das soll auch so bleiben. Die heute schon formulierten Ausnahmefälle (Katastrophenhilfe und Innerer Notstand) sind ausreichend, um den Einsatz der Bundeswehr im Inland in Extremsituationen zu ermöglichen."

© bpb

As it is a 'licensed spin-off' of the StemWijzer (Marschall 2009: 488), the Wahl-O-Mat is very similar to its Dutch counterpart in how statements are presented and results calculated. Users can choose whether they agree with, disagree with or are neutral towards a statement (Figure 6.4), and – prior to obtaining their results – can give extra weight to specific topics and select up to eight parties against which they would like to view their position. Results are presented as a list of parties in descending order. On the results screen, users can also read the short explanations provided by parties of their positions on the issues (Figure 6.5).

The Wahl-O-Mat has become an important part of the election campaign in Germany. Its launch is preceded and accompanied by intense publicity campaigns. It is launched at a press conference around a month before the elections (Marschall 2009: 489) during which representatives of the main parties publicly take the test (Figure 6.6).

Figure 6.6. Dorothee Bär, Deputy General Secretary of the CSU, plays the Wahl-O-Mat at the inaugural press conference for the 2013 Wahl-O-Mat

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Since 2002, the Wahl-O-Mat has been set up for all federal and European elections, and most state elections. The federal office of the BPB oversees the development of the federal Wahl-O-Mat, but delegates this task to state-level institutions for state elections.

Operability

This section assesses the effectiveness of the Wahl-O-Mat in terms of operability. To do so, we rely on interviews conducted with those closely involved in the Wahl-O-Mat's development and publicity.

None of the interviewees raised any concerns about the Wahl-O-Mat's operability. They all agreed that the system works very well and, unsurprisingly, argued that it does indeed contribute to improving the quality of information and discussion. Armin Berger, founder of 3 pc, the Wahl-O-Mat's design agency, reiterated many times that the Wahl-O-Mat's main effect is to make people 'think'. He stated that 'the most interesting thing [about the Wahl-O-Mat] is the fact that people have to think about the stuff themselves. That's […] an underestimated resource, thinking for yourself' (Berger 2018). He argued that, with journalists and politicians always telling people what to think, '[taking the Wahl-O-Mat] is more or less nearly the only moment you are asked and nobody tells you what to think. And that's what I love' (Berger 2018). Stefan Marschall, Professor of Political Science at Heinrich Heine University in Düsseldorf and Director of Research on the Wahl-O-Mat, argued that the way in which the tool is developed contributes to the impartiality of the information provided. The scientific panel and the editorial staff ensure that the policy issues selected cover the width of the political spectrum and that the statement formulations are as objective as possible (Marschall 2018). Similarly, Daniel Kraft, Head of Communications and Press Officer at the BPB, also emphasised the structure of the development process as key to the Wahl-O-Mat's operability. He stated that 'we [the BPB] are the resource-giver, we are the funder, we are the [people] who are bringing the Wahl-O-Mat with marketing in special regions, we are the speakers of the Wahl-O-Mat, we are talking at press conferences, but the real heart of the Wahl-

O-Mat, these are always young people' (Kraft 2018). The interviewees also agreed that people reflect on their results, even – and perhaps especially – when they are unexpected. They also said that people seek further information and sometimes reconsider their positions on certain topics.

Only two minor points were raised as potential areas for improvement:

- Stefan Marschall said that there has been some debate about whether it would be better to broaden the demographic composition of the editorial staff. This would allow the inclusion of different perspectives in the selection and formulation of statements. But he did not think this would be particularly beneficial (Marschall 2018). He suggested that it is easier to start a process of deliberation and discussion within a homogeneous group, and that, in a broader group, more experienced voters might dominate the discussion. Furthermore, having witnessed all workshops, he argued that young people bring a less biased and fresher perspective on politics, while being able to represent the interests of the electorate as a whole (Marschall 2018).

- Armin Berger stated that there is a trade-off between ensuring that a VAA has an attractive design and is simple to use, and that it is accessible to all users regardless of physical or other disabilities. He suggested that non-official VAAs 'are very free to do whatever they want to do', whereas 3pc (the Wahl-O-Mat's design agency, founded by Berger) are more constrained in how they can design the tool (Berger 2018). But this was only a minor concern and he accepted the primary importance of wide accessibility

Underpinning this strikingly positive view of how the Wahl-O-Mat operates is the involvement of the BPB. When asked about perceptions of this institution, the interviewees emphasised that the BPB is very well known and positively viewed in the country. Armin Berger said that the 'BPB is extremely important, […] it's the most neutral institution imaginable'; Stefan Marschall described the BPB as a 'very special institution'; and Daniel Kraft argued that it has 'big credibility in society'. For our interviewees, this positive perception was the result of the organisation's historical development and role in strengthening democracy through civic education in the aftermath of the Second World War. They all asserted that citizens are aware of the BPB and its work, as they come across its educational materials from a young age in school. In addition to developing the Wahl-O-Mat, Daniel Kraft told us that the BPB engages in a variety of other civic education activities both online and offline, targeted at different age groups and demographics. In this context, Kraft said that the BPB views the Wahl-O-Mat as an initial step in citizens' long-term engagement (Kraft 2018).

All interviewees stressed that the BPB's involvement is essential to the Wahl-O-Mat's development and promotion, to parties' participation, and to the VAA's wide reach and high usage figures. Funding and resource concerns do not challenge the Wahl-O-Mat as they do many other VAAs. Though the BPB's funding is part of the state budget, this does not appear to affect perceptions of the institution's independence or credibility. Daniel Kraft summarised what he thinks public perceptions of the organisation's independence are by saying that the BPB does 'civic education in the name of the state, but not in the name of the government' (Kraft 2018). The BPB has around 200 staff members and, even though the process of developing the Wahl-O-Mat at each election takes around two or three months, this does not seem to affect other BPB projects.

Within the BPB's staff, a press and communications team focuses exclusively on publicising the federal Wahl-O-Mat at election time, aiming, as Daniel Kraft put it, to make the Wahl-O-Mat 'more popular than ever before' at each election (Kraft 2018). It seeks to generate buzz and get television, print and online media outlets talking about the Wahl-O-Mat. Daniel Kraft told us that, in 2002, the tool first became widely known after it was played on live television by Harald Schmidt – one of the most popular German late-night hosts (Kraft 2018). Furthermore, many websites and media partners link to the Wahl-O-Mat or embed it within their own sites for a small licence fee. In 2017, for example, the Wahl-O-Mat had more than fifty media partners (Kraft 2018). Armin Berger told us that online platforms are happy to publish the Wahl-O-Mat on their own sites as 'it's neutral' and does not belong to anybody. He did not think this would be the case with VAAs published by other organisations (Berger 2018). The press team also does focused outreach work in areas with low political participation. Daniel Kraft said that, in 2017, the BPB identified 32 communities with particularly low turnout and focused significant marketing activity on them. This included co-operation with McDonald's, which provided the BPB with free publicity on their in-store tray covers; local pubs, which allowed the BPB to advertise on coasters; and cinemas, which screened a free trailer advertising the Wahl-O-Mat (Kraft 2018). Some of the promotion also happens organically. Vloggers, for example, upload videos of themselves playing the Wahl-O-Mat on YouTube. For Daniel Kraft, this allows the tool to reach people whom the BPB might not generally target (Kraft 2018).

All interviewees agreed that the BPB's credibility and legitimacy in German society was key to achieving buy-in from political parties and remains a reason for their participation. Stefan Marschall told us that, initially, there was some reluctance among parties to engage with the Wahl-O-Mat and take a stand on each statement, given their scepticism 'about whether it's possible to condense complex political issues into one statement' (Marschall 2018). But this perspective has changed over time. Indeed, all interviewees maintained that, even if some reluctance might have persisted, parties appear to have reached a 'tipping point' or a 'point of no return', with non-participation in the Wahl-O-Mat being viewed as a break from an accepted norm. Stefan Marschall, for example, suggested that 'Within the last […] ten years, I would say the Wahl-O-Mat has become kind of so prominent and so mandatory [for parties].' (Marschall 2018). One feature that interviewees highlighted as particularly attractive to parties is the possibility of providing additional explanations of their policy positions so as to 'document all caveats' as Stefan Marschall put it (Marschall 2018). The fact that the final authority in determining policy positions is left with parties themselves also helps achieve political buy-in. In fact, for Stefan Marschall, 'It's not the BPB which is telling parties which position they have; it's up to the parties to make their point' (Marschall 2018). Another valuable aspect for parties' engagement is the fact that every party is invited to participate (Berger 2018; Kraft 2018).

Looking more broadly at what enables the Wahl-O-Mat to operate effectively, our interviewees stressed their view that the role and perception of the state, and the understanding of society, are quite different in Germany from in other countries. They all agreed that the state plays a crucial role in people's lives and is seen not as an intruder or aggressor, but as a central figure to which people resort to solve problems. They also thought that the credibility of the BPB as a state organisation providing information might be hard to achieve in other countries, such as the UK. For example, Daniel Kraft posited that outside Germany such credibility would more likely be given to a non-state actor. This awareness echoes the concerns we have already seen in the UK about state involvement. Nevertheless, it is important even in Germany that the BPB has an arm's-

length role: it is a resource-giver and co-ordinator, rather than final decision-maker, in the development of the Wahl-O-Mat.

Perceptions

This section considers whether similarly positive perceptions of the Wahl-O-Mat, its impact on the quality of discourse, and the BPB's role are shared more widely.

We conducted a content analysis of all the news pieces we identified that referred to the Wahl-O-Mat in the 30 days up to and including polling day for all federal elections since 2002: 191 articles in total.[3] The analysis confirms the media's role in publicising the Wahl-O-Mat: most references were general mentions or brief descriptions of the tool, rather than more substantive assessments (Table 6.2). These included statements such as 'Today the Wahl-O-Mat goes online. You can compare these 30 positions with those of the parties. Discover which party you agree with most here' (*Die Tageszeitung* 2005). The media also frequently refer to how the content of the Wahl-O-Mat is developed; eight news pieces included the subheading 'How does the Wahl-O-Mat work?' and described, for example, how questions were selected, how parties answered questions, and how the final list was chosen.

Table 6.2. Tone of statements in the media

	Descriptive	Positive	Negative
Wahl-O-Mat in general	101	11	3
Wahl-O-Mat usage	50	3	2
Effects of Wahl-O-Mat	13	15	8
Purpose of Wahl-O-Mat	13	4	1
Participation of parties	10	0	0
Usefulness of Wahl-O-Mat	6	44	34
Involvement of BPB	3	2	0
Other	18	1	2
TOTAL	**214**	**80**	**50**

Looking at more substantive arguments advanced in the media coverage, we find that the main reasons for praising the Wahl-O-Mat are its role in helping users make a decision, its influence on the quality of the debate, and the fact that it stimulates engagement.

- Regarding the first point, reporting suggests that the Wahl-O-Mat helps voters gain familiarity with the main issues of the election debate and compare their positions with those of parties (e.g. 'Are you unsure of whom to vote for? How do parties and manifestos

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[3] Of those available in the Nexis UK and Factiva databases, we included the following publications in our sample to ensure that it was broadly representative of political leanings: *Die Welt* (including Sunday, online and compact editions); *Frankfurter Rundschau*; *Handelsblatt*; *Die Süddeutsche Zeitung*; *Die Tageszeitung*; *Der Tagesspiegel*; *Die Zeit*.

differ? From 30 August, the Wahl-O-Mat offers help', *Welt Online* 2017; 'The Wahl-O-Mat is a useful tool for finding your preferred party in the political jungle', *Die Tageszeitung* 2002).

- Turning to influence on the quality of the debate, the Wahl-O-Mat is seen as focusing the discussion on facts and salient issues. One journalist said it 'brings to light what was often overshadowed by personalities in this election: content, themes' (Tholl 2017). Another commented that it raises topics 'that would otherwise be dismissed or viewed as a general consensus' (Langer 2017). Reporting also suggests that the Wahl-O-Mat counters the trend of assuming that all parties have the same policy goals: 'When you answer the 38 questions of the Wahl-O-Mat, which the BPB has now put online, you will quickly realise that the differences between the parties are by no means so small that the election is superfluous or it does not matter whom you vote for' (Schuster 2017).

- The number of users, particularly younger people, who share results with family and friends on social media was also mentioned. As one journalist for *Die Tageszeitung* described it, 'the results are often so surprising that they are shared for fun. That's why social networks are currently flooded with crazy Wahl-O-Mat results' (Frank 2013). Furthermore, writers present the Wahl-O-Mat as a route to further information: 'The Wahl-O-Mat is expressly not a voting recommendation; instead, it is supposed to encourage voters to engage further with politics' (Haag 2017).

Concerns about the independence or impartiality of the Wahl-O-Mat and the BPB were non-existent. Indeed, one journalist said, 'There is no trace of an agenda in [the BPB's] questions' (Schuster 2017). Still, there are some criticisms of the Wahl-O-Mat. Some journalists criticised the type of information provided to voters, suggesting the questions are largely about fringe or 'exotic' issues, or are too far-fetched. One article, for example, remarked:

> As we clicked away, we were a bit surprised by the choice of the 38 questions. Animal testing? Organic farming? Speed limits? Adoption rights for same-sex couples? Female manager quotas? Hmm, although we certainly have opinions on these issues, these questions aren't really central to our voting decision (Maxeiner and Miersch 2009)

Others complained that the results gave a selection of politically distant parties or included minor or 'joke' parties: 'Wahl-O-Mat leads to difficult constellations. For example, a young first-time voter was equally aligned to the Pirate Party and the CDU according to the programme, because he agreed that grammar schools should continue to exist but strongly disagreed with the idea of secret online surveillance' (Dribbusch and Winkelmann 2009). Some journalists also questioned whether the Wahl-O-Mat truly encourages users to reflect on issues critically and whether users take their results seriously (*Der Tagesspiegel* 2017; Frankenberg 2013).

We explored these issues further in interviews with people who have experience of the Wahl-O-Mat. Marius De Bortoli, who is responsible for co-ordinating the answers for the Wahl-O-Mat and other VAAs for the Christian Democratic Union (CDU), agreed that 'in general, […] it's good to have these tools because they provide information in an easy and accessible way'. He was broadly satisfied with how parties could convey their policy positions through the Wahl-O-Mat, and found the additional information section particularly useful. He added that, through the Wahl-O-Mat, parties 'can reach many, many people with our positions and also get people interested in politics, [who] normally wouldn't look at our programme' He saw the BPB's legitimacy, neutrality and

independence as the main reasons parties decided to participate in the Wahl-O-Mat, and oversight by the Ministry of the Interior and parties was crucial to this. If it were to act or provide information in a non-neutral way, he was confident that this would be quickly taken up in parliament (De Bortoli 2018). An editor at *Handelsblatt Global*, Allison Williams, also expressed positive views, saying that, unlike traditional news outlets, the Wahl-O-Mat makes voters aware of the policies of all parties equally, rather than just focusing on the main parties (Williams 2018).

Still, there were also some criticisms in our interviews. Notably, while De Bortoli was overall happy with the quality of the questions, he expressed concern about the fact that a group of young, first-time voters decides on the questions to include. He suggested that broadening the editorial staff might be desirable so that questions are interesting for all ages (De Bortoli 2018).

Overall, it appears that the Wahl-O-Mat is widely regarded as a positive mechanism for providing information to the public and for improving the quality of discourse. Both the media coverage and interviews reinforced the positive perception of the BPB and its involvement in the Wahl-O-Mat. It is viewed as a trustworthy source of information; concerns about its independence, neutrality and credibility are non-existent. The media did highlight some aspects of the Wahl-O-Mat which might hinder its effectiveness, particularly in terms of how its content is developed and its results are presented and perceived. But such criticisms are rare.

Impact

The foregoing examination of the Wahl-O-Mat shows that this mechanism is seen as providing high-quality information and as enhancing the quality of the election debate by stimulating discussion among voters. Usage figures and user surveys conducted by Stefan Marschall, Director of Research on the Wahl-O-Mat, further reinforce these findings.

Federal usage figures have steadily increased, from 3.6 million users in 2002 to 15.7 million in 2017 (Table 6.3). This means that around a quarter of eligible voters used the Wahl-O-Mat before the 2017 federal election. In both absolute and relative terms, the number of Wahl-O-Mat users is extremely high.

Table 6.3. Wahl-O-Mat usage statistics for Bundestag elections

Year	Size of the electorate	Number of Wahl-O-Mat users	Users as a share of the electorate
2002	61,432,868	3,600,000	6%
2005	61,870,711	5,200,000	8%
2009	62,168,489	6,740,000	11%
2013	61,946,900	13,270,000	21%
2017	61,688,485	15,700,000	25%

Sources: BPB n.d. and the Federal Returning Officer 2018. NB: Percentages have been rounded to the nearest whole number.

Demographically, Wahl-O-Mat users are more likely than the electorate as a whole to be male, aged between 20 and 49 years, and university educated (Table 6.4). Over time, however, the proportion of female users has grown, and the age of the user base has shifted significantly and balanced out across groups. In 2017, voters under 30 made up around 23 per cent of users, a decrease of fifteen percentage points since 2005. People aged 40 years and over constituted 59 per cent of the user base, an increase of 23 percentage points since 2005. This is much closer to the electorate as a whole, 57 per cent of whom are aged over 40. According to Stefan Marschall, this shift is not due to a decrease in the proportion of younger voters who use the tool, but rather to the increase in users more generally, which now more accurately mirror the online population in Germany (Marschall 2018).

Table 6.4. Demographics of Wahl-O-Mat users

		2005 Bundestag election	2017 Bundestag election	Average across all federal and state elections	Electorate average
Gender	Female	44%	46%	37%	51%
	Male	56%	54%	61%	49%
Age	<20	11%	7%	7%	18%
	20–29	27%	16%	25%	25%
	30–39	26%	19%	21%	
	40–49	21%	20%	20%	29%
	50–59	10%	22%	13%	
	60+	5%	17%	9%	28%
Education	Did not attend university	70%	54%	50%	83%
	Attended university	30%	46%	50%	17%

Sources: BPB 2005 and 2009, Wahl-O-Mat Research 2013 and 2017, and Federal Statistical Office 2018a, 2018b and 2018c. NB: Percentages have been rounded to the nearest whole number.

Looking at the survey results for federal elections for the 2005–17 period (Table 6.5), user assessments of the Wahl-O-Mat are highly positive: respondents say that the quiz was fun, highlighted relevant issues in federal politics, and clarified differences among parties. There is some variation in these responses over time: since 2005, there has been a fourteen-point increase in respondents who state that the Wahl-O-Mat clarified the differences among parties, while the number saying that they had fun playing the quiz decreased by seven percentage points. The user assessments also suggest that the Wahl-O-Mat might influence political participation. Users are highly likely to talk about their results with others and this is consistent across the twelve-year timeframe (an average of 72 per cent). Around half of respondents state that they would seek further political information after using the Wahl-O-Mat, and this varies only slightly over time.

Table 6.2. Users' perceptions of the Wahl-O-Mat

		2005	2009	2013	2017
Assessment of the Wahl-O-Mat	Clarified differences among parties	48%	64%	61%	62%
	Raised awareness of federal policy issues	44%	48%	54%	51%
	Had fun	94%	88%	85%	81%
Influence on political participation	Will talk about results	72%	71%	70%	74%
	Motivated to seek further political information	47%	52%	49%	55%

Sources: BPB 2005 and 2009, Wahl-O-Mat Research 2013 and 2017. NB: Percentages have been rounded to the nearest whole number.

The Wahl-O-Mat's influence on the election debate via the media is, however, more limited. In the 30 days up to and including polling day for all federal elections since 2002, the Wahl-O-Mat is mentioned in only around one per cent of the election coverage (Table 6.6) – though this has tended to rise over time.[4] An explanation for this limited presence might to be that, once the tool is live and has been publicised, journalists are no longer interested in reporting on the Wahl-O-Mat itself – something which our interviewees confirmed.

Table 6.3. Total media coverage

	Mentions of the Bundestag elections	Mentions of the Wahl-O-Mat	Coverage of the Wahl-O-Mat as a share of the elections
2002	1,472	10	0.70%
2005	2,460	14	0.60%
2009	3,671	39	1%
2013	3,601	41	1.10%
2017	6,063	87	1.40%
TOTAL	**17,267**	**191**	**1.10%**

The extent of the Wahl-O-Mat's impact on the broader quality of discourse during elections is hard to ascertain on the basis of the evidence available. It would appear that its direct effect on the debate in the media is limited, as journalists primarily publicise and describe the Wahl-O-Mat rather than engage with the issues included in it. Similarly, our interviewees did not think that politicians would directly refer to the Wahl-O-Mat in public statements during an election campaign. But evidence from different sources does indicate that the Wahl-O-Mat enhances the quality of debate

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[4] The search string used to capture references to the federal elections was: 'Bundestagswahl' OR ('wahl' AND 'Bundestag') OR 'wahlkampf'.

among voters, who are likely to discuss their Wahl-O-Mat results and seek further political information.

Concluding Remarks on the Wahl-O-Mat

Our analysis of the German Wahl-O-Mat suggests that VAAs can be effective in providing voters with high-quality information and shaping the tone of debate during election campaigns. While it primarily reaches those who are already engaged in politics, the Wahl-O-Mat is widely used and positively viewed. The information it provides is seen as accurate and, generally, relevant, though the media highlighted some concerns in the latter regard. The involvement of young people in the process allows for some bottom-up input in the development of the VAA. While some suggest broadening the composition of the editorial staff, the general perception is that it is good to have citizens themselves select topics and statements.

In addition, the evidence strongly suggests that public sponsorship by the BPB is fundamental to the Wahl-O-Mat's efficacy and wide reach. The BPB provides funding and resources and has wide access to promotional opportunities which contribute to the tool's wide public reach. The BPB is, furthermore, perceived to be completely impartial and independent. This is the result both of its organisational structure (any concerns about bias would be quickly picked up and discussed in parliament) and of its historical development as an active promoter of democratic and political education. This affected both initial political buy-in and continued party engagement. The BPB's long-standing experience in offering political and civic education means that the information provided in the Wahl-O-Mat is seen as trustworthy.

The BPB's view of itself as the resource-giver and co-ordinator of the Wahl-O-Mat, rather than its primary developer and final decision-maker, seems to further protect the Wahl-O-Mat's independence and impartiality. This less direct level of involvement brings the Wahl-O-Mat towards the second model of VAA delivery we identified earlier (where the state sponsors or endorses a VAA, as in New Zealand), even though the BPB is involved to varying degrees at all stages of the process.

Though there are no significant concerns about the tool's operability, perceptions and impact, speaking with those who have experience of the Wahl-O-Mat highlighted a widespread view that the success of this VAA and the positive perceptions of state involvement in providing neutral information are contingent on certain features of German political and media culture. Applying a similar system to a different polity, such as the UK, might not be straightforward. Our interviewees, in fact, argued that it might be difficult for a state actor, tasked with providing impartial information, to be viewed as legitimate and credible in other countries.

Lessons for the UK

We conclude this examination of VAAs by considering what lessons might be drawn for the UK context. These points will be further developed in Part 5 of this report.

VAAs have now become a permanent feature of UK elections, with different tools being developed by a variety of civil society organisations. Their development is becoming increasingly sophisticated, with different methodologies and formats being trialled. In addition to increased

dissemination and usage, VAAs are becoming widely recognised as mechanisms for providing high-quality information to the public and for stimulating discussion and perhaps even turnout.

Unlike VAAs available in other countries, however, the development of such tools in the UK has been the sole preserve of civil society organisations, which lack adequate time and resources to invest in the creation of VAAs and must therefore rely on philanthropic funds for these efforts. In addition to threatening the very development of VAAs, lack of funds and resources constrains the impact, reach and legitimacy of these tools.

But we believe that the effectiveness and reach of VAAs in the UK could be significantly improved: we envision VAAs forming part of the national conversation around election time and offering high-quality content that is responsive to different voters' interests, needs and concerns. This chapter has explored different ways of doing so. We quickly excluded pursuing a commercial model (based on advertising or data mining) to fund VAAs: this would not only be contrary to the values of the civil society organisations that develop these tools, but could also significantly reduce the quality, independence and legitimacy of the information they provide. Private media companies – while being an improvement on the purely commercial model – would also risk being accused of partiality and may not have an equal reach across all parts of the population.

We therefore considered whether some form of public support – whether through a public broadcaster or an official public body – might be feasible, and to what extent it might contribute to enhancing the impact and reach of a VAA. Based on the evidence set out in this chapter, it seems that, for VAAs to reach their full potential in the UK, some form of public support is needed. The evidence from the VAA community and civil society organisations supports this view. There is widespread agreement that the state should not be involved directly in producing the tool and its content – there are genuine concerns about impartiality and the appropriateness of state involvement in this regard. Rather, a public body could sponsor the development of a single, official VAA or of multiple VAAs developed by different organisations and aimed at different segments of society, hosted on a single 'information hub'.

Support would primarily be in the form of funding, endorsement and promotion. Funding would allow developers to focus on building a methodologically rigorous and well-designed VAA. A well-developed UK VAA could thus ensure, for example, that all parties are included and that topics and policy issues are accurately portrayed, weighted and relevant to the public. The VAA could also include information on candidates and their positions on constituency-level issues. The example of the Wahl-O-Mat shows how having a longer timeframe allows for an iterative process between developers and political parties, and thus helps ensure the accuracy and quality of the information provided. The credibility brought by public sponsorship could also help developers to bring academics, journalists and experts on board to help with the tool's development.

Increased funding opportunities and public support would allow developers to ensure that the VAA is accessible to all electors and user demographics, and that it is protected from security breaches. The VAA's design and language should make it accessible to all potential users, including those with disabilities. Users should be able to complete the quiz on a variety of platforms (e.g. simple webpage, social media, mobile application) and to customise their experience by selecting the number and type of questions they wish to answer, and by having access to additional quizzes or information. For example, a voter may wish to use a 'regular' VAA to find out about parties' positions on certain topics and may then decide to take a more in-depth look at individual parties'

policy programmes through another online quiz. Or – as is the case with the BPB – the website could offer additional educational materials on political and civic education topics. Furthermore, there is growing concern about interference in our election processes, and that the digital aspect of VAAs makes them particularly vulnerable to hacking and security breaches. Proper funding is needed to respond to this challenge.

Through public sponsorship, an official VAA or VAA platform could reach a wider audience. For example, it could be given access to television broadcasts or a link to the VAA could be included on polling cards or at the end of media articles about the elections, as VAA developers in the UK have called for. It is highly unlikely that the Wahl-O-Mat would have secured the collaboration of pub and cinema chains, and especially a large multinational corporation such as McDonald's, were it not for state sponsorship. In Australia, Vote Compass's collaboration with the main public service broadcaster means that this VAA was promoted on ABC's website and thus had a considerable online reach.

The credibility and legitimacy offered by the involvement of the state might also stimulate parties to engage with the VAA and more actively promote it among the public. As the German case has shown, the involvement of a highly respected state agency was crucial to their participation in the Wahl-O-Mat. Political buy-in might also help formalise VAAs within the election calendar – thus ensuring, for example, that manifestos are published well in advance of polling day so as to allow VAA developers to incorporate any new policies or make amendments to the tool. Having a more centralised process would also benefit the parties, which would no longer be asked to answer questions from multiple organisations.

Concerns remain about the legitimacy of the information provided by VAAs and about the trust and credibility of developers and sponsors. As emphasised by most people with whom we spoke in the UK, any official VAA or platform would need to be supervised by an independent advisory board, which would oversee and scrutinise the development process and ensure that the information provided is impartial and accurate. This could be made up of academics, representatives of political parties, and election administrators, as has been suggested to us. Creating spaces for citizen input is another way to address such concerns. Citizens, for example, could be asked to assist in the selection of topics or statements, so that the information provided in the VAA more accurately reflects the interests and concerns of the electorate, and prevent criticism on the grounds that topics are disparate or far-fetched. Many of our UK interviewees thought that this kind of involvement would be desirable – and would be feasible with more generous funding. In this regard, the German case illustrates the importance of having a population-wide sample to ensure that the topics included in the VAA are relevant to all citizens, rather than merely young and first-time voters. Citizens could also provide feedback on the additional features the VAA should include, such as questions on leaders' personalities. How citizens can be involved in such processes will be examined further in Part 5 of this report.

Voting advice applications are only one mechanism which can be implemented to improve the quality of discourse and debate. The remaining two chapters in this Part examine two further strategies which can supplement the information provided by a VAA during election or referendum campaigns.

Chapter 7. Party Policy Analysis

The next approach to information provision takes us one step further up the information ladder. Here, the options are not simply described and compared with voters' preferences; rather, this time, the objective is to provide analysis of those options' likely effects. Systems for providing such analytical information on parties' policy proposals prior to elections exist in a number of countries, most notably the Netherlands. They typically assess the proposals' economic and financial consequences. Sometimes they also extend more broadly.

Such facilities are not always set up with the explicit aim of improving debate. Nevertheless, they can provide additional high-quality, independent information, which may be directly useful to voters and serve as a reference point for parties and the media. False or misleading claims may be corrected more swiftly. More fundamentally, the existence of such facilities may motivate parties to present well-developed, feasible policies, making unrealistic promises less likely in the first place. Furthermore, both government and opposition parties can generally access such facilities, meaning that comparable information is available on the policies and their effects for all or most parties.

This chapter begins by describing current facilities for policy analysis in the UK and summarising the state of the debate about possible changes to these arrangements. Section two offers a comparative overview of policy analysis mechanisms available in different countries. Section three examines in detail the most developed and established policy analysis facility, which is provided by the Dutch Centraal Planbureau (the Netherlands Bureau for Economic Policy Analysis; CPB), an independent, publicly funded research institution. After describing how the facility works in practice, we analyse its effects by considering its operability, perceptions and impact. We examine the following aspects in particular:

- **Operability:** Can these mechanisms assess policies accurately, ensuring balance across parties and relevance to public concerns? Can they be timely and cost-effective? Given the sophistication of the information provided by and the typical subject matter of the analyses (costing of economic and financial policies), the criterion of accessibility is less applicable than in other chapters, but remains relevant.

- **Perceptions:** What are parties' and the media's perceptions of the operability and fairness of these facilities? Do the media report on the information provided? If so, how? Is the body producing the information trusted and considered credible by parties and the media?

- **Impact:** Are the public aware of the information and do they use it during election campaigns? Is this information seen as trustworthy and impartial? Does such information help crowd out or correct false or misleading claims? Does it shape the character and quality of the broader election discourse?

Bringing together the evidence gathered from the UK and international experience, section four concludes by considering whether and how such a system could be adapted in the UK. There are two possible approaches: to continue relying, as at present, on the independent Institute for Fiscal Studies (IFS); or to add a new role for the Office for Budget Responsibility (OBR). Whichever of these is followed, we suggest that changes could be made to raise the profile of policy analysis and ensure it addresses the questions that voters care about.

Policy Analysis in the UK

This section looks at policy analysis mechanisms in the UK. We briefly describe existing practice and investigate whether there are ways of building on this further. In particular, we consider a proposal to allow the Office for Budget Responsibility (OBR) to engage in analysing the election manifestos of government and opposition parties. Drawing upon the debate on this proposal, we consider how it would work in practice and what views have been expressed about its potential advantages and disadvantages. Our examination relies on official parliamentary data, media articles and evidence gathered through interviews with those closely involved in policy analysis and with participants in the debate about extending the OBR's remit.

Existing Facilities

Institute for Fiscal Studies

Analysis of parties' election policies already exists in the UK. For many years, the Institute for Fiscal Studies (IFS), an independent research institute, has analysed the manifesto commitments of the main political parties prior to each election (IFS n.d.). It focuses primarily on the two biggest parties (the Conservatives and Labour), but in some cases also considers others. In 2017, for example, the analysis included impacts on: public finances and public spending; NHS and social care; education; incomes and inequality; taxes; benefits; and earnings, employment and productivity (IFS 2017). Results are published online and the IFS holds a press briefing (IFS 2017). The IFS also analyses policies outside election time and provides confidential economic advice to parties, especially to those in opposition, which cannot draw on the civil service.

To better understand the IFS's processes and purposes, we spoke with several of its senior staff members. They told us that, for them, the crux of their work relating to elections is to help parties formulate good-quality policies, meaning that proposals should be able to achieve their intended economic and financial objectives. Our interviewees argued that their policy analyses – both during and outside elections – have contributed to enhancing the quality of policies: parties have become more careful in how they formulate policies, knowing they will be assessed by the IFS. As Carl Emmerson, Deputy Director of the IFS, put it, 'One of the things the IFS hopefully is achieving in the world is that policies are better than they would otherwise be.' (Emmerson 2018).

The IFS prides itself on its track record of independence, expertise and credibility, which it has earned over many years. The IFS is 'vociferously politically independent', as Rachel Griffith, Research Director of the IFS, put it (Griffith 2018). Staff are banned from political activity; the involvement of academics helps ensure that the work is credible and informed by the latest research; senior staff vet all election material for objectivity and independence; interventions are limited to what the IFS has expertise on. All interviewees agreed that this long-standing record of independence is key to the IFS's impact on the election debate. The IFS receives widespread coverage at election time and their analyses are frequently cited by campaigners. In the 2010 leaders' debate, for example, David Cameron, Gordon Brown and Nick Clegg all referred to IFS analyses (Emmerson 2018). IFS staff are frequently contacted by the media during election periods – for example, to seek analysis of the validity of what politicians have said during the campaign.

Though the IFS is highly successful, its work also presents some challenges:

- A snap election can stretch resources and require rapid redeployment of staff from other projects, though these difficulties were not insuperable in 2017.

- Where parties provide different levels of detail on their policies, it is hard to compare like with like in the analysis. The IFS can ask parties for further details, but – though there is some to and fro – parties are extremely busy during an election campaign and are under no obligation to provide additional information.

- Though the IFS emphasises the quality of policies in its analyses, media reporting often focuses narrowly on costs and revenues, and on who the winners and losers are in the assessments.

We asked whether some of these concerns could be addressed by formalising the process: for example, by standardising how parties submit information on their policies. But the IFS's status as an independent research institute with no statutory role would make this difficult. And our interviewees were very clear that independence from the state is fundamental to their reputation for strict impartiality.

Facilities Offered by the State

State involvement in policy analysis is almost non-existent in the UK. There is no single 'official', publicly funded or parliamentary facility that might analyse proposals and make the results publicly available. The civil service assesses government or opposition policies only on behalf of the government, if so requested. The civil service code controls 'the degree to which civil servants may examine Opposition parties' policies' (Keep 2017: 23–4).

Limited engagement between the civil service and the main opposition parties before an election is allowed. Such 'pre-election contact' is authorised by the Prime Minister, who informs the opposition parties of its availability 'at an appropriate time towards the end of any Parliament' (Cabinet Office 2011: 16). The meetings are confidential and co-ordinated by the Cabinet Secretary. They allow senior civil servants to ask questions about 'the implications of opposition parties' policy statements, although they would not normally comment on or give advice about policies' (Cabinet Office 2011: 16). Opposition parties can also ask for information 'about the factual questions of departmental organisation or to keep abreast of organisational changes' both during or outside election periods (Cabinet Office 2000: 18).

In 2012, *The Times* reported that senior civil servants wanted closer contact with the Labour Party in the run-up to the 2015 general election, for example through secondments (Sherman and Coates 2012). This was in response to the difficulties of reconciling the Conservative and Liberal Democrat programmes during the coalition government, which was in part attributed to Whitehall's limited contact with the Liberal Democrats prior to the 2010 election and consequent low knowledge of their policies (Sherman and Coates 2012). According to the proposal reported in *The Times*, such a situation could have been prevented by allowing civil servants to examine the opposition's manifesto policies 'at least 12 months before polling day so that potential pitfalls can be identified' (Sherman and Coates 2012). But this proposal was perceived as a controversial and excessive remedy by both Conservative and Labour politicians (Sherman and Coates 2012).

Could the OBR Undertake Policy Analyses?

In recent years, there have been calls for the establishment of a formal mechanism to analyse policy proposals put forward by parties at election time. The Office for Budget Responsibility (OBR) has been singled out as a potential body that could take on this task. The following sub-section describes a Labour Party proposal in this regard. We then consider wider perceptions of such an extension of the OBR's remit.

The Proposal

Since 2013, Labour has advocated extending the OBR's remit to include a pre-election audit of parties' policy proposals (Wintour and Watt 2013). Ed Balls, who initiated the proposal as Shadow Chancellor, told us its aim was to grant opposition parties access to scrutiny of spending plans in order to address the current imbalance of access between government and opposition. The OBR was chosen for its expertise and experience: it already conducted a form of audit twice a year on the government's budget plans (Balls 2018).

Box. 7.1. The Office for Budget Responsibility

The OBR was established by the Coalition government in May 2010 as an advisory, non-departmental public body independent of the Treasury and outside direct ministerial control. The Budget Responsibility and National Audit Act 2011 formally established the OBR and set out its remit and structure. The OBR's main role is to 'provide independent and authoritative analysis of the UK's public finances' and, to this end, it performs five main functions (Office for Budget Responsibility n.d.):

1. It produces five-year forecasts for the economy and public finances, which accompany the Budget and Spring statements

2. It evaluates the government's performance against fiscal and welfare spending targets

3. It assesses the long-term sustainability of the public finances

4. It evaluates fiscal risks

5. It scrutinises the government's costing of individual tax and welfare spending measures.

The OBR has a right to access any government information that it may reasonably require to perform its duties. Its relationships with the Treasury, Department for Work and Pensions, and HMRC are governed by a Memorandum of Understanding (Budget Responsibility and National Audit Act 2011, s9(1–2); House of Commons Treasury Committee 2016a: 5).

The OBR's work is overseen by a chair, currently Robert Chote (a former director of the IFS), a Budget Responsibility Committee and an Oversight Board. The chair is appointed by the Chancellor and serves a five-year term, renewable once. The appointment and dismissal of the chair are subject to the veto of the House of Commons Treasury Committee, which is highly unusual when compared with pre-appointment scrutiny of other posts (Hazell et al. 2017: 51).

The OBR has around 20 staff members, who are generally civil servants formerly employed in the Treasury (Keep 2017: 22).

Labour's proposal was quite limited, when compared to the analyses conducted by the IFS: it would only allow the OBR to audit the spending and tax commitments of opposition parties prior to an election; the OBR would not be asked to conduct a macroeconomic costing or engage in alternative forecasts; and it would not comment on the merits of parties' policies. Responsibility for formulating policies and producing costings would be left with parties, which would continue to draw upon the support of their own experts and the House of Commons Library (Balls 2018). These limits were intended to protect the OBR's impartiality and independence, preventing it from having to comment on the merits of individual policies or to evaluate alternative scenarios (Balls 2018). By contrast, Balls viewed something more akin to the Dutch model discussed below as 'bigger, more risky and more political' (Balls 2018).

In late 2013, Ed Balls asked Robert Chote whether the OBR would amend its Charter so as to be able to provide 'independent scrutiny and certification of costings of political parties' manifesto commitments on spending and tax' (Balls 2013). He also wrote to then Chancellor George Osborne (Watt 2013). Balls published a draft parliamentary bill to allow all parties with at least five per cent of seats in the Commons to have their policies audited (Watt 2013), and proposed an amendment during an opposition day debate in June 2014 (HC Deb 2014: vol 583, col 381). He said:

> In our view, if an independent body—the OBR—scrutinises the costings of individual proposals to check that they have been done properly, that can only be to the benefit of the public debate. Ultimately, it does not take away the voters' choice, but why would we choose to have them misinformed or uninformed when we could have them properly informed? (HC Deb 2014: vol 583, col 386)

Ed Balls and other Labour MPs contended that the proposal would guarantee a level playing field for government and opposition parties, and would 'restore public trust in politics and […] improve the nature of our political debate' by promoting openness and transparency in the policy process (HC Deb (2014), vol 583, cols 390, 384, 415). Voters could be 'better informed when they make up their minds' and 'make an informed decision based on facts' (HC Deb 2014: vol 583, cols 404, 424). Though the amendment was defeated (HC Deb 2014), the Labour Party included its commitment to 'require all major parties to have their manifesto commitments independently audited' in its 2015 manifesto and this has remained party policy (Labour Party 2015: 18; Office of John McDonnell MP 2017).

Perceptions

Outside the Labour Party, perceptions of whether the OBR should audit or analyse parties' policies before an election have been mixed.

Some Conservatives have advocated an extension of the OBR's remit. Shortly after establishing the OBR, George Osborne himself said the Commons should debate whether the OBR should cost opposition policies prior to an election (Keep 2017: 23). But this argument was subsequently dropped. The strongest Conservative advocate of the idea was Andrew Tyrie when chair of the Treasury Committee (House of Commons Treasury Committee 2014; Watt 2013). It appears he envisioned a more in-depth assessment of the economic and financial consequences of parties' policies (akin to the Dutch system), rather than just an audit as proposed by the Labour Party. More recently, in July 2018, Conservative MP Luke Graham secured a Westminster Hall debate on the remit of the OBR (HC Deb 2018b: vol. 645, col. 212–35WH). Graham proposed extending

the powers of the OBR on the model of the Congressional Budget Office in the US, so that it would provide independent, non-partisan assessment, analysis and scoring of the financial or fiscal impact of every piece of legislation that passes through parliament. The focus would not solely be on pre-election policy analyses of manifesto commitments, but on increasing the powers of the OBR more broadly. By providing independent information and analysis, a strengthened OBR could 'combat "fake news" and misinformation being circulated on Government and Opposition spending plans' (HC Deb 2018b: vol. 645, col. 216–17WH). Taking the Brexit debate as an example, Graham argued:

> How much better could the debate have been had there been an independent body, such as the OBR, providing accurate analysis of the impact of the costs and opportunities of Brexit? It would have taken the pressure off the Government and given us analysis that would be accepted by all parties. We could then have debated how to make the best of Brexit – or not – rather than the endless debates we have had over bus-side promises, scaremongering over power grabs or whether the Brexit deal was sufficiently hard, soft or anywhere in between. (HC Deb 2018b: vol. 645, col. 217WH)

To date, the government has rejected calls for an extension of the OBR's remit on the grounds that the civil service code prevents it from examining opposition policies and that 'the principle of political impartiality should also apply to the OBR' (Keep 2017: 23–4; see also, HC Deb 2014: vol 583, col 392). During the 2014 opposition day debate, while not rejecting the possibility of extending its role outright, some Conservative MPs argued that the credibility and independence of this relatively new institution had to be protected (HC Deb 2014: vol 583, col 413). Such an extension would require additional staff and resources (HC Deb 2014: vol 583, cols 395, 397). The infeasibility of having a policy analysis facility in place for the 2015 election was a further reason adduced (HC Deb 2014: vol 583, col 417).

In 2014 and 2015, both an external and a Treasury review of the OBR warned against extending its role for the time being, arguing that risks in terms of resources and independence outweighed potential benefits (HM Treasury 2015: 57; Page 2014: 15). The external reviewer found that the OBR 'may not have the organisational capacity to expand its remit without further drawing on the resources of other government departments' (Page 2014: 15). The Treasury review concluded that 'the costs of relaxing the restriction on considering alternative policies are likely to outweigh the benefits at this stage' (HM Treasury 2015: 57).

In evidence provided to the Treasury Committee in 2014, the OBR's Chairman, Robert Chote, indicated some support for analysing policies before an election. He stated that 'if Parliament wishes us to go down this route then it does offer the prospect of improving the quality of policy development for individual parties and it potentially improves the quality of public debate in the run-up to an election period' (House of Commons Treasury Committee 2014: 1). Chote also recognised the advantage an incumbent government has in terms of access to resources and information within the civil service (House of Commons Treasury Committee 2014: 10). He reiterated these arguments in a letter to the committee's chair (Chote 2014).

But Chote also cautioned that embarking 'on this exercise in a rush, or with insufficient resources, could be very disruptive for the parties and very damaging to the OBR' and highlighted 'significant practical issues' that would need to be resolved before the OBR could take on this role. These included: the establishment of clear rules for parties; the availability of adequate resources; and the

need for cross-party support for the change (Chote 2014). In interview with us in early 2018, he indicated that these challenges remain. The OBR is still relatively small compared to other fiscal institutions, such as the Dutch CPB. It relies on the expertise of HMRC, DWP, the Debt Management Office and others (Chote 2018). In the context of having to analyse policies prior to an election, this would mean that the OBR would essentially act as a gatekeeper for greater opposition party access to Whitehall, according to Chote. While he thought the Dutch model is in principle a 'lovely idea', he did not think that it would be feasible in practice (Chote 2018).

We also spoke with Nicholas MacPherson, former Permanent Secretary to the Treasury. He thought Labour's 2013 proposal was feasible, though it would create some logistical challenges (in terms of resources) and perhaps require parties to publish their manifestos earlier (MacPherson 2018). Furthermore, cross-party consensus would be needed. He did not see concerns about the civil service code and the civil service's relationship to government as insurmountable. Indeed, he had a broadly positive view towards extending the OBR's remit: it would 'inform political debate', and 'result in greater discipline as parties went about designing their manifestos' (MacPherson 2018). He pointed out that the OBR has now had more time than it had had by 2013 to develop and to cement its reputation (MacPherson 2018).

Concluding Remarks on Existing Practice in the UK

The IFS performs an important role in policy analyses, and does so with considerable success. It sees its independence from the state, as well as its expertise, as crucial to its reputation for impartiality. At the same time, that independence means its role cannot be formalised within the election process, which may limit its reach and impact. It must also work with relatively limited resources. While there is interest in entrusting a public body, the OBR, with some form of audit or analysis of parties' policies, concerns are also expressed. These centre on the availability of resources (staff, expertise, models), and the independence and credibility of the body tasked with the assessment. To probe these concerns further, we now turn to international experience.

Policy Analysis Overseas

As far as we are aware, facilities for analysing parties' programmes or policy commitments before an election exist in four countries: Australia, both at the federal level and in New South Wales;[5] Belgium; Ireland; and the Netherlands. They have been proposed in two further Australian states – South Australia and Victoria – and the Australian Capital Territory. A mechanism for costing election commitments was implemented in New Brunswick, Canada, in 2014 but repealed in 2015, though there have been calls to reinstate it. The following sub-sections describe each facility in turn (except the Dutch arrangement, which we explore in much more detail in the next section). We then compare them and consider debate around them.

Australia

Two policy analysis facilities are available at the federal level in Australia: one provided by the Secretaries to the Treasury and the Department of Finance; and another offered by the

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[5] For reasons of brevity, we will not look at the New South Wales mechanism.

Parliamentary Budget Office. The Charter of Budget Honesty Act (Australia) 1998 allows any party with at least five representatives in parliament to request a costing of its publicly announced policies from the Secretary to the Treasury or the Secretary to the Department of Finance. The former costs policies relating to tax revenue, whereas the latter costs those relating to government outlays, expenses or revenue (excluding tax revenue). The Secretaries aim to complete costings within five days, though more complex policies may take longer. Requests and costings are posted on their joint election costings website (Secretaries to the Treasury and the Department of Finance 2016: 4, 11). Requests can only be made during the caretaker period (i.e. from the dissolution of the House of Representatives until the next appointment). While the government can submit a request directly to the Secretaries, opposition or minor parties' requests must be submitted to the Prime Minister, who will then decide whether to refer them to the Secretaries.

To redress this favouritism towards the incumbent government, the coalition government agreement of 2010 between the Australian Labour Party, the Greens and independents committed to establishing a Parliamentary Budget Office (PBO). This was established on 15 February 2012 as a separate department of parliament (Parliamentary Service Act (Australia) 1999). The PBO does not replace the arrangements provided for by the Charter, but offers an additional policy analysis facility, which can be accessed by all parties and independent parliamentarians without having to be formally requested by the Prime Minister. The PBO can prepare policy costings during the following periods:

- Outside the caretaker period, requests are prepared for Senators or Members of the House of Representatives. Both requests and costings can be kept confidential, for which reason this is the most used option (Bowen 2014).

- During the caretaker period, costings of publicly announced policies are prepared if requested by authorised members of parliamentary parties or independent parliamentarians. The PBO aims to complete costings by the Thursday before polling day and publishes requests and costings online. Within 30 days after the end of the caretaker period, the PBO is required to publish a post-election report containing the budgetary impacts of the election commitments of parties with at least five representatives in parliament (Bowen 2016a and 2016b).

Belgium

In 2014, the federal parliament passed a law requiring political parties to have their manifestos independently costed by the Federal Planning Bureau (FPB; an independent public institute).[6] Since 1998, similar legislative proposals had been submitted five times by parliamentarians, primarily of the Flemish Christian Democrats, requesting that the Court of Audit determine the budgetary costs and economic effects of proposed policies (see for example Belgische Kamer van Volksvertegenwoordigers (1998)).

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[6] The law's remarkably long title was 'Wet betreffende de doorrekening door het Federaal Planbureau van de verkiezingsprogramma's van de politieke partijen bij de verkiezing voor de Kamer van volksvertegenwoordigers 2014' (Law concerning the assessment of political parties' manifestos by the Federal Planning Bureau for the elections to the House of Representatives (2014)).

According to the law passed in 2014, the facility would have been mandatory for all parties represented in the federal, regional or community parliaments; parties not currently represented could have voluntarily taken part. But concerns around the breadth of the analysis – which would have potentially encompassed 68 parties – led to a joint legislative proposal by the four major parties, which restricted the assessment to the parties represented in the federal parliament (De Lobel 2018).

The facility will be implemented for the first time for the 2019 general election. According to the law, 100 days before the elections, parties are required to send the FPB a list of manifesto proposals in order of priority. The FPB assesses the short- and medium-term effects of these on: government finances; purchasing power and employment of different income groups; social insurance; environment and mobility.

The FPB may request the assistance of other agencies, such as the Court of Audit. It sends parties a draft costing 60 days prior to polling day. Parties must provide feedback and make any adjustments to their proposals at least 30 days before polling day. This phase of the process is confidential. The costings are published fifteen days before the election.

Canada

Prior to the 2014 provincial elections, the Progressive Conservative government of New Brunswick introduced the Fiscal Transparency and Accountability Act 2014. This required parties to file an estimate of the financial consequences of policy commitments made on or after the ninetieth day before polling day with Elections New Brunswick (a non-partisan agency overseen by the Chief Counting Officer). The estimate was to be verified by a professional chartered accountant. Parties would receive increased library and research support to prepare their costings. If parties failed to submit costings, they could potentially lose out on their annual operating allowance.

The Act was repealed by the newly elected Liberal government in March 2015 (CBC News 2015). A new bill (the Transparency in Election Commitments Act) was proposed in 2017, though it did not pass all readings in the legislative session (Government of New Brunswick 2017). This bill would have required parties to disclose an estimate of their election commitments, though this would not have to be independently certified. In the event of non-compliance, Elections New Brunswick could have prohibited parties from advertising during the remainder of the campaign and applied an administrative penalty.

Ireland

The Irish Department of Finance provides a 'Facility for Costing of Proposals' through which parties can request the costing of individual policies before an election, during the Budget process or during the negotiations of the new programme for government. This facility is only used by opposition parties, as the government relies on the civil service when shaping proposals (Munro and Paun 2014: 4, 7). It is activated as soon as an opposition party submits a request to the Department of Finance, which then informs other parties that the facility is available. Parties submit their requests to the Secretary General of the Department of Finance, who passes it on to the relevant officials. The process is channelled through a nominated party official and a co-

ordinator in the Department of Finance to ensure confidentiality and efficiency (Munro and Paun 2014: 7–8).

Officials cannot comment on policies, though they can provide additional information on benefits and challenges, and potential implementation problems (Munro and Paun 2014: 9). The Department of Finance keeps such costings confidential, though parties themselves can make them public if they wish (Von Trapp 2015: 108).

Comparative Overview

Differences among these facilities are evident in terms of the body conducting the analysis, the parties included, and the type of and criteria for assessment. The body undertaking the analysis can be an existing independent research institute; a government department; parties themselves; or a new public body. The facility can be open to all parties or only the main parties, and participation can be voluntary or mandatory. Table 7.1 sets out these distinctions. It includes the Dutch case, which we examine in detail below.

All bodies primarily consider the economic and fiscal consequences of parties' policies, though these may be submitted in different forms and may follow different baselines. Except in Ireland, analyses are made public, generally prior to the election.

Table 7.1. Summary data on policy analysis facilities

Country	Body conducting analysis	Public funding	Participation	Type of policies	Areas of analysis	Baseline for analysis
Australia – Secretaries	Government department	Yes	Voluntary. Parties with at least five representatives in either Chamber can opt in	Publicly announced policies	Taxation revenue, government outlays and expenditure, and non-taxation revenue	Treasury's pre-election economic and fiscal outlook
Australia – PBO	New independent institution accountable to parliament	Yes	Voluntary for all parties	Publicly announced policies	Taxation revenue, government outlays and expenditure, and non-taxation revenue	Treasury's pre-election economic and fiscal outlook
Belgium	Independent institution accountable to parliament	Yes	Mandatory for parties represented in the federal parliament	Prioritised list of policy proposals	Short- and medium-term effects on government finances, purchasing power and employment of different income groups, social insurance, environment and mobility	Done by FPB
Ireland	Government department	Yes	Voluntary for all parties, but used only by opposition	Individual policies	Unknown	Unknown
Netherlands	Independent research institute, part of Ministry	Yes (80%)	Voluntary. Parties with at least one representative in lower chamber can opt in	Policy proposals that can be implemented unilaterally by govt with impact of at least 0.012% of GDP (€100 million)	Budgetary effects, public spending, taxation, macroeconomic effects, sustainability of public finances, purchasing power and profit, labour market and employment, income, health care	Done by CPB
New Brunswick 2014	Parties verified by chartered accountant	No, but parties receive allowance	Mandatory for all parties	Spending commitments	Financial consequences of election commitments on spending	Done by government
New Brunswick 2017	Parties	No, but parties receive allowance	Mandatory for all parties	Spending commitments	Financial consequences of election commitments on spending	Done by government
UK	Independent research institute	No	In practice, main parties are included	Policy proposals	Policy effects on public finances and public spending; NHS and social care; education; incomes and inequality; taxes, benefits; earnings, employment and productivity	Done by IFS

Sources: Australia – Bowen 2016a and 2016b, Charter of Budget Honesty Act 1998; Belgium – Federale Overheidsdienst Economie, K.M.O., Middenstand en Energie 2014; De Lobel 2018; Ireland – Munro and Paun 2014; Netherlands – Ministerie van Algemene Zaken 2012, CPB 2017a; New Brunswick – Bill 61 – Transparency in Election Commitments Act 2016–2017, Fiscal Transparency and Accountability Act 2014.

The reasons motivating the establishment of such facilities were similar to those adduced in the UK: the desire (particularly in Australia and Ireland) to level the playing field between government and opposition parties in terms of access to policy analysis facilities (Chohan 2017: 13; Munro and Paun 2014: 4); and increasing transparency of the policy process and promoting a more informed election debate. Proponents of the Belgian mechanism argued, for example, that the assessment of party policies would allow voters to inform themselves in an objective way and to compare directly the effects of parties' policies (Belgische Kamer van Volksvertegenwoordigers (2014b)).

Concerns raised about the operability and feasibility of these mechanisms are also quite similar to those we found in the UK. The importance of ensuring the independence and impartiality of the body undertaking the assessment has been considered in in most countries. In Belgium, a pre-existing, independent organisation (the Federal Planning Bureau) was tasked with undertaking the analysis. The Court of Audit, which was originally proposed to provide the assessment, refused this task on the grounds that it would threaten its independence, impartiality and accountability to parliament (Belgische Kamer van Volksvertegenwoordigers (2014a)). In Australia, the PBO was specifically set up as an independent body accountable to parliament out of concerns about the alleged government bias of the Secretaries to the Treasury and to the Department of Finance (Uren 2016; see also, Stutchbury 2010).

The availability of staff and resources is another concern that is frequently raised. In Belgium, this subject received considerable attention. The FPB's preparatory work had been stalled by a lack of staff, funding and analytic tools, and it eventually declared the facility as originally envisioned 'unfeasible' (De Lobel 2018). Indeed, more than once, the FPB had to request further funding and staff resources from the government to develop the tools necessary for its analysis (Delafortrie and Springael 2016; Van Biesen 2017a and 2017b). The potential number of parties that could avail themselves of the facility – at the federal, regional and community levels – significantly exacerbated these concerns. Eventually, the four major parties chose to amend the law so as to make it applicable only to the thirteen parties already represented in the federal parliament, though the facility could be expanded in the future (De Lobel 2018). Concerns about resources have also been raised in Australia, where the PBO has sometimes been denied access to information from government departments (Mulgan 2014).

The extent of support across parties for establishing policy analysis facilities has varied. Almost all Belgian federal parties supported setting up such a facility, and slow progress in this area was primarily determined by its relatively low salience among parliamentarians. During the 2014 parliamentary debate on the proposal, for example, all parties argued that the assessment of parties' policies would bridge the gap between citizens and politics, improve parties' credibility, and increase the transparency and objectivity of the policy process (Belgische Kamer van Volksvertegenwoordigers 2014b). In Australia, the PBO was established as a result of an agreement between the Labour Party, the Greens and independents. In New Brunswick, many parties – including the Liberals, the People's Alliance and the Progressive Democrats – were initially supportive of the aims of the Fiscal Transparency and Accountability Act 2014 introduced by the Progressive Conservatives. When implemented in 2014, however, parties complained that the legislation was not being followed. This alleged 'weakness' was one of the reasons the Liberals repealed the legislation in 2015 (The Daily Gleaner 2017).

Concluding Remarks on International Practice

The above overview shows how policy analysis facilities can be established in different polities and the variety of forms they take. Promoting equity across parties and improving the quality of debate have been the primary motivators in several countries. At the same time, the debates preceding and following the establishment of such facilities have raised similar concerns to those in the UK: first, ensuring that the body undertaking the analysis was independent and impartial, and perceived as such; second, making available sufficient staff and resources; third, ensuring cross-party consensus for establishing such a facility.

But, given the limited experience in these countries, they do not yet provide further lessons for the UK. We therefore now examine in depth the most developed and longest established official facility for policy analysis: that offered by the Dutch Bureau for Economic Policy Analysis (CPB).

Policy Analysis in the Netherlands

This section offers an in-depth assessment of the facility for policy analysis provided by the Netherlands Bureau for Economic Policy Analysis (CPB). We begin with a short introduction to the CPB, its work, and its location within the institutional framework of the Dutch state. Having described how the facility works in practice, we examine its effectiveness in promoting high-quality information. To do so, we follow our tripartite structure, considering operability, perceptions and impact.

Introduction

The CPB was established in 1945 as part of the Ministry of Economic Affairs. It undertakes research for politicians and policy-makers, and focuses on assessing the effects of new or revised policies on the Dutch economy (CPB n.d.(a)). Since 1986, it has assessed the economic and financial effects of policy proposals that parties submit as part of their election programmes, which it publishes in its *Keuzes in Kaart* (*Charting Choices*) report. Since the establishment of this facility, the CPB has analysed policy proposals for all elections, with the exception of the 2003 snap election. The CPB has also been 'unofficially' tasked with assessing the coalition agreement programme during the formation talks for a new cabinet (CPB n.d.(b)).

The CPB is one of three independent 'planning bureaus', the others being the Netherlands Environmental Assessment Agency (PBL), which was set up through a merger of other institutes in 2008 as part of the Ministry of Infrastructure, Public Works and Water Management and the Netherlands Institute for Social Research (SCP), established in 1973 as part of the Ministry of Health, Welfare and Sport. The CPB is the largest of the three, comprising around 170 full-time staff members and a director, who is appointed by the Minister of Economic Affairs. The CPB is advised by a Central Planning Committee; its outputs are periodically reviewed internally and externally by independent experts, parties and journalists (CPB n.d.(a)).

Though each is linked to a ministry, the independence of the planning bureaus' work programme and research is regulated by the 'Instructions for the Planning Bureaus', introduced in 2012 by Prime Minister Mark Rutte. These state, for example, that 'a minister or state secretary cannot provide the planning bureau with any instruction over the research methods to be used or the content of its reports' (Ministerie van Algemene Zaken 2012: s3(1)). The Instructions also stipulate

that the financing of the bureaus should comprise 80 per cent government funding and 20 per cent external funding (Ministerie van Algemene Zaken 2012: s4).

How Does the Facility Work in Practice?

The assessment process informally begins around one year before an election is due, when the Studiegroep Begrotingsruimte (Budget Sustainability Review Group; SBR), which provides budgetary advice on government finances, requests a new medium-term forecast from the CPB for the upcoming cabinet period (Table 7.2.). This forecast forms the baseline scenario used in the CPB's assessment (Bolhuis 2017a: 21–2). In this preparatory phase, the CPB publishes online its research on possible policies, background documents and methodological and procedural information (CPB 2012: 15; CPB 2017a: 15). In addition, its director meets with the parliamentary finance committee and informally discusses the assessment with party leaders (Suyker 2017). The CPB also requests – informally and confidentially – parties' policy ideas so that staff can begin to assess these at an earlier stage (Bolhuis 2017a: 29).

Table 7.2. Timeline of the CPB's assessments, 2012–17

Publication of the medium-term forecast	Publication of the CPB's report	Election date
27 November 2001	27 March 2002	15 May 2002
18 September 2006	26 October 2006	22 November 2006
16 March 2010	20 May 2010	9 June 2010
14 June 2012	27 August 2012	12 September 2012
16 September 2016	16 February 2017	15 March 2017

Sources: Bolhuis 2017a: 25; CPB 2017b; Parlement & Politiek n.d.

The assessment proper begins around four or five months prior to an election, when the CPB sends a letter to parties informing them that the facility has become available (Suyker 2017). Participation is voluntary. In fact, the practice began in 1986 when the three largest parties (the Christian Democrats, Labour Party and People's Party) asked the CPB to assess their manifesto proposals (Bos and Teulings 2012: 5). If they agree to participate, parties are invited to attend an introductory meeting with the CPB in which the assessment process and criteria are laid out (CPB 2012: 15).

Policies of all parties are evaluated against the same economic and financial scenario, as forecast by the CPB itself. This means that 'if two parties propose the exact same project, then it will be assessed as having the same costs and raising the same revenue' (CPB 2006: 7). In determining the policies to be included and the effects to be analysed, the CPB employs the following criteria:

- submitted proposals must be concrete, rather than vague

- proposals must be technically feasible, on the basis of scientific knowledge

- proposals must comply with constitutional, national and international law

- long-term as well as short-term effects are assessed where appropriate, particularly if a proposal does not have visible short-term effects

- the analysis is limited to what can be achieved unilaterally by the government in the next cabinet, thus excluding measures that would require implementation at local or international levels

- the analysis assumes that each party will have a majority in parliament and can fully implement its programme.

Some additional criteria were added in the 2017 analysis, namely:

- only parties with at least one representative in the lower house can participate

- 'programme effects' are no longer analysed

- the minimum effect of an individual policy measure should be at least €100 million or 0.012 per cent of GDP.

(CPB 2017a: 13–6)

Over the years, the number of participating parties and the scope of the analysis have increased (Table 7.3). The increase in the CPB's remit has coincided with a decrease in the length and substance of the financial proposals in party manifestos (Bolhuis 2017a: 32–3). Initially, the CPB focused on the macroeconomic, budgetary and purchasing power effects of policies. Following the financial and Eurozone crises, this was extended to include government deficit and debt, and structural employment. The main topics on which the CPB generally focuses, are: ex-ante budgetary effects; public expenditure; tax developments; macroeconomic effects; sustainability of public finances; purchasing power and profit; labour market and structural employment; income; and health care. Additional topics can be included if they are salient in parties' policy programmes or in the public debate. For example, the CPB included a separate chapter on the disability insurance law in 2002, as there had been strong public interest in this topic (CPB 2002: 143–52). In 2006, the CPB conducted an analysis of 'knowledge policies' as all parties had included this issue in their programmes (CPB 2006: 29–31). In 2010 and 2012, as discussed below, it collaborated with the PBL to analyse issues outside its remit, such as energy and climate, agriculture, and nature and landscape (CPB 2010 and 2012).

The reports begin with a summary of the economic and financial effects of the policies of all parties, in which their positions are compared and contrasted on each indicator (e.g. sustainability of the public finances). Subsequent chapters analyse the effects of individual parties' policies on each topic. Since 2012, the reports have included a separate annex with more in-depth analysis of parties' specific measures.

The analysis of parties' proposals is undertaken by the CPB's staff, though ministerial, national and international experts can assist, while remaining fully accountable to the CPB (CPB 2012: 9). The CPB does not assess policies contained in parties' formal election manifestos, but only the policy platforms and packages received directly from parties (Bos and Teulings 2011: 27). Throughout the process, the CPB may request further information or clarifications from parties (CPB 2002: 7). Parties may adjust their policies, ask further questions about their own policies, and clarify their desired goals and policy effects (CPB 2002: 9).

Table 7.3. The CPB's reports, 1986–2017

Year	Participating parties	Length of report (pages)	Policies analysed
1986	3 – Christian Democrats, Labour Party, People's Party	16	N/A
1989	3 – Christian Democrats, Labour Party, People's Party	55	N/A
1994	5 – Christian Democrats, Labour Party, People's Party, Democrats 66, Green Left Party	220	N/A
1998	5 – Christian Democrats, Labour Party, People's Party, Democrats 66, Green Left Party	155	N/A
2002	8 – Christian Democrats, Labour Party, People's Party, Democrats 66, Green Left Party, Socialist Party, Christian Union, Reformed Political Party	228	N/A
2006	8 – Christian Democrats, Labour Party, People's Party, Democrats 66, Green Left Party, Socialist Party, Christian Union, Reformed Political Party	220	N/A
2010	8 – Christian Democrats, Labour Party, People's Party, Democrats 66, Green Left Party, Socialist Party, Christian Union, Reformed Political Party	218	2,289*
2012	10 – Christian Democrats, Labour Party, People's Party, Democrats 66, Green Left Party, Socialist Party, Christian Union, Reformed Political Party, Freedom Party, Democratic Political Turning Point Party.	455	2,468*
2017	11 – Christian Democrats, Labour Party, People's Party, Democrats 66, Green Left Party, Socialist Party, Christian Union, Reformed Political Party, DENK, For Netherlands Party, Liberal Party	373	1,165

* These figures include policies analysed by the PBL as part of their collaboration with the CPB in 2010 and 2012.
Sources: Bolhuis 2017a: 25; CPB 2002, 2006, 2010, 2012 and 2017a.

Before publication of the final results, all parties receive a draft version of their chapter, so they can check that their policies are accurately represented (CPB 2012: 16). The final report is published around one month before polling day and the CPB presents it at a press conference.

Operability

The preceding description suggests that the CPB's policy analysis facility works. Parties take part: indeed, the number doing so has increased over the years. The breadth of the analysis has also widened and the CPB has strengthened the criteria it uses to undertake the assessment.

Based on our reading of the reports and interviews with individuals working for the three research institutes, the CPB appears to be broadly content with how the process works. It is not significantly hindered by a lack of resources – whether staff, time, budget or access to data. The assessment

process is a 'full-time job' ahead of an election: around 50 members of staff work exclusively on it, other research being put on hold (Suyker 2017). To protect confidentiality, each party has an individual contact person within the CPB with whom they liaise directly. The CPB can also call upon additional experts during particularly busy times (CPB 2012: 9). Early elections shorten time lines and can force the CPB to limit the scope of its assessment (CPB 2006: 8; CPB 2010: 15). Wim Suyker, programme leader for the CPB's latest two analyses, told us that, if parties 'are really in a hurry, [the CPB] cannot do it', as happened in 2003 (Suyker 2017). But it seems that, to avoid this, parties may delay calling new elections so as to leave enough time for the CPB to do its analysis, as some said happened in 2012 (Suyker 2017).

Concerns about political buy-in and parties' participation are non-existent given that the facility has always been voluntary. The CPB has good relations with political parties: in its 2006 and 2010 reports, it thanked them for the 'intense, constructive and professional' contact they had in the course of the analysis (CPB 2006: 11; CPB 2010: 7). The CPB sees 'the information exchange with parties' as an important feature of its analysis (CPB 2002: 11; CPB 2012: 9). Given the highly iterative process, parties can develop, concretise and clarify their proposed policy measures (CPB 2010: 13). Wim Suyker praised the disciplining effect of the assessment on parties, saying that 'it gives some discipline to the parties, it tells them the trade-offs, it tells them that they have to choose' (Suyker 2017).

Some concerns have, however, been expressed about the CPB's relationship with parties:

- The CPB has raised the issue that its analysis may advantage larger and more mainstream parties that have more resources to engage with the assessment process (CPB 2002: 8; CPB 2006: 8). This may at times mean that parties cannot have all or some of their policies assessed, even if they wish to participate.

- The economic and quantitative focus of the CPB's report may disadvantage parties that focus on non-economic issues (CPB 2002: 9). The CPB itself is open in its reports about the limitations of its assessment with regards to more qualitative topics (such as education or the environment). As discussed below, the CPB has sought to address this through collaboration with other agencies.

- In all reports, the CPB mentions that parties could 'misuse' its models and shape their policies so as to obtain more favourable results. But the CPB sees this as highly unlikely. Its procedures ensure that policies are fully and properly costed, and it views 'free' policy measures with scepticism (CPB 2010: 14).

Linked to its relationship with parties are the topics included in the analysis. The CPB believes its analysis and the information it provides are balanced across parties and accurate. It employs the same economic scenario for all parties, and it publishes its methods and models online (CPB 2002: 25; CPB 2012: 15; CPB 2017a: 14). It ensures that the measures submitted are as concrete and consistent as possible, so as to avoid having to determine a party's goals or intentions by itself. It adopts a 'restrained' approach, meaning that it assesses policies only where there is enough evidence and information to do so accurately. It continually works to improve its instruments and models, ensuring that they accurately reflect the real economic situation, and to broaden its research domain so as to encompass topics proposed by different parties (CPB 2006: 8–11; CPB 2010: 16; CPB 2017a: 9). Each edition of *Keuzes in Kaart* is evaluated internally with other bureaus

and externally with political parties, journalists, civil servants, academics and other experts (CPB 2012: 8). Furthermore, the CPB views itself as responsive to the issues that voters and/or parties consider relevant, in addition to drawing upon its own research and publications. For example, the inclusion of the Gini coefficient to measure inequality in 2017 was the result of discussions during the evaluation of the previous report (Suyker 2017).

But the CPB is also aware of the limitations of its analysis, particularly with regard to more qualitative 'programme effects' – such as the benefits of investing in education – which remain outside its analysis but may be central to a party's platform (CPB 2002: 9). For this reason, the CPB has collaborated with other planning bureaus to assess issues that fall beyond its expertise. The 2010 and 2012 reports were published jointly by the CPB and the PBL (CPB 2010). In 2017, all three bureaus conducted their own separate analyses, with the PBL[7] and SCP[8] employing qualitative methodologies and analysing different topics.

The CPB itself has always viewed its analysis as first and foremost a 'service to the voters', as it reveals to the electorate the choices parties make and the policy outcomes to which these lead (CPB 2006: 7, 31). This is reiterated in the introduction to each election report. While emphasising that its role is not to supplant political campaigning and influence vote choice, the CPB says its analysis is a useful 'starting point for public debate [and] information source for the voter' (CPB 2002: 24) and that it 'strengthens the debate through providing facts and insights' (CPB 2010: 13). The CPB is aware that not all voters may be interested in and motivated to vote according to economic or financial concerns (CPB 2006: 32; CPB 2010: 10; CPB 2012: 17; CPB 2017a: 9).

But given the complex and technical subject matter, most voters do not read the CPB's report directly. Rather, both Wim Suyker and Hans Hilbers, senior researcher at the PBL, emphasised that it is the role of the media to convey the results of the analysis in more digestible form. Both were broadly happy with media coverage and how the results are conveyed, though with some concerns. CPB reports frequently criticise the media and parties for using the assessment figures incorrectly 'as performance cards' (CPB 2002: 23; CPB 2006: 32). There are also concerns about how parties use the figures to attack each other. But Wim Suyker commented, 'this is the political debate; this is the way it goes; they can do whatever they want in our view' (Suyker 2017).

Similarly, the bureau does not intervene directly in the election debate to clarify statements or provide additional information. If a misleading or incorrect claim is made, the CPB would generally speak with the parties directly, rather than with the press, though the latter may sometimes contact the CPB to ask for clarifications. Both Suyker and Hilbers agreed that it would not be useful for the CPB to intervene in the debate, as the media and political parties act as a check ensuring that correct information is transmitted and that misleading claims are countered (Hilbers 2017; Suyker 2017). Suyker, for example, maintained that 'the press and other parties react to it if it's wrong, so we don't have to intervene' (Suyker 2017).

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[7] There was some contact between the CPB and the PBL in the preparation of their reports in 2017 to ensure consistency in their assessments and measurements (CPB 2017a: 9).

[8] The SCP's report differs from that of the CPB and PBL in that its analysis is not centred on assessing policy proposals, but rather on highlighting important socio-cultural issues (e.g. integration, health care and pensions; SCP 2017: 13–50) and then describing parties' relevant manifesto pledges (SCP 2017: 9, 11). The analysis is based on the available electoral programmes, rather than through contact with parties themselves (SCP 2017: 12).

The CPB evinces no concern about its independence, impartiality or credibility. Both Hilbers and Suyker linked this to the CPB's experience in economic analysis over more than 70 years and to the organisation's culture. Suyker said that, over the years, the CPB has acquired a strong position vis-à-vis politicians and its staff are not afraid to react should parties or ministers try to exert political pressure: 'you can say: no, we will not do that' (Suyker 2017).

Nevertheless, our interviewees were more cautious about the operability of a similar facility in the UK. Their concerns lay in the UK's political and media culture. Suyker commented: 'with newspapers like *The Sun* in the Netherlands, I think it [the political and election debate] would be different' (Suyker 2017). Hilbers argued that the assessment relies on the acceptance of this kind of information; he was sceptical that parties in the UK would voluntarily allow their policies to be analysed by such an institution or accept its judgements (Hilbers 2017).

Perceptions

This section considers whether similar perceptions of the CPB and its policy analysis facility are shared more widely in the Netherlands. To gauge this, we draw upon the results of a content analysis of 209 news pieces,[9] and interviews conducted with people indirectly involved in the CPB's work.

Perceptions of the policy analysis system were more mixed among these wider audiences than within the policy institutes themselves. As shown in Table 7.4, most statements relating to the CPB are descriptions of its report and the results of its assessment. For example, journalists state that 'the People Party's manifesto contributes to a structural increase of 400,000 jobs' (Berentsen 2010) or that 'the Socialist Party increases the sustainability deficit to €21 billion and the Labour Party follows suit with €5 billion' (Kok 2017). With regards to more evaluative statements in the media, criticism outweighs praise, though only by a small margin. The balance of positive and negative statements in the table does not, however, accurately reflect the balance of views on the CPB in the round. Though people raise criticisms slightly more frequently, most relate to relatively minor aspects of the CPB's analysis and do not question the operability, importance or usefulness of the system in general.

A similar pattern applies to statements that indirectly relate to the CPB (Table 7.5), such as those that consider the use parties make of the report and their participation in the CPB's analysis. In this case as well, statements are primarily descriptive, and negative statements outweigh positive ones. Such negative statements do not relate to perceptions of the CPB and its analysis, however, but rather to how parties use the CPB's reports, to their non-participation in the analysis, and to the policies they present. Indeed, most of these negative statements imply a positive perception of the CPB's analysis and of participation in the assessment.

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[9] News pieces covered the seven-day period following the publication of the CPB report and the seven-day period up to and including polling day. They covered all elections since 2002, with the exception of the 2003 election, for which the CPB could not prepare a report. News pieces were sampled from the following publications to ensure the inclusion of different political perspectives: *Algemeen Dagblad*, *De Telegraaf*, *De Volkskrant*, *Het Financieele Dagblad* and *NRC Handelsblad*.

Table 7.4. Tone of statements in the media directly relating to the CPB

Topic	Descriptions	Positive	Negative
CPB's analysis and report	845	178	181
Limitations of the CPB's analysis	23	1	17
Information exchange with parties	14	8	4
CPB – other	10	6	5
Coalition formation	14	2	1
Other	3	0	1
TOTAL	**909**	**195**	**209**

Table 7.5: Tone of statements in the media indirectly relating to the CPB

Topic	Descriptions	Positive	Negative
Use of the CPB's analysis and report	114	2	29
Non-participation in analysis	25	0	24
Participation in the analysis	21	2	6
Parties' policies	15	1	23
Alternatives to the CPB's analysis	14	0	5
TOTAL	**189**	**5**	**87**

The CPB's effect on the quality of information and debate are among the most frequent reasons for praising the analysis facility. In terms of information, journalists value the clarity that the CPB's analysis provides to the public on the differences among parties, and the opportunity to compare their policies. For example, one journalist wrote that 'the assessment clarifies the consequences of the promises parties make in the course of the elections' (van Soest and Veldhuizen 2010); another stated that 'the CPB provides a service to the voters by comparing the programmes of these eight parties with regards to their financial-economic policy' (*NRC Handelsblad* 2002). Reporting also suggests that the CPB's impartial and balanced analysis enhances the quality of the debate by allowing parties to 'speak the same language' and preventing a 'cacophony' in the election debate (Doorduyn 2006; *NRC Handelsblad* 2006). Politicians can use the report as a reference text to back up or verify claims. For example, Wimar Bolhuis, an economist who researches the CPB, told us of how, during a 2012 television debate between Mark Rutte and Diederik Samsom (leader of the People's Party and then leader of the Labour Party respectively), Samsom drew upon the CPB's figures and accused Rutte of lying and using the wrong numbers with regards to which party would reduce the government debt (Bolhuis 2017b).

Perceptions of the CPB's impact on parties' policies are also positive. As the CPB does not assess vague proposals, the media reports that it 'forces parties to make their choices explicit' (van Cann and Groot 2002), prevents them from proposing 'wild plans' (*Het Financieele Dagblad* 2017), and compels them to 'reflect on the coherence of what they promise in their manifestos' (*NRC*

Handelsblad 2002). The CPB's motto of 'there's no such thing as a free lunch' (Kalse 2002) is seen as ensuring the financial responsibility of proposals (*NRC Handelsblad* 2017; Roerink 2006; van Cann and Groot 2002). Many interviewees shared this perception, and Bolhuis added that a party's willingness to have its policies assessed can aid the formation of a coalition government, as it will be perceived by others to be a reliable coalition partner (Bolhuis 2017b). Indeed, parties who do not participate in the assessment are often criticised in the media (Table 7.5).

No significant concerns about the CPB's impartiality and independence were raised in the media coverage or in the interviews. Indeed, Jule Hinrichs, an editor for *Het Financieele Dagblad*, argued that 'the CPB *does not serve* the government of the day' and that there is 'never a discussion on whether they do not want or intend to be independent' (Hinrichs 2017; emphasis in original interview). Hinrichs maintained that this positive perception is a result of the CPB's culture and the image cultivated by its directors over the years. He said that the CPB has 'an open culture [and doesn't] try to hide things' and that strong and independent-minded directors helped shape perceptions of the CPB as impartial and independent (Hinrichs 2017). For example, Jule Hinrichs praised the independent-mindedness and brazen approach of Coen Teulings – director of the CPB between 2006 and 2013, and a prominent economist – stating that 'Coen sometimes had to stop himself from giving too strong an opinion.' (Hinrichs 2017).

But there is also criticism of the analysis facility, which partly echoes concerns raised by the CPB itself. In the media, as we noted above, most criticism of the CPB focuses on relatively minor points, such as how the results of the analysis are presented. Another commonly expressed view is that the breadth of the CPB's report allows parties to selectively shop around results to find ones that will both portray their own party in a positive light and serve as 'ammunition' to discredit competitors. While such criticism is primarily directed to parties for their use of the report in an inaccurate or antagonistic manner (Table 7.5), some perceive that the CPB's report pushes parties to act in a more confrontational way. A journalist for *De Telegraaf*, for example, wrote that the 'day in which the manifesto assessment is published is, for most parties, the start of their real confrontation' (*De Telegraaf* 2017a). But this view was dismissed by those we spoke with as being a normal feature of an election campaign.

More substantively, there is a perception that the CPB's analysis facility could be manipulated by parties, which can be selective in the policies they submit for assessment. As the CPB does not verify whether policies are included in a party's manifesto, parties might be enticed to submit measures whose benefits, rather than costs, are likely to be emphasised in the analysis. For example, in 2012, the Freedom Party chose not to submit its foremost policy, the exit from the European Union, to the CPB's assessment and this was widely reported in the media (Bouman 2012; Wolfkamp 2012). With regards to similar potential discrepancies, Pieter Omtzigt, financial spokesperson for the Christian Democrats, stated that verifying the consistency between a party's manifesto and the policies submitted to the CPB's analysis could be beneficial (Omtzigt 2017).

Another ground for criticism is the adverse effect the CPB's analysis is seen as having on parties' policy-making processes. Some journalists argued that having to adapt 'to the wishes of the CPB' meant that parties did not give much thought to developing their broader political and social vision (Banning 2006; Berentsen 2012; Engelen 2017; Kranenburg 2002; Rijlaarsdam and Staal 2010; *De Volkskrant* 2010). Omtzigt agreed with this view saying that having to follow the CPB's requirements has made party members 'very lazy' and shifted policy-making away from parties (Omtzigt 2017).

A final, relatively rare criticism concerns the CPB's economic outlook. According to Renske Leijten, financial spokesperson for the Socialist Party, the CPB's 'neo-liberal' economic outlook leads it to overestimate the benefits to be gained from laissez-faire policies and the risks of state intervention. For this reason, the Socialist Party considered boycotting the assessment in 2017, though it did not ultimately do so (Leijten 2017). But Leijten argued that the CPB should incorporate different economic perspectives and models into its analysis so as to assess proposals based on alternative economic assumptions (Leijten 2017).

Impact

This section considers the extent to which voters are aware of the CPB's report and, if so, how they perceive it. Given that the language and concepts used are highly technical and complex, the report is somewhat inaccessible to the wider public and typically conveyed via the media. This section therefore also considers whether the media do a good job of conveying such information to the wider public.

To gauge public perceptions of the CPB and its facility, we draw upon the results of two public opinion surveys conducted by Ipsos Synovate for the CPB, as shown in Table 7.6.

Table 7.6: Public opinion on the CPB

Question	2012	2015
Have you ever heard of the CPB, even if just by name? (% saying *Yes*)	95%	91%
What is the first thing that comes to mind when you think about the CPB? (% mentioning assessment of parties' manifestos)	9%	4%
The CPB has the following main tasks. Please indicate which you find most important. (% choosing '*Its most important role is to assess parties' manifestos*')	50%	39%
To what extent do you think the following features apply to the CPB?		
Professional	62%	64%
Influential	61%	60%
Trustworthy	60%	57%
Objective	58%	58%
Transparent	35%	40%
Elitist	31%	33%
Left-wing	11%	12%
Right-wing	10%	12%

Source: Ipsos Synovate 2012 and 2015.

As these surveys indicate, knowledge of the CPB is high. But people are not always aware of its precise functions. Indeed, only nine per cent of respondents in 2012 and four per cent in 2015 associated it with the assessment of election platforms without being prompted. When informed

of its functions, however, 50 per cent and 39 per cent of respondents, in 2012 and 2015 respectively, stated that one of its three most important roles was to analyse parties' policies. Even among the public, the CPB is a highly respected and credible institution. A majority of respondents consider it to be professional, trustworthy, influential, objective, and neither left- nor right-wing, thus reinforcing the positive perceptions of independence and impartiality gauged from the media coverage and interviews. But a majority also found it to be lacking in transparency, and almost a third of respondents considered it to be elitist.

The presence of the CPB in the wider election debate is relatively substantial. Table 7.7 shows the number of articles mentioning the CPB's report in comparison with all election coverage during three different time periods in each recent election: the period from six days prior to the publication of the CPB's report until and including polling day; the seven-day period beginning on the day the report was published; and the seven-day period up to and including polling day. In the entire timeframe, the CPB and its report are mentioned in around fifteen per cent of election coverage. This increases to almost one in three articles in the week following publication. Coverage drops in the week preceding the vote, presumably as the focus shifts to potential premier and coalition candidates. The media thus do appear to promote the CPB's assessment to the wider public. Though evidence of whether voters actually use the facility is unavailable, the volume of media coverage – particularly in the days after the publication of the report – suggests that the wider public does have access to information on the policy analysis.

Table 7.7. Newspaper articles mentioning the election and the CPB report during the Dutch election campaigns, 2002–17

Year	Full Timeframe			After Publication			Before Polling Day		
	Election	CPB Report	%	Election	CPB Report	%	Election	CPB Report	%
2002	2,472	198	8%	181	35	19%	478	5	1%
2006	1,966	226	12%	371	81	22%	546	41	8%
2010	1,704	417	25%	366	157	43%	604	93	15%
2012	1,553	329	21%	425	187	44%	617	62	10%
2017	2,313	319	14%	423	107	25%	626	42	7%
TOTAL	**10,020**	**1,489**	**15%**	**1,766**	**567**	**32%**	**2,872**	**243**	**9%**

The coverage relates to twelve of the most widely circulated national newspaper and magazine publications (Algemeen Dagblad, De Groene Amsterdammer, De Telegraaf, De Volkskrant, Elsevier, Het Financieele Dagblad, Metro, Nederlands Dagblad, NRC Handelsblad, Reformatorisch Dagblad, Trouw and Vrij Nederland). It covers the period from six days prior to the publication of the CPB report until polling day (a timeframe that varies for each election). The following search string was used to capture news pieces mentioning the elections: 'verkiezingen' OR 'Tweede Kamerverkiezingen' OR 'verkiezing' OR 'Kamerverkiezing'. Note: Percentages have been rounded to the nearest whole number.

It is hard to gauge fully how the public perceives the information provided in the CPB's analyses and their broader impact on the tenor of political discourse. The evidence seems to suggest that voters have sufficient access to the information provided by the CPB during election campaigns,

though many do not recall this facility unprompted. Based on the media reporting and the fact that the CPB is an extremely well-regarded institution, the information it provides is broadly considered to be balanced, accurate, and trustworthy. The fact that the CPB has at times changed the scope of its analysis would also seem to suggest that it is responsive to what voters might consider relevant.

Unlike for the media analysis, we do not have evidence of the extent to which the CPB's report shapes the quality of the debate among citizens, by – for example – leading them to correct misleading or inaccurate claims.

Concluding Remarks on Policy Analysis in the Netherlands

On the whole, the Dutch experience shows that policy analysis facilities can operate well and be perceived as effective. The CPB's assessment produces information that is of high quality and contributes to enhancing the tone of the debate during election campaigns, by focusing the discussion on accurate facts and figures.

In particular, the evidence suggests the following:

- The Dutch policy analysis facility manages to analyse parties' policies in a fair and balanced way, and offer information that is broadly perceived to be accurate. The facility is widely used by political parties, who generally collaborate positively with the CPB during the assessment and are willing to further develop and re-shape their policies. The breadth of its analysis has increased considerably over the years. By being responsive to issues which parties or the public consider salient, the CPB has been open to incorporating new topics in its analysis and thus improving the relevance of the information it provides.

- The CPB's policy analyses are seen as a source of high-quality information and as enhancing the quality of public debate. Even though most voters do not read it directly, the report serves as an impartial reference text for the media and politicians on which to draw in the campaign. This enables the debate to focus on accurate, objective, balanced information, and allows parties and the media to check – and if necessary correct – each other's claims. The CPB's assessment is also considered to be an effective way of disciplining parties and helping to improve the quality of the policies that they present. This indirectly enhances the quality of the debate, by improving the quality of information parties put out in the first place.

- The media and political parties themselves play a crucial role in disseminating the CPB's findings to the wider public. While they sometimes 'misuse' results to suit their objectives, political and media actors are seen as doing a good job in using and channelling the results of the CPB's analysis. There do not appear to be significant attempts to undermine or seriously misuse the assessment figures. The media and political parties are perceived as effective when intervening in the political debate to correct inaccurate or misleading claims by drawing upon the CPB's report.

- The CPB's positioning within the state allows it to draw upon significant resources (including time and access to MPs and party officials) and means that its policy analysis facility can be formalised within the election process. The CPB's culture and long-standing

reputation for independence and impartiality means that parties, the media and the wider public trust the CPB's impartial and independent assessment – dissenting voices are non-existent. But building trust in the credibility and independence of a body can be difficult, yet is crucial. Dutch experience suggests that acquiring a reputation for independence and impartiality takes time and develops over years.

But the Dutch case has also raised some questions about the impact of the CPB's policy analysis facility. The main concern is that ordinary citizens are unlikely to read the entire report spontaneously, despite the CPB presenting its analysis as a 'service to the voters'. With the exception of the introductory and summary chapters, in fact, the information provided in the CPB's report is highly technical and inaccessible to most voters. While this may be justified given the subject matter and methodology involved, it means that voters must rely on the media to find out about parties' policies. While this seems to work well in the Netherlands, this system is reliant on balanced, objective media that do not deliberately select information to polarise opinion or discredit opponents. Lower trust in the role of the media to act as an effective and impartial check on parties, in addition to a more polarised political environment, might entail that the debate would focus excessively on the 'winners and losers' of the assessment, rather than on the factual insights it provides.

The following concerns have also been raised:

- The way parties use the report – selectively choosing what to emphasise in a biased and partial way – is a source of frequent criticism in the media. Once the report is published, it seems that many parties do not engage seriously and objectively with the content of the analysis.

- Parties may be tempted to manipulate the kinds of policies they submit to the CPB, so as to obtain a more favourable assessment. While the likelihood of this appears to be low (the CPB is adamant that it would recognise and refuse to assess 'free' policies), the fact that the CPB does not cross-reference the policies parties submit with those included in their manifesto is problematic. While the information provided by the CPB itself may be accurate, the same may not be true of the original data given by parties, thus undermining the accuracy of the assessment itself.

- The requirements imposed by the CPB on which policies are analysed and how, might constrain policy development within parties. The assessment process may also be over-burdensome for smaller parties. Furthermore, the CPB's assessment relies on certain economic assumptions, methodologies and type of analysis that may not be shared by all parties and may hinder their equal participation. While the CPB has tried to overcome this by collaborating with its sister research institutes, the economic outlook that it adopts in its own analyses is still regarded as value-laden.

There are of course multiple important issues to take into account when assessing whether and how this model could be applied to the UK. We consider these in the next section.

Lessons for the UK

This final section combines the evidence from the Dutch and international cases with the debate in the UK about whether and how policy analysis facilities could improve the quality of information and discourse during election campaigns. Drawing upon the benefits and concerns expressed internationally about implementing such facilities, we set out some lessons for the UK. We also raise some remaining questions, to which we will turn in Part 5.

With regards to the efficacy of policy analysis mechanisms, there is widespread agreement that these facilities promote high-quality information and can improve the quality of discourse during election campaigns. Policy analysis facilities work well in practice and are perceived as effective and legitimate by most actors. The information they provide is balanced, accurate and relevant to voters' concerns and the main topics of the election debate, though slightly inaccessible to the general public. In this regard, the media and politicians play a crucial role in disseminating the analysis's findings and incorporating them in their discourse. This in turn helps shape the quality of debate more broadly.

The sheer interest shown in the UK and internationally in establishing such mechanisms as a way of enhancing transparency, fairness and trust in the policy process indicates that – even in principle – these facilities may strengthen democracy. But much depends on the independence and credibility of the body tasked with conducting such assessments.

Unlike the strategies examined in the foregoing chapters, the UK has considerable experience of a facility for costing parties' policy proposals: the IFS's pre-election analyses. This institute is able to conduct analyses in an accurate, balanced and mostly timely manner before elections, though its work is generally confined to the two main parties. The IFS is furthermore a highly independent and respected institution that enjoys considerable access to the media, which disseminates its findings to the general population. As we have seen, such levels of independence and credibility are not easy to acquire – it took the CPB itself many years to establish itself as an important research institute.

But the IFS's independence is also the reason for the main drawback of its policy analysis facility: it is not an official public body and its analyses are thus not formalised within the election process. While this grants the IFS greater latitude in its research and in its dealings with parties, it means that it cannot rely on a steady availability of resources, and the reach and impact of its analyses are somewhat diminished by not being able to move through official channels. As we have seen in all our international case studies, the availability of adequate resources is vital to the successful operability of policy analysis facilities. If this is not possible, the facility may produce only limited assessments or be unable to work at all. In this regard, the CPB has an advantage: by being part of the state – while independent from it – it has a constant supply of resources.

Allowing the OBR to cost parties' policies could address this concern. Like the IFS, this body possesses relevant economic expertise and has built up a reputation for independence and impartiality, so granting it the task of conducting policy analyses would be feasible, provided it were given sufficient resources. Given its position within the state, such analyses could be formalised in the election process. The OBR would not have to rely on external grants and funding for its work – the state would provide its budget and thus ensure that it could complete a thorough, accurate and balanced assessment for all or most parties. Even if it were to be given a more limited

role in auditing parties' manifestos, this could help level the playing field between the two main parties and others.

Both approaches – relying on the independent IFS or building a role for the state-backed OBR – thus have their own strengths and weaknesses. Further reflection is needed – particularly by politicians who will be responsible for the facility's implementation – on the approach to be pursued. It should be noted that the two approaches are not mutually exclusive. For example, the IFS could continue to conduct its election analyses, while the OBR could supplement this information with an audit of parties' manifestos, thus allowing for both a more thorough analysis and one that levels the playing field among the main parties. Alternatively, IFS analyses could be integrated with other materials while maintaining their independence, thereby helping to widen their reach and impact among the public. In Part 5 of this report, we develop a proposal for an 'information hub' that could help to achieve this.

Regardless of which approach is pursued, some broader questions remain as to the applicability of policy analysis in the UK. One concern relates to whether the UK media would value and accept the information provided by policy analysis facilities, and relate it in an accurate, impartial and balanced manner to the general public. The polarising media environment in the UK might impact the effectiveness with which information is conveyed and lead news outlets to focus excessively on 'winners' and 'losers' rather than on facts and figures. Policy analysis facilities alone will thus not be able to reshape the character of political discourse in toto – this would require changes in the UK's political and media culture as well.

Another key concern relates to the extent to which the top-down information provided by these sources would be accessible to British voters and would be perceived as trustworthy by the public and political actors. This trust would be contingent on the perceived legitimacy and impartiality of the organisation providing the information. One way of increasing that perceived legitimacy might be to involve citizens in the process. For example, citizens could participate in the selection of topics or review the information contained in the report. Such involvement might help enhance both the relevance and the accessibility of the information provided by a policy analysis facility. We again explore these ideas further in Part 5 of the report.

Chapter 8. Public Information in Referendums

So far in this part of our report we have concentrated on information provision in election campaigns. Here we turn to referendums. The types of information that are relevant to voters in referendums are essentially the same as in elections: all six steps in our information ladder continue to apply. But many countries – including the UK – treat information differently in referendums. This reflects a perception that the options available in referendums are often less familiar than those in elections: voters cannot fall back on their existing knowledge of the parties or candidates to understand what they are choosing between. Given this, it makes sense for us to treat referendums separately too.

We begin by outlining existing practice in the UK. This has changed substantially over time. The Electoral Commission has a statutory information provision role in relation to referendums that it does not have for elections. The exact nature of that role, and how the Electoral Commission has interpreted it, has varied somewhat from referendum to referendum. Having looked at the UK, we then survey practice internationally. The Council of Europe's Venice Commission has provided some guidelines for information that ought to be provided during referendum campaigns, but the approaches taken by different countries vary enormously. Finally, we examine two cases – Ireland and New Zealand – in detail. These countries have the most extensive referendum information provision in the democratic world; we describe practice in each and assess how each one performs against our criteria of operability, perceptions, and impact.

As in previous chapters, we examine our two case studies in terms of whether they have succeeded in fostering the availability of accurate, balanced, accessible, and relevant information in three stages:

- **Operability:** Are those who provide information confident that it meets these four conditions in itself? Do they see any tensions among those conditions? Can they perform this task in a timely fashion and without sacrificing any other functions that they may have to perform?

- **Perceptions:** What are the perceptions of campaigners, commentators, experts, and members of the public of these information campaigns? Do they see them as meeting the four conditions of high-quality information that we have set out? Do they think that, in the round, this information provision is valuable?

- **Impact:** Does the information that is provided succeed in reaching voters? Do voters value that information? Is there any evidence that this information provision improves the quality of discourse during the referendum campaign more broadly, or that it improves voters' understanding of the issues at the heart of the referendum?

The cases of Ireland and New Zealand show that, at least in some circumstances, ambitious provision of impartial information during referendum campaigns is possible. We find that New Zealand offers a particularly promising model, enabling voters to access information that reaches to the top of our information ladder. But, as in previous chapters, context is crucial, and we do

not think it would be viable simply to transplant the New Zealand model wholesale to the current context in the UK. Further steps are therefore needed to allow UK practice to evolve more gradually in that direction.

Existing Practice in the UK

Until 2000, there were no general rules in the UK governing the conduct of referendums; rather, principles and practices were established each time such a vote occurred. In the 1975 referendum on whether the UK should remain a member of what was then the European Community, the government paid for the printing and production of three leaflets: two eight-page leaflets whose content was provided by the principal Yes and No campaign groups; and a sixteen-page leaflet setting out the government's perspective. The government favoured a Yes vote, so, overall, the information provided was not balanced. Furthermore, there was no information from an impartial source. In the 1997 devolution referendums, the government sent documents to all households setting out its proposals, and in the 1998 referendum on the Good Friday Agreement it sent copies of the text of the whole agreement.

In each of the latter cases, the government argued that the materials it had provided were neutral. But when the Committee on Standards in Public Life investigated the matter, it found that many campaigners disagreed, and it concluded that a new approach was needed. It said:

> We believe that it is extraordinarily difficult, if not impossible, for the government of the day to offer purely objective and factual information in the course of a referendum campaign, especially when, as will usually be the case, it itself is a party to the campaign. We believe governments should not participate in referendum campaigns in this manner, just as it would be thought to be wholly inappropriate during a general election campaign for the government to print and distribute, at the taxpayers' expense, literature setting out government policy. (CSPL 1998: 169)

This principle was enshrined in the Political Parties, Elections and Referendums Act (PPERA) 2000. The Act stipulates that, during the four weeks before polling day, with only specific exceptions, government resources cannot be used to publish anything relating to the subject of the referendum (PPERA 2000, section 125).

The exceptions to this general principle are important. Public funding is available to distribute one piece of literature from the designated lead campaign group on each side. The Electoral Commission is required to publish the same information relating to campaign donations as it is in elections. In addition, the Commission sends a leaflet to all voters. As discussed in Chapter 5, the content of this leaflet has varied from vote to vote, but it has never extended above the second rung on our information ladder. In the 2016 referendum on EU membership, it included procedural information on when and how to vote and very basic factual information on the referendum question (together with material from the two officially designated 'lead' campaign groups). In the 2011 referendum on the voting system for elections to the House of Commons, instead of material from campaigners, it contained basic descriptions of the two options on the ballot paper.

Beyond such official information, broadcasters in the UK have a particular duty in referendums, as in elections, to maintain 'due impartiality' in their coverage. They have tended, however, to see

their role as being simply to report on the campaign as conducted by others, rather than to generate extensive impartial information materials themselves. Other independent bodies have sometimes sought to fill this gap. Most notably, in the 2016 referendum campaign, the UK in a Changing Europe programme, funded by the Economic and Social Research Council (ESRC) and led by Professor Anand Menon of King's College London, provided briefing papers and made experts available for media appearances and public events across the country. Such efforts had a relatively low profile during the course of the campaign, however, and many voters will have remained unaware of them.

Practice around the World

International norms for the conduct of referendums have been proposed by the Venice Commission (formally, the European Commission for Democracy through Law), which is the Council of Europe's body for providing constitutional guidance to its 47 member states. The Venice Commission's *Code of Good Practice on Referendums*, agreed in 2007, asserts the principle of state neutrality:

> Contrary to the case of elections, it is not necessary to prohibit completely intervention by the authorities in support of or against the proposal submitted to a referendum. However, the public authorities (national, regional and local) must not influence the outcome of the vote by excessive, one-sided campaigning. The use of public funds by the authorities for campaigning purposes must be prohibited. (Venice Commission 2007: section I.3.1.b)

It also asserts the importance of impartial information:

> The authorities must provide objective information. This implies that the text submitted to a referendum and an explanatory report or balanced campaign material from the proposal's supporters and opponents should be made available to electors sufficiently in advance, as follows:
>
> i. they must be published in the official gazette sufficiently far in advance of the vote;
>
> ii. they must be sent directly to citizens and be received sufficiently far in advance of the vote;
>
> iii. the explanatory report must give a balanced presentation not only of the viewpoint of the executive and legislative authorities or persons sharing their viewpoint but also of the opposing one. (Venice Commission 2007: section I.3.1.d)

The content of the 'explanatory report' that is suggested here is not specified. If it provides basic factual information on what the options in the referendum mean, it falls on the second step of the information ladder. If it goes further and presents differing perspectives on the options, it also includes the third step.

In practice, information provision for referendums varies widely between democracies. Many countries in fact do not prohibit one-sided state information. There are examples of wholly one-sided and extensive campaigning in deeply compromised democracies, such as Hungary and Turkey. But even long-established democracies such as Denmark, France, and Austria have no legal safeguards against government involvement.

Neutral referendum information, meanwhile, takes a variety of forms. In Switzerland, for example, the government itself (the Federal Council) produces an official guide, mailed to every household, which includes broadly balanced information on each referendum question. While it can campaign and even provide a voting recommendation in the guide, the Federal Council must comply with the principles of 'completeness, objectivity, transparency and proportionality' (Federal Act on Political Rights 1976 art. 10a(2)). During EU referendums in Denmark, the Danish EU Board, established by parliament to promote debate and information about the EU, funds neutral as well as more political and 'ideological' information campaigns, while the Danish parliament supports strictly neutral campaigns (Hobolt 2010: 67–9). In the Netherlands, the Referendum Commission, which disburses funding to campaign groups, reserves around one third of its budget for neutral activities (Referendum Commissie n.d.), such that the content of neutral information provision is thus not determined by any public body.

In the remainder of this chapter, we explore in depth the two most developed examples of referendum information provision that we have found: in Ireland and in New Zealand. In Ireland, a Referendum Commission is set up for each referendum, tasked with disseminating information on the subject matter of a referendum proposal, as well as promoting awareness of the referendum and encouraging voter turnout (Referendum Act 2001 s1(a)). In New Zealand, independent public bodies have run extensive public information campaigns before several referendums. Ireland provides an example of a carefully crafted information campaign, but one that is relatively restricted in its content. New Zealand has pioneered the most extensive information provision in any country, covering every rung of the information ladder. Having examined these cases in detail, we draw out potential lessons for the UK.

Ireland's Referendum Commissions

Our first in-depth case study examines the work of Ireland's Referendum Commissions. These Commissions – which have been established in different forms for every referendum since 1995 – provide impartial information on the referendum options. In what follows, we begin by setting out what the system is and where it came from, before examining how it operates in practice. Then we look at how well it works in terms of our three broad sets of criteria: operability, perceptions, and impact.

We find that Ireland's Referendum Commissions operate well and are widely admired. The only reform proposals of any note that are on the agenda would strengthen their role, not weaken it. On the other hand, the extent of their impact is limited. The Irish case clearly illustrates a trade-off that we have also noted elsewhere: between maintaining strict impartiality and playing a significant role in shaping the discourse.

The System and Its Origins

The Constitution of Ireland allows for referendums in several circumstances. In practice, all 39 referendums held since the Constitution came into force in 1937 have been on proposed constitutional amendments. Ireland is relatively unusual in requiring a referendum – as well as the approval of the Oireachtas (parliament) – for any such amendment.

In the early decades of the Republic, referendums proceeded without any public information materials. In the late 1980s and early 1990s, however, concerns began to emerge over governmental campaigning on one side of the argument. The government spent IR£345,995 in the 1987 referendum on the Single European Act on a campaign setting out reasons for voting Yes (Gallagher 1988: 80, citing Dáil Éireann Deb 1997: vol. 373, 17 June). Treaty opponents objected to this use of taxpayers' money (Gallagher 1988: 79–80). The government's pro-Maastricht campaign in 1992 was estimated to have cost IR£600,000, compared with just IR£63,000 in total for the various anti-Treaty groups (Holmes 1993: 107). Concerns over one-sided government campaigning grew further in the 1995 divorce referendum, when such campaigning was opposed even by some groups that supported the reform (Girvin 1996: 175). A Green Party MEP, Patricia McKenna, took the government to court, leading to the most important decision relating to referendums in Irish legal history. As stated in the Supreme Court's ruling:

> The plaintiff contended that once a Bill containing a proposal for the amendment of the Constitution had been passed by the Oireachtas, the Government's sole function was to provide the machinery for the holding of the necessary referendum; and that the use by the Government of public funds to promote a particular outcome went beyond that role and infringed the procedure laid down by Articles 46 and 47 for the amendment of the Constitution, which entrusted the decision exclusively to the People. (*McKenna v. An Taoiseach* (No. 2) 1995: 11).

The Supreme Court agreed and so, just days before the referendum, the government was barred from spending public money on one-sided campaigning. The government had in fact to some extent anticipated this decision, having established two months earlier an independent commission charged with setting out the arguments for and against the change (Ad hoc Commission on Referendum Information 1995). It created similar ad hoc commissions for referendums in 1996 and 1997 (Ad hoc Commission on Referendum Information 1996 and 1997).

Meanwhile, work proceeded on finding a permanent solution. A Constitution Review Group in 1996 and a parliamentary committee in 1997 both recommended that an independent commission should primarily be responsible for the equitable allocation of funds to campaign groups (Constitution Review Group 1996: Article 47; All-Party Oireachtas Committee on the Constitution 1997: 21–2). This is, in essence, the model now in place in the UK, where the Electoral Commission allocates funding to the two designated 'lead' campaigns.

In bringing forward legislation in 1998, however, the government preferred the model that had been used by the ad hoc commissions in the preceding years, where the commission itself provided basic information and set out arguments for and against the proposal. The responsible minister, Noel Dempsey, said:

> I am not satisfied that the taxpayer would be in favour of the Government issuing large sums of its money, together with the extra administrative costs of administering a scheme, to political parties and interested groups to try to persuade them to vote either 'for' or 'against'. The potential for the wastage of public funds would be enormous, especially if the electorate is bombarded with conflicting, and perhaps inaccurate, propaganda paid for with its own money. The Government considers the Bill will provide a better option for supplying information to the electorate in a manner that is fair to all the interests concerned. (Dáil Éireann Deb 1998)

The 1998 legislation provided for Referendum Commissions comprising five members. The chair would be a retired Supreme Court judge or a serving or retired High Court judge. The remaining members would all hold their positions ex officio: the Comptroller and Auditor General; the Ombudsman; and the clerks of the Dáil and the Seanad – the lower and upper houses of the Oireachtas, Ireland's parliament (Referendum Act 1998, section 5). The Commissions were tasked with preparing and publishing two kinds of information:

- 'a general explanation of the subject matter of the proposal and of the text thereof in the relevant Bill and any other information relating to those matters that the Commission considers appropriate'

- 'a statement or statements … setting out the arguments for and against the proposal'. (Referendum Act 1998, section 3(1))

These statements had to be 'fair to all interests concerned'. The statement of pro and con arguments had to take account of submissions from the public (ibid.). In addition, the Commissions were required 'to foster and promote and, where appropriate, to facilitate debate or discussion in a manner that is fair to all interests concerned in relation to the proposal' (ibid.).

These rules were applied in six referendums between 1998 and 2001. Thereafter, however, the Commissions' remit was changed. They were shorn of their responsibilities to set out arguments for and against the proposal, and to foster debate. Instead, beyond the requirement to provide a general explanation of the proposal, they were asked simply 'to promote public awareness of the referendum and encourage the electorate to vote at the poll' (Referendum Act 2001, section 1).

This change followed a report of the All-Party Oireachtas Committee on the Constitution, which said:

> [T]he political needs of a referendum cannot be met by setting before the electorate two lists of arguments, all of them detached from the contexts that give them sense and weight in an effort to be evenhanded. That leads to leaden rather than lively presentation. It also leads to confusion because while the voter must arrive at a summative judgment he or she has no means of measuring the weight to be given to each of the arguments presented in this way. The engagement of the commission directly in the campaign tends to weaken the sense that the political parties and the interest groups should be the protagonists in the debate. (All-Party Oireachtas Committee on the Constitution 2001: 25)

The committee argued, as in 1997, that the Referendum Commissions should disburse money to referendum campaigners. A majority of committee members advocated what they called the 'Danish' model: half of the funding available would be allocated to political parties in proportion to their representation in the Oireachtas, while the remaining half would be allocated equally to campaign groups on each side of the proposal (ibid.: 26–31).

The minister responsible for referendum law, Robert Molloy, agreed with the committee's concerns in respect of the Commissions' role in setting out pro and con arguments. He said:

> The alignment of arguments for and against a proposal in an almost sterilised format has not encouraged debate and can result in seemingly equal weightings been given to

alternative arguments which do not merit equivalent comparison, in any rational assessment. (Dáil Éireann Deb 2001).

On the proposal that the Commissions should disburse funds to campaign groups, however, he said, 'The Government has decided not to proceed with the recommendation at this stage.' While not ruling it out for the future, he raised a series of practical and principled concerns about such an approach (ibid.).

Whether the government was entirely open about its motivations for making the change is disputed. One of the referendums in 2001, immediately preceding the switch, saw voters reject the EU's Nice Treaty. The Treaty's opponents argue that the government was unhappy that the rules in place at the time gave the arguments on both sides of the debate equal billing (Coughlan 2017). From the perspective of many Treaty supporters, however, this equality was an instance of 'false balance'.

The rules established in 2001 remain in place today and have to date been applied in fifteen referendums – most recently, in the October 2018 referendum on blasphemy. We now turn to analysis of how these rules have operated in practice.

How the Referendum Commissions Work in Practice

The essential roles of the Referendum Commissions can be divided in two: the creation of neutral or balanced information about the referendum; and the dissemination of that information. The first changed substantially as a result of the 2001 restriction of the Commissions' remit, while the second has evolved gradually over time in response to the shifting communications environment.

Until 2001, the Commission was required to seek and take account of public submissions relating to arguments for or against the proposal. It advertised for submissions through a variety of means. The number of submissions it received was never great: from highs of 110 in the 1995 divorce referendum and 103 in the 1998 referendum on the Amsterdam Treaty to lows of just 16 in the 1997 vote on cabinet confidentiality and 20 in the 2001 vote on the International Criminal Court (Ad hoc Commission on Referendum Information 1995: 3; 1996: 3–4; 1997: 3; Referendum Commission 1998: 11, 37; 1999: 7; 2001b: 4). For the ad hoc commissions of 1995, 1996, and 1997, 'The Minister invited the Chairman of the Bar Council to nominate two Senior Counsel, one to draw up the statement for and the other to draw up the statement against the proposed amendment' (Ad hoc Commission on Referendum Information 1995: 2). The members of the Commission then reviewed these drafts and approved final versions. It appears that subsequent Commissions made their own decisions about the drafting process.

Since 2001, there has been no process of seeking public submissions. Rather, our interviews with former Commission members and officials indicate that, following initial discussions within the Commission and with the Commission's legal advisors and public relations consultants, a draft of the main information booklet is prepared by a barrister with experience of writing for a public audience. This draft is then worked through again by the Commission and its consultants to ensure both accuracy and accessibility. At every referendum between 2002 and 2015, the drafter was Ita Mangan, now the Chairperson of Ireland's Citizens Information Board.

In the early years, the information campaigns conducted by the Referendum Commissions were relatively unsophisticated. In 1995, the Commission produced a printed booklet and placed

advertisements in newspapers. In 1996 and 1997, the time given to the Commissions to conduct their work was so short (little more than a month in each case) as to preclude mailing a leaflet to all households; the materials were therefore limited to small-print newspaper advertisements containing the basic information and pro and con statements.

Over subsequent years, however, the Commissions have become much more savvy in how they have performed their tasks. Working with professional public relations consultants, they have considered carefully the media through which they would be able most effectively to reach voters. Table 8.1 summarises the various communications techniques that the Commissions have used over the years. Two points deserve particular notice.

First, unsurprisingly, the Commissions have increasingly developed their online presence, including on social media. The printed booklet now contains only limited information, while more is typically available through the Commission's website. The Commission for the 2018 referendum on abortion thought very carefully about how to use social media to make its presence felt in the places where debate about the referendum was happening. As we discuss further below, the Commissions feel that they cannot become direct participants in those debates. As one person close to the 2018 Commission put it to us, however, they can be 'in the debate without being part of it'.[10]

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[10] Some of those currently or formerly connected to the Referendum Commissions requested anonymity. To preserve this, we will treat all interviews with people in these categories as anonymous.

Table 8.1. Activities of Referendum Commissions, 1995–2018

Year	Topic	Information booklet	Website	Social media	Print ads	Outdoor ads	TV ads	Radio ads	Chair interview	Information line	Spending
1995	Divorce	Y	N	N	Y	N	N	N	N	N	IR£143,000
1996	Bail	N	N	N	Y	N	N	N	N	N	IR£335,500
1997	Cabinet confidentiality	N	N	N	Y	N	N	N	N	N	IR£388,251
1998	Amsterdam Treaty	Y	Y	N	Y	N	Y	Y	Y	Y	IR£2,200,000
	Northern Ireland Agreement	Y	Y	N	Y	N	Y	Y	Y	Y	IR£2,100,000
1999	Local government	Y*	N	N	Y	N	Y	Y	N	N	IR£604,401
2001	Death penalty	Y	Y	N	Y	Y	Y	Y	N	N	IR£856,525
	International Criminal Court	Y	Y	N	Y	Y	Y	Y	N	N	IR£859,117
	Nice Treaty I	Y	Y	N	Y	Y	Y	Y	N	N	IR£1,294,576
2002	Abortion	Y	Y	N	Y	Y	Y	Y	N	Y	€2,600,000
2003	Nice Treaty II	Y	Y	N	Y	Y	Y	Y	?	Y	€4,061,252
2004	Citizenship	Y	Y	N	Y	Y	Y	Y	Y	N	€3,092,848

Year	Topic	Information Booklet	Website	Social Media	Print Ads	Outdoor Ads	TV Ads	Radio Ads	Chair interviewed	Information Line	Spending
2008	Lisbon Treaty I	Y	Y	Y	Y	Y	Y	Y	Y	Y	€4,975,283
2009	Lisbon Treaty II	Y	Y	Y	Y	Y	Y	Y	Y	Y	€3,100,000
2011	Judges' pay	Y	Y	Y	Y	?	Y	Y	Y	Y	€1,250,000
	Oireachtas inquiries	Y	Y	Y	Y	?	Y	Y	Y	Y	€1,250,000
2012a	Fiscal compact	Y	Y	Y	Y	Y	Y	Y	Y	Y	€2,000,000
2012b	Children's rights	Y	Y	Y	Y	Y	Y	Y	Y	?	€1,700,000
2013	Seanad	Y	Y	Y	Y	Y	Y	Y	Y	Y	€2,400,000
	Court of Appeal	Y	Y	Y	Y	Y	Y	Y	Y	Y	€2,400,000
2015	Marriage	Y	Y	Y	Y	Y	Y	Y	Y	Y	€1,200,000
	Presidential candidacy age	Y	Y	Y	Y	Y	Y	Y	Y	Y	€1,000,000
2018	Abortion	Y	Y	Y	Y	Y	Y	Y	Y	Y	€2,593,612
2018	Blasphemy	Y	Y	Y	Y	Y	Y	Y	Y	Y	n/a

* In most referendums, the information booklet is sent to all households. This was not done in the 1999 referendum because of limited time (the Commission had only 20 working days to prepare) and budgetary constraints. Instead, the Commission distributed the information booklet through certain public outlets, including newspapers, radio and television (Referendum Commission 2000: 5). The pro and con statements were not included in the booklet, but published through newspapers only (Referendum Commission 2000: 6).

Sources: Information for referendums up to 2015 is taken from the respective Referendum Commission reports. Information relating to the 2018 referendum on blasphemy is from a press release (Referendum Commission 2018a and 2018b), as the relevant Commission report was not yet available.

Second, since (we believe) 2004, the chair of each Commission has been interviewed in the course of the campaign – most often on radio, and also, in the most recent campaigns, via Facebook Live. This is one way in which the Commissions have sought to be actively present during the campaign period, rather than simply providing information materials and then retreating. These interviews are not spontaneous: the chair must speak for the Commission as a whole, so the questions are submitted by the broadcaster and discussed among the Commission members in advance. But they do provide an opportunity for the chair to respond to claims that are made in the course of the campaign. Perhaps the best known such intervention came in the course of the high-profile 2015 referendum on same-sex marriage. Some campaigners against the reform were arguing that a Yes vote could lead to a change in the rules on child surrogacy. The Commission's chair, Justice Kevin Cross, repeatedly insisted that the referendum result would not affect the regulation of surrogacy (*Irish Examiner* 2015; Mac Cormaic 2015).

Operability

We begin our analysis of how well Ireland's Referendum Commissions function by looking at operability: to what degree do the Commissions themselves find that they are able to perform their designated tasks, delivering information that is accurate, balanced, relevant, and accessible in a timely and efficient manner?

Each Commission publishes a report on its work after the referendum has taken place. These reports are generally positive – a conclusion based largely on analysis of public opinion research, which we explore in the following two sub-sections. Two concurrent and related problems are, however, mentioned. First, as we noted in the preceding section, many Referendum Commissions have been given very little time – sometimes barely more than a month – to conduct their work. This means that they have to research, develop, and market-test their materials and media strategies very rapidly. It also leads to practical difficulties – for example in booking advertising space. Second, the fact that each Referendum Commission is created anew for each vote and then disbanded means there is a lack of continuity in staffing. Some of the limited time that is available is lost in simple set-up processes. Our interviews highlighted that impermanence also reduces the continuity of approach taken by the Commissions: most chairs have led only one Commission, and chairs' personal styles have had a major impact on how Commissions have performed their functions. Given such concerns, Commission reports have repeatedly argued that a permanent Commission should be created and that the time between the confirmation of a referendum and the vote itself should be extended (this point was first made in Referendum Commission 2004: 15, and has subsequently been made, for example, in Referendum Commission 2008: 32 and 2015: 16)

The goal of maintaining accuracy and impartiality is at the heart of how the Commission is designed. The five members are all required to maintain similar standards in their regular jobs too. The membership of the Referendum Commissions overlaps completely with that of the Standards in Public Office Commission, which has a variety of functions in supervising the disclosure of interests, election expenditure, lobbying, and other activities. The Referendum Act 1998 asserts the Commission's independence (section 2(3)) and stipulates that the Commission must produce materials and perform its functions in a manner that is 'fair to all interests concerned' (section 3(1)).

Our interviews suggest that accuracy and impartiality have been the key desiderata that successive Commissions have sought to pursue in all their work. One former Commission member said, '100 per cent accuracy is the driving force, because that's where your credibility comes from', adding, 'if you lose credibility, the brand is lost'. Those we spoke with repeatedly emphasised that, in pursuit of this, the Commission, as one put it, 'just explains what the proposal is; it does not present its implications'. Thus, the Commission sees its role as being to explain how the law will be different if the proposal is adopted, not to examine the further effects that this legal change might have. Given that all referendums in Ireland are post-legislative (that is, they ask whether voters approve or do not approve a legal change that has already been passed by the Oireachtas), this interpretation of the Commission's role makes maintaining accuracy and impartiality relatively easy.

For example, a referendum was held in 2013 on whether to abolish the upper chamber of the Oireachtas, the Seanad. The Referendum Commission's leaflet began by explaining that, if the reform was passed, all references to 'the Houses of the Oireachtas' in the Constitution would be replaced by references to the Dáil and that the Seanad would cease to exist 'on the day before the Dáil meets after the next general election'. If the proposal was not passed, it added, 'The constitutional position of the Seanad will not be changed' (Referendum Commission 2013: 4). The leaflet then ran through the Seanad's various functions and indicated how these functions – ranging from making laws to removing the Comptroller and Auditor General from office – would be redistributed if the proposal passed. The Commission's website repeated this information and also provided additional 'background information' on the composition of the Seanad, how its members are selected, how the legislative process works, and what transitional arrangements would be made.

While this approach helps protect the accuracy and impartiality of the materials provided by the Commission, we saw clear evidence of a trade-off between accuracy and impartiality on one hand and the relevance of the Commission's outputs to voters' concerns on the other. Voters are likely to want to know about the real-world implications of a proposal, not just its legal content. One of the key drivers of the referendum on Seanad abolition, for example, was a desire to 'cut the cost of politics'. But the Referendum Commission provided no information about the Seanad's budget or about how much might be saved if the Seanad no longer existed. Thus, the materials provided, while accurate, impartial, and admirably clear so far as they went, may not have provided the information that many voters would have needed to judge the options against the criteria that mattered to them.

To take an even more complex example, the leaflet provided for the 2008 referendum on the EU's Lisbon Treaty set out the proposed changes to EU decision-making processes and activities in considerable detail. But someone wanting to know what the practical implications of all these changes might be for life in Ireland would have struggled to gain any insights. It may be reasonable, of course, to say that it was for campaigners to set out their competing expectations regarding these implications. But voters hoping to find some guidance as to which of the claims about implications might have stronger or weaker groundings would have been disappointed. One member of past Commissions expressed particular concerns to us on this ground in relation to the referendum on children's rights in 2012, suggesting that the reason this referendum saw

particularly low turnout (at 33.5 per cent, the lowest for any referendum since 1996) may have been that voters did not understand the important practical implications of the legal changes.

This trade-off between accuracy and impartiality on the one hand and relevance on the other is important. We shall return to it several times in the course of this chapter.

The Irish example provides an opportunity to examine the operability of two different models of information provision: including and excluding lists of pro and con arguments. Where such arguments are excluded, information is restricted to the second rung of our information ladder; where they are included, it extends to the third rung. As we saw above, part of the government's stated reason for ending the provision of pro and con arguments was the view that doing so sometimes led to what has come to be known as 'false balance': equal billing was given to arguments on both sides of the debate, even when the arguments on one side were taken seriously only by a small fringe. Two of the referendums held while this system operated – the 1998 referendum on the Good Friday Agreement and the 1999 referendum on local government reform – were (in differing ways) very uncontroversial. As one former Commission member suggested to us, it was difficult in these cases to find credible arguments for the No side. By implying an equivalence between the arguments of the two sides, there is a concern that the Referendum Commission's work could have artificially skewed the debate.

This argument raises the complex issue of what 'balance' in a referendum campaign ought to mean, which we discussed in Chapter 1. Should each side receive equal treatment, or should there be some allowance for differing levels of support? This is a complex matter, and we will not attempt to resolve it here. So far as the UK is concerned, we think different notions of balance are unlikely to diverge as far as they sometimes have in Ireland. In Ireland, it should be recalled, any constitutional amendment requires a referendum, however uncontroversial or technical it may be. This may mean that votes will happen from time to time on proposals with which few would disagree. In the UK, by contrast, a referendum on an issue that does not divide opinion is far less likely, so provision of pro and con arguments is less likely to raise this problem.

On the other hand, we are concerned about the question of in whose voice the pro and con arguments are articulated. The practice of the Referendum Commissions up to 2001 was to present the arguments as though the Commission was itself making the case on each side. In the 2001 referendum on the Nice Treaty, for example, it provided a page of Yes arguments (such as 'The Treaty of Nice is a small, but important further step in European integration') followed by a page of No arguments (such as 'The Treaty of Nice will take yet more decisions away from the Irish people'). Each page concluded with an exhortation: 'The Treaty should be ratified: Vote YES' and 'The Treaty should be rejected: Vote NO' (Referendum Commission 2001a). But we find it problematic, and potentially confusing to voters, that a public body should masquerade in this way. Why would it be the job of a public body to present without question claims that some would think incorrect? How does that body decide how far to go in simply presenting the arguments that campaigners are making or in moderating those arguments to fit what can be reasonably justified?

An alternative approach would be for the Commission to present arguments as the arguments of campaigners: 'Those supporting a Yes vote argue…', and so on. But here too we see difficulties. Why would a public body present a gloss on others' arguments rather than letting them make their own arguments? Would it include all arguments or only those that are reasonable?

We therefore find the presentation of pro and con arguments by a public body difficult to justify. If that body presents arguments in its own voice, it risks losing impartiality: it will inevitably at least appear to agree with arguments that some voters will disagree with. If that body presents the arguments in the voice of campaigners, it needs either simply to give campaigners space to present their own arguments (as has sometimes happened in the UK) or to intervene in order to determine which arguments it considers accurate (which moves us back to the approaches that we found problematic in Part 2, where public authorities seek to adjudicate on truthfulness). Thus, of the two approaches that have been applied in Ireland, we think that only the current approach – of providing background information – is defensible. We will go on to explore a third possible approach when we examine the case of New Zealand.

Finally within this section, we can consider the work that the Referendum Commissions do to make information accessible. Early Commissions were sometimes criticised on this front. Referring in the Dáil to the work of the 1996 and 1997 ad hoc Commissions, for example, Fine Gael spokesperson Alan Dukes said, 'I have not heard anybody say a good word about the way in which the material was presented in newspaper advertisements. What came out was illegible, incomprehensible and indigestible in two languages. This is not the way to go about providing information to the public' (Dáil Éireann Deb 1998).

Since those early years, as we saw above, the Referendum Commissions have worked hard to disseminate their messages to the widest possible audiences. We were told, for example, that, following one referendum, research found that penetration of the Commission's materials had been better among ABC1 voters than among C2DE voters. The following Commission therefore adjusted its approach, using new channels – notably, a regular column by the Commission's chair in a tabloid newspaper – and employing different language. Each Commission considers afresh how best to engage voters, which has led to gradual change in the respective functions of the printed leaflet and online materials.

Nevertheless, our interviews suggested that there can again be a trade-off, this time between accessibility and accuracy. While the Referendum Commissions seek to ensure that the information they provide is easy to engage with, their paramount concern is that it should be accurate, even if this means the text is 'banal' and weighed down to an extent by 'legalese'. One member of past Commissions said that they 'have to be a bit staid'. A public relations advisor to past Commissions agreed that, while he was involved in discussions of how to frame the text, what was paramount was that the material was 'accurate and legally correct'.

Perceptions

We turn now to wider perceptions of the work of the Referendum Commissions. Irrespective of their own judgements as to their operation, how are they seen by politicians, campaigners, journalists, and the general public in Ireland?

Going back to the beginning, the proposal to create Referendum Commissions with the powers we have outlined was not uncontroversial when first made in the 1990s. In the Dáil debates on the legislation that gave the Referendum Commissions statutory footing in 1998, opposition parties were largely hostile. There were two main reasons for this. First, some challenged the

principle of the McKenna judgement itself, arguing that the government should be able to put its case to voters. Alan Dukes, the spokesperson for Fine Gael, the main opposition party at the time, said:

> My party believes in the right of a Government to advocate a point of view in a referendum. Whatever our feelings about the current Government, or indeed any Government at any given time the Government in office is there as a result of electoral choices by the people and as a result of political choices by the parties to which the elected members belong. It is a proper part of the function of a duly elected Government in a democratic system to act and negotiate on behalf of the people and, where an issue has to be put to the people in a referendum, to give the people its views on the issues before them. (Dáil Éireann Deb 1998)

Others accepted the McKenna principles, but argued, as noted above, for the creation of Referendum Commissions that would disburse public money to groups on either side of the debate, rather than set out the arguments themselves.

To examine perceptions of the Referendum Commissions since these days, we begin by analysing newspaper reporting of Referendum Commissions, seeing whether the Commissions have been praised or criticised and what specific arguments have been made by whom. We have read newspaper coverage of five referendums, in 1998, 2008, 2009, 2013, and 2015. These votes span the period when statutory Referendum Commissions have operated and also vary in terms of topics and levels of public interest.

Most mentions of the Referendum Commissions are purely descriptive: they report on things that the Commissions have done. Where evaluations of some kind are made, we find that they are more often negative than positive: across all five referendums, we have identified 189 positive statements and 304 negative statements. What matters, however, is the nature of these comments rather than their raw number: it would not be surprising if campaigners criticised Commission statements that contradicted their own arguments; what would be more problematic for the sustainability of the Commissions' role would be if they also sought to impugn the Commissions' impartiality or legitimacy.

We do find some statements of the latter kind: during the first referendum on the Lisbon Treaty, in 2008, for example, one campaign group 'claimed the impartiality of the Referendum Commission was in doubt because of a link between its legal advisers and Fianna Fáil' (*Irish Examiner* (2008a), while a No campaigner contended that the Commission had 'been gagged by our politicians who simply want us to vote yes because they say so' (Mallon 2008). But such efforts to undermine the Commissions have been rare. Several of our interviewees argued that the broad respect that is shown towards the Referendum Commissions is a function, in significant part, of their membership. We were told, in particular, that there is great respect for judges in Ireland, making it very difficult for anyone to speak out strongly against them. This is important, as the chair is the personification of each Commission: our analysis of newspaper content reveals that, while the chair has been mentioned dozens of times in coverage of each Commission (except that of 1998), the other members have never been mentioned more than once or twice.

Further recent evidence on public perceptions of the work of the Referendum Commissions comes from the Irish Citizens' Assembly. This was a body of 99 randomly selected citizens who examined a range of issues over a series of weekends from October 2016 to April 2018 (see Chapter 9 for further details). The most important item on the agenda was abortion: it was the Citizens' Assembly's support for the liberalisation of Ireland's strict abortion laws that led to the referendum of May 2018. For current purposes, however, we are most interested in another item: 'the manner in which referenda are held'. The Citizens' Assembly heard evidence on this, deliberated, and drew conclusions at its meeting in January 2018.

The Assembly published submissions from 206 organisations and members of the public on the subject of referendums, and Assembly members heard presentations from six experts (Irish Citizens' Assembly 2018b, 2018c). The submissions, of course, are not a representative sample, so there is no merit in charting overall patterns of opinion among them. But there were noteworthy contributions from two of Ireland's most longstanding campaigners for referendum reform: Patricia McKenna and Anthony Coughlan. Both argued that the role of the Referendum Commission should be strengthened. Patricia McKenna began with a general statement of principle:

> The People have a right to a fair and impartial source of information prior to voting on any proposed constitutional amendment. This source of information should be fully independent and voters should have full confidence in its impartiality and reliability. (McKenna 2017: 1)

She then argued specifically for the view that the Referendum Commission is the organ best placed to set out arguments for and against the proposal in a referendum:

> While campaign groups and political parties on both sides can spin the argument whichever way they choose using all sorts of extraneous statements, claims and counter-claims which have little or nothing to do with the actual text of the referendum proposition, the Referendum Commission is obliged to focus on the actual issue and be impartial, fair and most of all accurate. Therefore, the public can be assured that the arguments presented through this Commission will be legally vetted, well founded, and based on the referendum proposition itself, rather than on irrelevancies. (McKenna 2017: 7)

Anthony Coughlan expressed the same view. He argued that the 'main virtue' of giving this role to the Referendum Commissions was 'that the main Yes-side and No-side arguments … had to be genuinely rooted in the referendum proposal being voted on. This precluded arguments that were false, exaggerated, *ad hominem*, or which encouraged false fears or false hopes about the constitutional change proposed' (Coughlan 2017: 4).

As we noted above, we have concerns about the particular model in which a public body provides arguments for and against a referendum proposal. But it is valuable to note that both of these longstanding campaigners continue to advocate a model in which such a body has a substantial role in providing the information that voters want in making their voting decision.

Turning to the Citizens' Assembly itself, it examined and voted on a wide range of matters, including campaign finance, measures to increase turnout, and ways of dealing with multiple issues

or options in referendums. We are most interested in the Assembly's conclusions regarding the Referendum Commissions:

- First, in responding to the question 'Do you think the functions of the Referendum Commission should be carried out by a permanent Electoral Commission?', 79 of the 84 Assembly members present voted Yes, while 5 voted No (Irish Citizens' Assembly 2018: 13–14).

- Second, on the question 'Do you think the Referendum Commission should be obliged to give its view on significant matters of factual or legal dispute that arise during a referendum campaign in the public domain (including on social media)?', 78 members voted Yes and 5 No (with one invalid vote) (ibid.: 16).

Given the short time that Assembly members had to learn about the issues and consider their conclusions, we do not think too much emphasis should be placed on the precise details of these outcomes. Nevertheless, it is significant that both of these proposals would enhance the role of the Referendum Commissions. This implies support for that role and for expanding it.

Impact

We assess the impact of the Referendum Commissions' work through three main sources of evidence. First, we look again at media coverage of referendums, this time focusing on its extent. The Referendum Commissions mainly seek to engage voters directly – through the paper leaflet, website, and advertisements in a variety of locations. Nevertheless, the Commissions' presence in the media is a useful indicator of their reach: if the Commissions are successful in 'cutting through' to voters, we can expect that they will be talked about. Second, we examine the Commissions' own analyses of their effectiveness. Each Commission is required to publish a report on its work, and most of these reports have drawn on research on what did or did not work. Third, we report the assessments of our interviewees.

Figure 8.1 shows the presence of the Referendum Commission in newspaper reporting of referendums in Ireland since 1998. Specifically, for the 30 days up to and including polling day and the 30 days thereafter in relation to each referendum, the green columns show the total number of articles mentioning the word 'referendum' as well as at least one word relevant to the topic of the vote, while the orange columns show the number of these articles mentioning the term 'Referendum Commission'. The line on the chart (which plots to the right-hand axis) shows the latter number as a percentage of the former. These numbers are somewhat crude: further examination would reveal that some of these articles do not actually relate to the referendum in hand at all. Nevertheless, they provide a useful overall impression.

Figure 8.1. The presence of Irish Referendum Commissions in newspaper coverage of referendums, 1998–2018
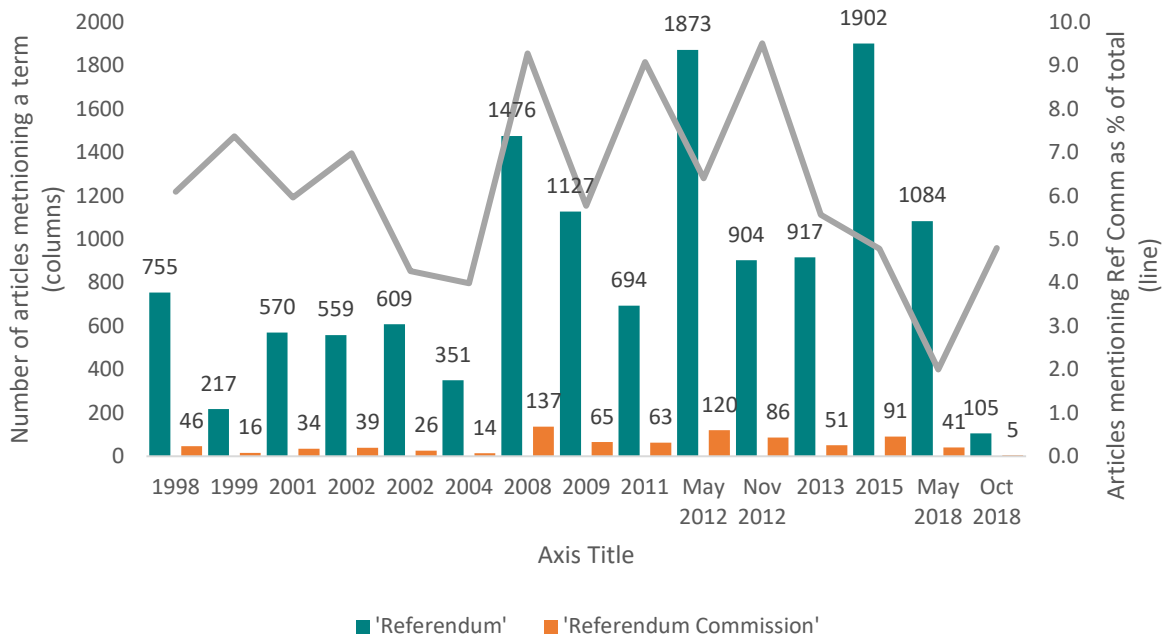
Unsurprisingly, Figure 8.1 shows that some referendums attract much more media attention than others. The largest number of articles is associated with the 2015 referendum on same-sex marriage, closely followed by the May 2012 referendum on the EU's fiscal compact. The two referendums on the Lisbon Treaty – in 2008 and 2009 – come next. The lower level of coverage for the May 2018 referendum on abortion is surprising and may suggest problems in the comparability of the data. The numbers of articles mentioning the Referendum Commissions are manifestly much lower: as the line on the chart reveals, they make up between two and ten per cent of all the articles. By far the lowest presence was in the 2018 abortion referendum, when the Commission was mentioned in only two per cent of relevant articles. This Commission took a particularly cautious approach, opting to make no significant contribution during the campaign beyond its pre-prepared materials.

Clearly, the Referendum Commissions are far from dominating discussion, but they do maintain a meaningful presence. Further analysis (not shown) reveals that there is substantial variation in the level of coverage of referendums between different newspapers, the great bulk appearing in the 'quality' *Irish Times* and *Irish Independent* and much less in the tabloids. There is far less variation, however, in the proportion of this coverage that mentions the Referendum Commissions: all newspapers fall within the four–ten per cent range.

As before, we have analysed the content of this newspaper coverage for five referendums: those of 1998, 2008, 2009, 2013, and 2015. This shows that it is generally the Commission's information campaign – and particularly the printed leaflet – that receives most coverage. The 2015 referendum was different, however: there, the interventions of the Commission's Chair, Justice Kevin Cross, on the surrogacy issue and other matters garnered over two thirds of all the attention.

Following every referendum up to that in 2013, the Referendum Commission conducted public opinion research to evaluate the impact of its work. One question asked whether respondents felt they understood the topic of the referendum. Figure 8.2 shows the results. As can be seen, the proportion claiming at least 'some' understanding always exceeded 50 per cent and on judges' pay surpassed 70 per cent. On the other hand, only a tenth to a quarter claimed they understood the issue 'very well'.

Figure 8.2. Voters' perceived understanding in Irish referendums, 2011–13
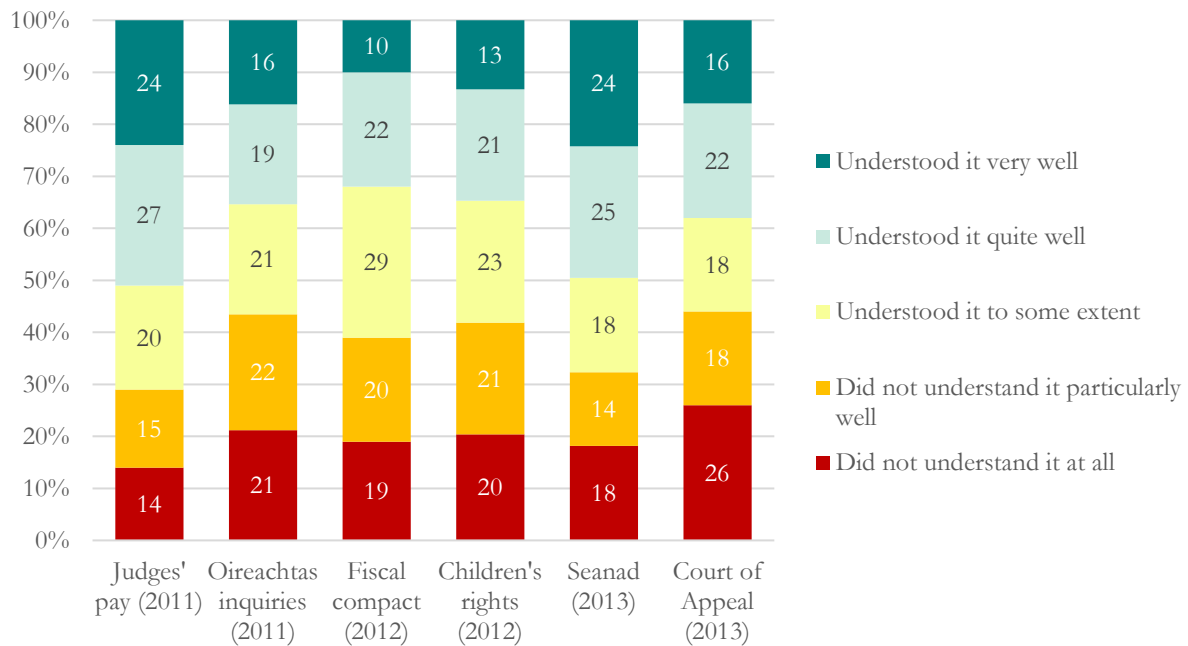
Source: Irish Referendum Commission (2013: 14).

There are, however, two clear difficulties in interpreting these findings. First, they relate only to respondents' own assessments of their levels of understanding. We know nothing of the basis on which respondents make this assessment. Second, they do not tell us the degree to which voters derive their understanding from the Referendum Commission's materials or from other sources.

Another set of questions allows us to go one step further, by asking respondents directly about the Referendum Commission's information booklet. The answers to these questions have been reported differently for different referendums, so we will focus here only on when they were most recently asked, in 2013. Following that year's referendum, 70 per cent of respondents said they remembered receiving the guide, of whom 62 per cent said they had read some, most, or all of it. Of those who used the guide, 70 per cent described it as quite or very helpful (Referendum Commission 2013: 15). That means that 30 per cent of all respondents rated the guide as quite or very helpful. The Commission commented, 'The outcome suggests that the guide remains of value to many voters' (ibid.).

Turning, finally, to our interviews, we spoke with no one who thought the work of the Referendum Commissions is not worth while. As one member of past Commissions put it, 'You really need a body like a Referendum Commission during a referendum. So many claims are made. The public

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has no way of working out what is true or not.' Members also saw value in a system that ensures there is a ground rock of accurate, reliable material beneath the referendum campaign.

At the same time, as the discussion above already indicates, many also acknowledge that the Commissions' impact is constrained. As one put it, the work of the Commissions is 'worth while', but its value is 'limited'. This former Commission member suggested that the value of that work probably varies depending on the topic of the referendum. Where the topic is legally complex, as in the case of an EU treaty, he said the benefits of setting out how the legal position will change if the referendum is passed may be considerable. By contrast, on an issue that is legally simpler, such as abolition of the death penalty, he suggested the value was less clear. He also reflected that a body with the remit of the Referendum Commissions might struggle in a referendum such as that on Brexit: such a referendum raises many issues where it would be impossible to say which side is right; this could create a danger that the Commission would just look like it was sitting on the fence.

These comments, we should be clear, reflect the Irish Referendum Commissions' specific remit: setting out the legal changes that are proposed. Whether the situation would be different for a body tasked with providing wider information is something that we will consider when we draw out implications for the UK at the end of the chapter. Nevertheless, it highlights again the likelihood of a trade-off between impact on the one hand and the desire to avoid controversy and accusations of partiality on the other.

Concluding Remarks on Ireland

Ireland is successful in providing public information during referendum campaigns that is widely regarded as accurate and impartial. Furthermore, there is broad support for the arrangements that are in place – among politicians, journalists, and the wider public – and broad agreement that the information provided by the Referendum Commissions is useful.

At the same time, there are significant doubts about the extent of that usefulness. The Referendum Commissions' narrow remit means that the information provided does not extend to the higher reaches of the information ladder. As a result, it does not always respond to all of voters' relevant concerns.

We now turn to the still more ambitious approach to referendum information provision that has been adopted in New Zealand.

Public Information for Referendums in New Zealand

The polity that has provided the most extensive public information materials in relation to referendums is New Zealand. Unlike in Ireland, these provisions have not been systematised; rather, ad hoc provisions have been introduced for particular referendums, and there has been some variation in their character. We will concentrate here on two information campaigns: first, those for referendums in 1992 and 1993 on whether to change the parliamentary voting system, which were the first campaigns of this kind, and which in many ways set the mould for what came later; second, the campaign for a referendum in 2011, again on the subject of the voting system,

which is the most recent example of very extensive information provision. As with our previous case studies, we first describe what happened and then analyse its efficacy in terms of operability, perceptions, and impact. Before getting to these two cases, we begin with an overview of recent referendums in New Zealand and the information provisions that have been made for them.

Referendums and Referendum Information in New Zealand

New Zealand lies towards the top of the international league of referendum experience, having held 48 such ballots in its history. These have fallen into three types:

- First, the majority – 31 – relate to alcohol licensing. These votes were held in conjunction with almost every general election between 1894 and 1987. They were required by legislation, the last iteration of which was repealed in 1989.

- Second, twelve referendums have been initiated by parliament. As in the UK, the New Zealand parliament is free to call a referendum on any topic via legislation. It has done so mostly on constitutional issues, such as the electoral system, the length of the parliamentary term, and the national flag. The most recent non-constitutional referendum of this type was in 1997, on a proposed pensions reform. The government in power at the time of writing has pledged to hold a referendum by 2020 on the legalisation of cannabis.

- Finally, citizen-initiated referendums have been allowed since 1993. The signatures of ten per cent of registered voters are required to trigger such a referendum, and there have been five successful petitions since the mechanism was introduced.

We are not aware of public information provisions in relation to any of the alcohol licensing referendums up to 1987. Similarly, there is no provision for public information for citizen-initiated referendums. We will not, therefore, consider these types of referendums any further.

By contrast, public information campaigns have been run for every referendum initiated by parliament since 1992. These are summarised in Table 8.2. These campaigns have varied in character:

- **Electoral reform referendums, 1992 and 1993.** After years of discussion, the National Party government that came to power in 1990 initiated a double-referendum process on reforming the electoral system. The first ballot asked voters whether they wanted change and, if change were to happen, which of four possible reforms they would prefer. The second ballot was a run-off between the status quo and the alternative that had received most support at the first vote. For reasons that we examine below, ministers opted to create an independent panel charged with providing impartial information.

- **Pensions reform referendum, 1997.** This referendum stemmed from the talks leading to the formation of a coalition government following the 1996 general election. The junior coalition partner, New Zealand First, advocated a 'compulsory retirement savings scheme', to which its larger partner, the National Party, was broadly hostile; they compromised by putting the matter to a public vote. An Independent Referendum Panel was established to

provide impartial information, modelled closely on the 1992/93 panel and chaired by the same person. As the panel's Technical Advisor, David Preston, has written, 'Its terms of reference included the key requirement to supply voters with factual material to enable them to decide whether to support the scheme or not; but also not to outline arguments for or against the proposed Retirement Savings Scheme. This meant that the panel communication strategy had to be an even-handed presentation of information, with the panel itself standing outside the public debate' (Preston 1997: 8).

- **Electoral reform referendum, 2011.** The 1992/93 referendums led to the adoption of a proportional electoral system. The National Party was never happy with this and pledged to give voters a chance to decide whether to keep it. A double-referendum process was established, as in 1992/93, though this time the status quo won the first ballot, so the second vote was never held. An independent information campaign was again conducted, this time by the Electoral Commission. We discuss this in further detail below.

- **Flag referendums, 2015/16.** Finally, the National Party won the 2014 election having pledged to hold a consultation and vote on the national flag. It again opted for a double-referendum process, this time conducted entirely by postal voting. The first vote was a primary among five possible reform options. The second pitted the favoured option from the first vote against the status quo. These votes were preceded by a consultative process through which a Flag Consideration Panel produced a longlist of forty and then a shortlist of four (later increased to five) reform options. The Flag Consideration Panel continued to operate throughout the referendum campaigns 'to help provide information to the public about the alternative flag designs' (New Zealand ODPM 2014: 29). Though it had a much smaller budget than did its predecessors (see Table 8.2), it produced brochures giving 'information on the background to each design' that were included in voting packs and made available online (New Zealand Flag Consideration Panel 2015a: 4). It also made extensive use of other media and arranged for all the flags to be flown around the country (New Zealand Flag Consideration Panel 2015b: 4; 2016: 2).

Table 8.2. Public Information Campaigns in Referendums in New Zealand

Year	Topic	Information provider	Budget
1992	Electoral reform	Electoral Referendum Panel	n/a
1993	Electoral reform	Electoral Referendum Panel	NZ$5,085,000
1997	Pensions reform	Independent Referendum Panel	NZ$5,500,000
2011	Electoral reform	Electoral Commission	NZ$5,690,000
2015/16	National flag	Flag Consideration Panel	NZ$1,750,000

Sources: 1993: New Zealand Electoral Referendum Panel (1993b: 15); 1997: Preston (1997: 8); 2011: New Zealand Electoral Commission 2012b: 39; 2015/16: New Zealand Executive Council Chambers (2016: 2).

For reasons of space, we will not discuss the information campaigns for the 1997 or 2015/16 referendums in further detail here. It is valuable to bear them in mind, however, for they indicate that this basic model can be applied to a diverse range of referendum topics. Electoral reform is a subject on which a neutral information campaign makes intuitive sense to many people: it is relatively technical, and it is reasonable that voters should want authoritative information on what these options are. By contrast, the choice of national flag is much less technical: while it raises some questions about the meaning of the imagery in each option, it is also in significant part about personal aesthetic tastes. Nevertheless, provision of neutral information was felt to be desirable even here.

We concentrate in what follows on New Zealand's two major referendum information campaigns. We reflect further on the wider applicability of the approach they embodied when drawing conclusions at the end of the chapter.

The Voting System Referendums of 1992 and 1993

As explained above, the decision on whether to change New Zealand's electoral system in early 1990s was taken through a double-referendum process. The first of these votes, held in September 1992, was particularly complex, containing two questions. The first question asked New Zealanders whether they wanted to retain the existing First Past the Post electoral system or change the system. The second asked which of four possible alternatives to the status quo they would prefer if the first question produced a vote for change. Because the majority of voters supported change in the first of these questions, a second referendum was held fourteen months later, in conjunction with the general election of November 1993, and asked voters to choose between First Past the Post and the most popular reform option: the Mixed-Member Proportional (MMP) system. The results are shown in Table 8.3.

The origins of these referendums were unusual: though initiated by government and parliament (the legislation permitting citizen-initiated referendums came later), few leading politicians from either of the main political parties really wanted the electoral system to change. Interest in reform had been sufficient in the early and mid-1980s that the Labour government, in 1984, established a Royal Commission on the Electoral System. Reporting in 1986, this advocated the adoption of MMP. Yet it was only an accident in the course of the 1987 general election campaign that led the Labour Prime Minister at the time, David Lange, to pledge a referendum on the matter. Labour subsequently failed to deliver on this pledge, but the National Party made an equivalent promise in 1990. It did so largely because it was keen to exploit Labour's record of 'broken promises', but also in part because some key individuals within the party genuinely sympathised with the reform cause, seeing the highly concentrated power structure of New Zealand politics as having permitted years of misgovernance. Within weeks of its election, the new National Party government faced its own accusations of 'broken promises', and Prime Minister Jim Bolger felt he had no option but to proceed with the referendum (for detailed discussion of the origins of the 1992 and 1993 votes, see Renwick 2007, 2010; Jackson and McRobie 1998).

Table 8.3. Results of the New Zealand voting system referendums, 1992 and 1993

(a) 1992

Part A: choice between the status quo and reform	% of votes cast
I vote to retain the present First-Past-the-Post system	15.3
I vote for a change to the voting system	84.7
Part B: choice among reform options	
I vote for the Supplementary Member system (SM)	5.5
I vote for the Single Transferable Vote system (STV)	17.4
I vote for the Mixed Member Proportional system (MMP)	70.5
I vote for the Preferential Voting system (PV)	6.6

(b) 1993

	% of votes cast
I vote for the present First-Past-the-Post system as provided in the Electoral Act 1956	46.1
I vote for the proposed Mixed Member Proportional system as provided in the Electoral Act 1993	53.9

Source: Jackson and McRobie (1998: 252 and 255).

The public information campaign for the 1992 referendum had three stated aims:

- 'To familiarise the public with the referendum concept, issues and arguments for and against the different electoral options.

- To generate informed discussion and debate throughout the whole community.

- To ensure that a well-informed electorate will participate in the referendum on September 19.' (New Zealand ERP 1992a: 3).

In interview, the minister responsible for the referendum, Sir Douglas Graham, told us:

> The critical factor as I thought at the time was to try to inform the public on what the issues were on a pretty complex issue like electoral reform, which goes over the head, frankly, of most people. … The other thing was to make certain there was no suggestion that the government was trying to influence the result, which seemed to me to be absolutely critical. (Graham 2017)

This public information campaign was delivered by a specially created Electoral Referendum Panel, which was chaired by the Chief Ombudsman, John Robertson, and included four further members: the Chief Executive of the Ministry of Women's Affairs, Judith Aitken; a member of the Law Commission, Peter Blanchard; the highly regarded Māori academic Sir Hugh Kawharu; and the Clerk of the House of Representatives, David McGee (McRobie 1993: 42). This panel engaged advertising and media agencies and a political scientist, Nigel Roberts, to develop information materials and disseminate them as widely as possible.

Impartiality was woven deep into the Panel's design. In inviting John Robertson to serve as Chair, Sir Douglas Graham said, 'It is my wish to distance myself and the Government from the publicity campaign, so that its political impartiality is assured' (Graham 1991: 1). Before accepting this invitation, Robertson sought and secured the agreement of the opposition parties (Robertson 1991). In interview, Nigel Roberts described Robertson as 'the ideal person' to perform this role, combining as he did both intellectual power and scrupulous independence. He said, 'There's nobody more neutral in New Zealand than the Chief Ombudsman' (Roberts 2017). The Panel was determined in asserting its independence, rejecting early planning work by officials within the Ministry of Justice in favour of developing its own approach (McRobie 1993: 42).

The Panel produced a leaflet that was sent to all households, a longer booklet that was made available in libraries and other venues, and a video that was sent to church groups, rotary clubs and other similar organisations who requested it. The Panel also collaborated with a television company to produce an hour-long programme. And Nigel Roberts toured the country speaking at local meetings and appearing on local radio stations. He comments, 'I had some great public meetings up and down the country' (Roberts 2017).

The nature of the content of these materials was the subject of lengthy discussion among the Panel members. The early planning documents produced by and for the Ministry of Justice envisaged that the Panel would provide information about each of the electoral system options and the pros and cons of each. A draft produced by the Australian political scientist Colin Hughes for the Ministry described the basic features of each system, then indicated what this system would mean in practice, and finally listed 'good points' and 'bad points'. For First Past the Post, for example, the draft said:

> This system means:
>
> - On the voting paper you have one vote
>
> - You vote for the person you want to be your MP
>
> - The person with the most votes becomes your MP
>
> - The party that wins the most seats becomes the government (Hughes 1991: n.p.).

The 'good points' that it listed included:

> Usually one party can form a government by winning the most seats. In the last 57 years, either Labour or National have become the government. The people in these governments

usually agree on how to run the country and so can put in place their policies quickly and easily. (Hughes 1991: n.p.)

The 'bad points' began:

> The party which wins the most seats almost always becomes the government. This does not always mean that most people voted for that party. In New Zealand we have not had a government which won more than half the most votes [sic] since 1951. This means that our governments have not been the first choice of most voters. (Hughes 1991: n.p.)

Panel members disagreed, however, as to whether inclusion of pros and cons in this manner was desirable. One meeting minute noted:

> Some panel members have serious doubts about the use of pros and cons in any description of the voting systems that is distributed on the authority of the panel. They were seen as introducing questionable, opinionated material into the text and unable to be used in a neutral way. (New Zealand Electoral Referendum Panel 1992b: 4)

By contrast, John Robertson argued strongly in favour of going beyond providing merely descriptive material. His thinking bears extended quotation:

> I cannot see how we can say that we are assisting members of the public to make a reasoned choice on referendum day if the education programme has only imprinted on their minds what each voting option means. Knowledge of what each system means will not materially assist the voters [sic] choice. They also need a framework against which they make their personal choices. Many groups and individuals in society will be attempting to influence them in this choice and it is not uncharitable to say that they will present such pros and cons as suits their own particular objective. What I feel the Panel has an obligation to do is give voters an extensive list of pros and cons as a check list which they might accept or reject in part or in whole according to their own views on those issues. (Robertson 1992: 2)

This discussion encompasses the two approaches to referendum information provision that, as set out above, have been used in Ireland since the late 1990s. But the New Zealand Electoral Referendum Panel in the end opted for a third approach: it listed criteria that might be used in order to judge the various alternatives; and it indicated how the options measured up against these criteria. In doing so, it moved up to the very top rung of our information ladder, providing evaluative information that was designed to help voters think through their own priorities and choose among the options on that basis.

Figure 8.3 shows the page from the leaflet to all households that set out the criteria for the 1992 referendum. These criteria were intended to cover the main areas of debate relating to electoral reform in New Zealand and were based on the criteria used by the Royal Commission on the Electoral System in its report on reform options (Royal Commission on the Electoral System 1986: 11–13). The leaflet itself gave only limited information on how the options performed against these criteria. The more extensive booklet and other materials, however, went into considerably more detail, including one to three pages on each of the options, explaining their operation and effects (New Zealand Electoral Referendum Panel 1992d).

Figure 8.3. Excerpt from the leaflet produced by the 1992 Electoral Referendum Panel

SOME WAYS OF CHOOSING BETWEEN VOTING SYSTEMS

All voting systems have advantages and disadvantages. And what one person sees as an advantage, another person will see as a disadvantage. As a result, there's no such thing as a perfect voting system.

Some points to think about and talk about with your family and friends.

LEGITIMACY

Do people on the losing side accept the results? Does the community as a whole accept the voting system as the best possible basis for running the country?

POLITICAL INTEGRATION

Does a voting system unite a country or divide it? Does it promote respect for different points of view?

EFFECTIVE GOVERNMENT

Can a government elected under a particular voting system achieve what it sets out to do? Will the government last, or will it fall because it does not have a majority in Parliament?

EFFECTIVENESS OF PARLIAMENT

Will Cabinet dominate Parliament, under a particular voting system? Does the voting system mean that Parliament can challenge and debate government policies in the way it is meant to?

FAIRNESS

Do political parties win a share of the seats that is similar to their share of the votes? Is there a marked difference between the number of seats some parties get and the votes they win?

REPRESENTATION OF MINORITIES AND SPECIAL GROUPS

How well are the interests of ethnic minorities and other groups such as business people, workers and women represented in Parliament under various voting systems? How well are such groups themselves represented?

MAORI REPRESENTATION

Will a particular voting system help or hinder representation of Maori? Are Maori represented in Parliament in sufficient numbers and how will different voting systems affect this? How will different systems affect the existing separate representation of Maori?

REPRESENTATION OF CONSTITUENTS

Does a voting system encourage close links between you and your MP? How easy will it be for constituents to get their ideas across to their MPs under a particular voting system?

VOTER PARTICIPATION

Do voters understand how the system works? Is the method of electing MPs straightforward or is it difficult to follow?

EFFECTIVE POLITICAL PARTIES

Will a voting system give us political parties that are too strong or too weak? Will a particular voting system help parties listen to and act on voters' views and concerns?

You will have to make up your own mind on which points are important to you. Different points will be important to different people. It's up to you to decide.

Source: New Zealand Electoral Referendum Panel (1992c).

The information campaign for the 1993 referendum was very similar to that of 1992. The membership and functioning of the Electoral Referendum Panel remained largely the same. Nigel Roberts was again appointed as advisor to the Panel, this time working with fellow political scientist Alan McRobie. A booklet again provided detailed information about the options available and their implications. The nature of the referendum question differed from that in 1992: voters were choosing between just two options, and each of these was a precise set of rules laid out in law rather than a broad type of electoral system. In consequence, even more detail could be provided than in 1992, including on such matters as the number of MPs, representation of Māori, and effects upon proportionality, government formation, and minor parties. Remarkably, the

booklet also provided a two-page spread giving exhaustive detail on the operation of the Sainte Lagüe formula for the allocation of seats among political parties (New Zealand Electoral Referendum Panel 1993c).

The Voting System Referendum of 2011

The referendums of 1992 and 1993 led to the introduction of an MMP voting system, first used in the election of 1996. While neither of the main parties had wanted MMP, Labour quickly became reconciled to it: between 1999 and 2008, under Prime Minister Helen Clark, Labour found a formula for governing effectively in the new, multiparty environment that MMP created. The National Party, by contrast, experienced years in the wilderness, during which its leaders committed to giving voters a chance to review their earlier decision. Thus, when National entered power in 2008, it pledged to hold a further referendum.

This replicated the design of the 1992/93 referendums. Voters were asked two questions alongside the 2011 general election: whether they wanted the electoral system to change or not; and which of four reform options they would prefer if it did change. Had voters backed change on the first question, a run-off between the status quo and the favoured reform option would have been held at the time of the 2014 election. But the status quo won, so this second referendum never took place. The results are shown in Table 8.4.

Table 8.4. Results of the New Zealand voting system referendum, 2011

Part A: Should New Zealand keep the Mixed Member Proportional (MMP) voting system?	% of votes cast
Keep	57.8
Change	42.2
Part B: If New Zealand were to change to another voting system, which voting system would you choose?	
First Past the Post (FPP)	46.7
Preferential Voting (PV)	12.5
Single Transferable Vote (STV)	16.7
Supplementary Member (SM)	24.1

Source: New Zealand Electoral Commission (2017b).

Though the National Party had pledged to hold the referendum, its victory in the 2008 election demonstrated that it had worked out how to operate successfully under MMP. Desire for electoral reform in the party's upper echelons was therefore weak and planning for the referendum itself appears to have been limited. Our interviews indicate that it was the Electoral Commission that initially emphasised to ministers the importance of a public information campaign. But support for such a campaign spread across the political spectrum (House of Representatives (New Zealand) Deb 2010a). The importance attached to a prominent impartial information campaign is indicated

by the words of National Party MP Amy Adams, who chaired the Electoral Legislation Committee's scrutiny of the bill:

> 'we will have a public education campaign, and around $5 million has been allocated for that. Against that, we now have spending limits of $300,000 on independent campaigners in this process. I think the relativity between those amounts should not go without comment. It is important that the public information is out there and dominates the debate.' (House of Representatives (New Zealand) Deb 2010b)

This is a comment that many in the UK will find remarkable: it bespeaks an entirely different view of what a referendum campaign should look like from the view that has taken root here. Adams indicated that she would personally have preferred higher spending limits, but said that the committee has reached the NZ$300,000 figure 'on a consensus basis' (ibid.).

The 2011 information campaign was delivered by the Electoral Commission: as its remit includes promoting understanding of the electoral system, the Commission felt it had the expertise necessary to perform this task. The Commission's Chief Executive, Robert Peden, was deeply involved at all stages of the information campaign's development. He recruited two political scientists – Therese Arseneau and Nigel Roberts – to provide expert input. They worked alongside media and public education professionals to develop the campaign strategy and materials.

Though the form of the 2011 information campaign was very similar to that of 1992/93, its purpose was conceived quite differently. The 1992/93 Electoral Referendum Panel had taken what may be thought of as a traditional, top-down approach to information delivery: the Panel decided what information voters ought to know and then exhorted them to learn it. The leaflet delivered to all households for the 1993 referendum, for example, was accompanied by a cover letter from John Robertson that began, 'Before you cast your vote make sure you know what you are voting for'. It continued, 'I urge you to read this brochure and keep it available for quick reference' (New Zealand Electoral Referendum Panel 1993a). Our interviewees explained that the guiding principle in 2011 was different: it was that voters should be able to access the information that they themselves wanted. This meant that a 'layered' approach to information was adopted. Two leaflets were sent to all households: one containing only very basic information on how to take part in the referendum and concurrent general election, the other adding short descriptions of each referendum option and their effects (New Zealand Electoral Commission 2011d, 2011e). Further details appeared in a booklet that was published as a pull-out section in several of New Zealand's main newspapers. The most detailed information appeared on the Electoral Commission's website.

The nature of this information built on the foundations laid in 1992/93. There were descriptions of the various voting systems on offer. Then the Commission set out five criteria that might be used to judge the systems and indicated how each system measured up against each criterion (New Zealand Electoral Commission 2011a). As Therese Arseneau told us in interview, this was intended to 'put the voter in the driver's seat rather than experts'. She continued, 'It wasn't our job to tell them [voters] what was a pro and a con. But it was to give them enough information that they could do it themselves, from their own perspective' (Arseneau 2017).

Indeed, the Commission went one step further in 2011 than had the Electoral Referendum Panel in 1992/93, by providing a 'toolkit' on its website through which voters could explore their own priorities and see how the various electoral systems performed against these. This was, in effect, a voting advice application (VAA), as discussed in Chapter 6: voters indicated their preferences; they received in return an indication of which systems were likely to perform best on this basis. (The toolkit is still available online at the time of writing: see New Zealand Electoral Commission 2011b). Development of this toolkit was not uncontroversial within the team behind the information campaign: the two political scientists were initially concerned that it risked oversimplifying highly complex issues, while the Electoral Commission recognised a risk that, if not carefully designed, it might be criticised for bias. The decision was therefore made to launch it only if all agreed that its final form was good enough. This did happen, but only relatively late in the campaign.

The final element of the Electoral Commission's information strategy was a conscious decision to intervene during the campaign if it saw any campaigner make misleading claims. It felt the need to do so only once. Building on longstanding public concern in New Zealand about the number of MPs, the Vote for Change campaign group put out material on Facebook saying that MMP 'requires 120 MMPs' while each of the alternative systems 'could work with 99 MPs' (this material is reproduced at New Zealand Electoral Commission 2012a: 15). The Electoral Commission responded with a statement saying, 'it is factually incorrect to say that MMP requires 120 MPs. MMP could operate effectively with 99 MPs'. It added, 'The Electoral Referendum Act 2010 specifies that each voting system to be considered in the referendum will have 120 MPs.' It quoted the Chief Executive of the Electoral Commission saying, 'The Vote for Change organisation is free to campaign for a reduction in the number of MPs, but to promote that view in a way that implies a link between a vote for change, and a change in the number of MPs is factually incorrect, and misleading' (New Zealand Electoral Commission 2011c).

Operability

In analysing the work of Ireland's Referendum Commissions above, we highlighted a deep tension between (perceived) accuracy and balance on the one hand and relevance and accessibility on the other, and we saw that the Referendum Commissions have tended to respond to this tension by compromising on the latter: in particular, by sticking to the incontrovertible legal effects of proposed changes and not attempting to analyse their likely further implications.

The providers of public information in New Zealand's referendums have recognised the same tension, but opted for a very different solution. As we saw above, there were worries in 1992 that providing 'pro' and 'con' statements could be perceived as subjective, and in 2011 there was concern that the online toolkit could open the Electoral Commission to challenge. In each case, however, the responsible body chose to provide the information that it thought voters would want.

Furthermore, in neither case is there any evidence of regret over this decision. The Electoral Referendum Panel of 1993 largely repeated the approach taken in 1992: indeed, its 1993 information booklet contained exactly the same criteria for judging voting systems as it had used in 1992 (New Zealand Electoral Referendum Panel 1992d: 4; 1993c: 14). In its own assessment following the 1993 referendum, the Panel concluded that it had been 'able to exert an impartial

constraining influence on the national debate by ensuring that the facts of both referendum options were aired and available to the individual voter (New Zealand Electoral Referendum Panel 1993b: 18). It noted positive feedback on its work from members of the public and high levels of public awareness of the referendum, and it suggested that its structure might serve as 'a useful precedent for any major government advertising and information campaign in the future' (ibid.: 19). The model of a publicly funded, independent body providing impartial information on the options and their effects has, as we have seen, been repeated in subsequent referendums.

The Electoral Commission's report following the 2011 referendum (New Zealand Electoral Commission 2012c) offered no comments on the operability of the information campaign – though it did draw on extensive research into public awareness of that campaign and of the referendum, which we discuss in the section on impact below. This may suggest that the Commission saw no significant problems in running an information campaign of this kind.

Our interviewees were more explicit in offering a positive assessment. Most notably, while they acknowledged a 'creative tension' between accuracy/balance and *accessibility* – noting a repeated to-and-fro between communications experts who wanted greater simplicity and political scientists concerned that this could lead to statements that were misleading – they were much less troubled by (or, indeed, aware of) a potential tension between accuracy/balance and *relevance*. By 2011, it appears to have been taken for granted that a referendum information campaign needed to help voters through their decision by discussing criteria and offering evidence on how the options fared in relation to these. No one thought this might be controversial.

Our interviewees did, however, suggest that the possibility of providing such extensive information was dependent on circumstances (Arseneau 2017; Peden 2017; Roberts 2017). Politicians largely stayed out of the referendum debates, and, particularly in 2011, the issue was not of high salience to many voters; the level of contentiousness was thus relatively limited. As noted above, the criteria proposed for judging the electoral systems were derived from the report of the respected Royal Commission on the Electoral System (1986); they had gained familiarity and legitimacy in New Zealand over time. The 1992/93 referendums took place in an age when the idea of neutral expertise was rarely contested. By 2011, the Electoral Commission had built a reputation for impartiality; much more widely known than its UK equivalent, it was able to use its familiar branding (including a cartoon figure widely known as 'Orange Guy') to give voters added confidence in its message. The Electoral Commission also had specific expertise on electoral systems; it would have been much less keen to take on a similar role on another topic.

Thus, while all the evidence suggests that it has been possible to operate referendum information campaigns in New Zealand without difficulty, that does not necessarily mean the same approach would be feasible in the UK. We return to this issue towards the end of the chapter.

Perceptions

To build upon the preceding thoughts, we now consider how the New Zealand information campaigns have been perceived by campaigners, commentators, and the general public. Given the wider availability of evidence, we will focus here on the 2011 referendum (though we are aware of no evidence from 1992 or 1993 that contradicts our findings.)

As part of a related research project, we have read all of the articles mentioning the 2011 referendum in eight significant national or local newspapers[11] – a total of 270 articles in all (for further details, see Renwick and Vowles 2019). We found no criticism of the Electoral Commission's information campaign in any of these: no worries about bias or inaccuracy, and no accusations of partiality from any campaigner or commentator – or, indeed, anyone else. That is not because the Commission's work was ignored: as explored below in the section on impact, its activities – including the information materials, the local meetings, and the admonishment of the Vote for Change campaign – were reported. But this was always without criticism. If the Vote for Change campaign objected to being scolded, this went unreported.

As happens after all elections in New Zealand, the parliamentary Justice and Electoral Committee conducted an inquiry into the 2011 election and referendum. Eight of the 53 submissions to the inquiry did criticise the Electoral Commission's information campaign. Every one of these criticised the core information provision for being too limited: none questioned whether it was appropriate for the Commission to exercise this function.[12] The political scientist and electoral systems expert Alan McRobie, for example, said:

> In my view, the public campaign timeframe was altogether too short and low key to build up voter awareness and encourage voters to develop a good understanding of the different options and their implications for the parliament's composition and government formation. (McRobie 2012: 5)

Vote for Change spokesperson Jordan Williams, in common with several others, criticised the Electoral Commission for providing detailed information only on its website, saying, 'While visible, that approach was poor for a public education campaign. Those taking the proactive step of looking up the information online were likely to find the information using online tools anyway.' (Williams 2012: 2).

Only one submission suggested that the Electoral Commission had done too much. This was in relation not to the core information campaign, but to the admonishment of Vote for Change. Vote for Change spokesperson Jordan Williams rejected the Commission's analysis, saying 'I submit that the Commission was acting *ultra vires*, was wrong in fact, and damaging the public debate by demanding retraction.' (Williams 2012: 3).

In its report, the Justice and Electoral Committee addressed the issue of the information campaign only briefly. After a short description of what had happened, it said, 'We recommend that future public information campaigns about electoral matters provide sufficient detail and are accessible to all voters' (New Zealand House of Representatives Justice and Electoral Committee 2013a: 47).

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[11] These include six daily newspapers – in declining order of circulation, the *New Zealand Herald* and *Herald on Sunday*, the *Dominion Post*, *The Press*, the *Otago Daily Times*, the *Waikato Times*, and the *Southland Times* – as well as two weekly papers: the *Sunday Star-Times* (New Zealand's largest circulation Sunday newspaper) and the *National Business Review*. The only sizeable paper that we could not include (because it was unavailable in the Factiva newspaper archive) was the *Sunday News*.

[12] These are the submissions of David Benson, Keith and Jan Furniss, Felix Lee, Alan McRobie, Andrew Thompson, Colin Truman et al., Karl Varley, and Jordan Williams. They are available, together with a summary of all the submissions, at New Zealand House of Representatives Justice and Electoral Committee (2013b).

All of this evidence points to the conclusion that it is simply not an issue in New Zealand whether having a neutral public information campaign in a referendum is appropriate: this is taken for granted. Strikingly, the feature of the information campaign that we thought most likely to cause controversy – the fact that the list of criteria against which the options were assessed was decided by the Electoral Commission and its advisors without external consultation – raised no concerns. Those criteria did not always map on to the points that campaigners sought to emphasise: for example, one key Keep MMP campaign slogan was that, under MMP, 'every vote counts' – something that was not addressed in the Electoral Commission materials. But no criticisms of those materials resulted.

These conclusions are further confirmed by our interviews: aside from Jordan Williams (Williams 2017), no one we spoke with doubted that neutral public information provision is valuable or criticised the work of the Electoral Commission. The electoral lawyer Graeme Edgeler, for example, said it was good to have such information; he described the Electoral Commission's materials as unbiased and accurate, but 'staid' (Edgeler 2017). Pollster and blogger David Farrar said an impartial campaign is needed to allow an informed choice (Farrar 2017). Keep MMP campaign spokesperson Sandra Grey said, 'They did a great job in providing information that was accessible and easy' (Grey 2017). Leading journalists Audrey Young said, 'I do think that stuff is really important': the media can only provide so much information, and it is important to have an independent body rather than just campaigners (Young 2017).

Impact

In considering whether New Zealand's neutral referendum information campaigns have had any effects on wider campaign discourses, we again focus, for reasons of evidence availability, on the 2011 vote.

The Electoral Commission and its partners conducted a detailed evaluation of the 2011 campaign (New Zealand Electoral Commission 2012b), largely based, as noted above, on public opinion research (Binnie 2012). We can examine three aspects of the findings, relating to awareness of the referendum and the choices it offered, engagement with the Electoral Commission's information provision, and satisfaction with the referendum campaign as a whole.

Table 8.5 sets out key measures, from both before and after the campaign, of voters' awareness of the referendum and its subject matter and of whether they felt confident about taking part in the referendum. It also shows the targets that the Electoral Commission set in advance. It indicates that all targets were met: by the end of the campaign, a large majority of voters were aware of the referendum and its subject matter; a smaller majority felt confident in taking part.

The surveys also asked voters whether, without prompting, they could name any of the four alternatives to the existing electoral system that they could vote for in the referendum. Though just one per cent of respondents could name all four systems by the end of the campaign, 55 per cent could name at least one (Binnie 2012: 38). When the interviewer named each system and respondents were asked whether they had heard of it, between 57 and 87 per cent said that they had, depending on the system in question (ibid.: 41). Interpreting such results is clearly difficult: it might be that voters understood the systems but just couldn't remember their names; or it could

be that voters claimed knowledge that they did not really possess. In all cases, however, the numbers increased substantially over the course of the campaign (ibid.).

Table 8.5. Public awareness of the New Zealand voting system referendum, 2011

	Target	Pre-campaign (May 2011)	Post-campaign (November 2011)
Knows the referendum is on	85%	23–45%	88%
Knows what the referendum is about	85%	40%	
Knows what they need to do	63%	9%	73%
Knows there is a choice of voting systems	50%	20%	73%
Knows about the five voting systems	10%	8%	59%
Knows what will happen as a result of the referendum	10%	2–8%	63–75%
Feels confident to participate in the referendum	55%	28%	77%

Source: New Zealand Electoral Commission (2012b: 8)

Of course, this does not show that it was the Commission's own public information drive that generated these shifts: the fact that a broader referendum campaign was happening and was reported in the media would also have had such an effect. That is why it is important to look next at levels of public engagement specifically with the Electoral Commission's materials. The Commission's research suggests that the reach of its work was considerable: it reports that its television advertising reached 95 per cent of the adult population, its radio advertising 79 per cent, its online activity 70 per cent, and its print advertising 86 per cent (New Zealand Electoral Commission 2012b: 17–18). The referendum 'toolkit' was less successful in this respect, reaching only 22,000 unique users over the course of the campaign (ibid.: 23). But it was delivered only relatively late in the campaign and was not advertised as effectively as it could have been (ibid.: 25; Read 2017), so this does not give evidence that it lacked potential.

Evidence of reach also comes from our media analysis. Of the 270 newspaper articles reporting on the campaign that we read, 25 made explicit reference to the Electoral Commission's information materials (Renwick and Vowles 2019). That is 9.3 per cent of the total, which is at the upper end of the range we saw above for recent referendums in Ireland. Further articles clearly drew heavily on those materials without citing them: indeed, Liz Read, who was the campaign's leading public education strategist, commented that media coverage sometimes came 'verbatim' from Electoral Commission content. The issues relevant to choosing an electoral system that were most discussed in the campaign – such as government effectiveness, the accountability of MPs,

the power of small parties, and the proportionality of party representation in parliament – were all prominent in the Electoral Commission's materials.

At the same time, that those materials appeared on voters' screens or in their newspapers does not mean that voters actively engaged with them. The Commission's post-referendum survey did not ask whether respondents recalled reading or viewing material specifically from the Electoral Commission. But it did ask whether they were aware of any information or advertising relating to the referendum. Only 78 per cent said that they were (Binnie 2012: 43). That is well below the reach figures cited above, though it still constitutes a substantial majority of the population.

Our primary concern is with the quality of information and discourse, and with whether the public information campaign in New Zealand helped generate more informed debate. Here again, our media analysis offers evidence: comparing newspaper coverage of New Zealand's 2011 referendum on electoral reform with that of the referendum on the same topic in the same year in the UK, we find far lower levels of misinformation in the former case than in the latter: we found that just three per cent of statements making claims about electoral systems were inaccurate in the New Zealand discourse, compared with 26 per cent in the UK (Renwick and Vowles 2019).

That leads on to the final element of the Electoral Commission's public opinion research that demands our attention, relating to public satisfaction with the information available to them during the campaign. The survey question here related to all information and advertising, not just the Commission's own materials, so it provides an indication of the perceived quality of the campaign discourse as a whole. Figure 8.4 reports the findings. Twenty-one per cent of respondents were dissatisfied or very dissatisfied, while 46 per cent were satisfied or very satisfied.

Figure 8.4. Public satisfaction with information in the New Zealand voting system referendum, 2011 (%)

Very dissatisfied	Dissatisfied
Neither satisfied nor dissatisfied	Satisfied
Very satisfied	Don't know
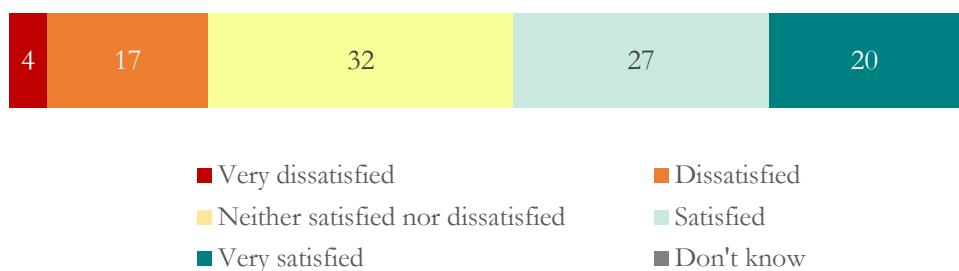
Source: Binnie (2012: 45)

It is difficult to know exactly what to make of these figures without a point of comparison. In line with our discussion above, we might seek to draw comparisons with the UK's referendum on the same topic in the same year, but we have found no sufficiently comparable survey evidence. We can, however, look at the 2016 Brexit referendum, where 52 per cent of survey respondents disagreed with the statement that 'The conduct of the referendum was fair and balanced' while

only 34 per cent agreed. Those who disagreed generally did so because they thought that the campaign was unbalanced or that information was inaccurate or misleading (UK Electoral Commission 2016b: 47–8). The issue of comparability is problematic even here, but the evidence tends to suggest that UK voters were less satisfied with information during the campaign period than were their New Zealand counterparts.

Again, it would be impossible with the available evidence to demonstrate conclusively a causal connection from the work of the New Zealand Electoral Commission to the quality of campaign discourse overall. For example, the limited role of politicians during the 2011 campaign might have reduced the frequency of disingenuous communication. It would be surprising, however, if there had been no effect. And our interviewees – both those involved in the Electoral Commission's work and those not involved – agreed that the provision of accurate, balanced, extensive, and readily accessible information was clearly worth while.

Concluding Remarks on New Zealand

New Zealand has developed a highly successful model of impartial information provision during referendum campaigns. That model was introduced in 1992 and has been applied with only very minor modifications at each government-sponsored referendum since then. An independent public body is charged with developing an information campaign, which is ambitious in stretching all the way up our ladder of information. That campaign is very well funded, which is explicitly intended to ensure that it can compete for attention with campaigners on either side of the debate.

There is no significant opposition in New Zealand to information provision of this kind. It is now simply taken for granted on all sides that voters should be able to access authoritative independent information on the referendum options and their likely effects. It clearly had not occurred to many of our interviewees that anyone might take a different view. All the evidence that we have suggests that the information campaigns have positive effects.

Still, our New Zealand evidence also highlights a need for caution. Our interviewees were enthusiastic about what has been achieved during referendum campaigns in New Zealand in recent decades. But they doubted whether this could be transferred to any context. We pick this up in the final section of the chapter, drawing out lessons for the UK.

Lessons for the UK

We draw five key conclusions from the case studies in this chapter. The first is that, at least in some circumstances, neutral public information provision can have positive effects on information and discourse during referendum campaigns. We have found no criticism at all of this basic principle in either Ireland or New Zealand. Certainly, the scale of these effects may sometimes be questioned, and it may vary from case to case. But in both countries, across referendums that range very widely in their subject matter and contentiousness, the provision of at least some information has been found to provide a solid bedrock on which debate can proceed.

Second, the content of such public information should ideally resemble that offered in New Zealand in 2011. We have argued throughout this report that quality information should be

accurate, balanced, accessible, and relevant. The information provided since 2001 by Referendum Commissions in Ireland – information focusing on the direct legal effects of the proposed changes – scores well on the first two of these criteria, but often falls short on the third and fourth. The approach taken in Ireland between 1995 and 2001, in which pros and cons of each option were listed, may go further in ensuring information is relevant, but risks confusing voters and undermining the perceived neutrality of the information provider. By contrast, the New Zealand approach aims to enable voters to reach their own judgements, based on their own sense of what matters. Voters are given basic information about the options themselves. They are encouraged to think about what matters to them in choosing among these options, and a range of possible criteria are suggested. Evidence is given as to how each option measures up against these criteria. And a toolkit, akin to a VAA, is provided to enable voters to see which options are more or less compatible with their own preferences. In Chapter 1, we proposed a six-step ladder of information provision. The model of referendum information provision followed in New Zealand is unique in reaching to the very top of this ladder.

Third, if such information is to be provided, it needs to be layered. Some voters will want extensive information, and they should, so far as possible, be assisted in finding this. But others will want much less information, and they may find it confusing or off-putting to be confronted with large amounts of material that does not interest them. The layered approach adopted in both countries – providing basic information as an entry point for all and including routes to more information for those who want it – is therefore important.

Fourth, a number of features in the design of an information campaign can contribute to its success or failure. In both countries, we repeatedly saw an emphasis on mechanisms for enabling trust. Those responsible for a neutral public information campaign must be respected as genuinely impartial. Where institutional reputations have not yet developed, the reputations of the individuals involved can help plug the gap. Respected 'brands' – such as 'Orange Guy' in New Zealand – can be utilised. Beyond trust, the neutrality of an independent oversight board must be combined with relevant expertise: both in the content of the referendum issue and in practices of communication and public education. And approaches to information provision need to evolve in response to the rapidly changing communications environment, particularly, at present, by utilising a variety of established and emerging social media channels.

Finally, as we have seen repeatedly throughout this report, the success of an information campaign depends not only on design, but also on context. Two contextual factors appear particularly important:

- First, the media in both Ireland and New Zealand are not very partisan: neutrality is required among broadcasters; and newspapers do not strongly align with any one side. Rather, there is a strong attachment to seeking truth. Newspapers are, for the most part, not campaigners, but rather remain mediators between campaigners and the public.

- Second, ambitious information provision is easier when the stakes are lower. Notably, New Zealand's 2011 referendum was on a low-salience issue for most voters, and politicians kept largely out of the debate. It took place in the wake of the two major Christchurch earthquakes of September 2010 and February 2011, which had dominated the country's

attention. Furthermore, it followed just weeks after New Zealand hosted the Rugby World Cup, and it was held simultaneously with a general election. In consequence, the referendum received only limited attention (Nigel Roberts, private correspondence, 23 January 2019). As noted above, those who organised the information campaign for that referendum expressed doubts to us as to whether they could have been so ambitious had the vote been on a more contentious topic. By contrast, the Irish Referendum Commission was particularly cautious for the high-salience abortion referendum of May 2018.

As we draw lessons for the UK, a key question is clearly whether we can expect similar conditions to be replicated here. That appears unlikely. First, large parts of the media are 'hyper-partisan' and may be more likely to propagate misinformation from campaigners than to call those campaigners out. Furthermore, the rise of the internet, including social media, creates additional pressures. While no one can predict how the media will evolve over time, we certainly cannot presume a benign environment for reasoned discussion. Second, as explained above, few referendums in the UK are likely to be on such low-salience topics as some have been in both Ireland and New Zealand. Even the 2011 AV referendum, though it hardly set many voters on fire, at least provoked lively political debate.

This suggests that it would not be possible – even of the political will existed – simply to replicate the New Zealand model of information provision the next time a referendum is called in the UK: voters, campaigners, and commentators are unfamiliar with this approach (though many voters do say they want it); established institutions that are trusted in performing such a role do not exist; the media environment is likely to be hostile; and the topic is likely to be highly contentious.

Rather, if the UK is to benefit from successful impartial public information provision during referendum campaigns in the future, it will be necessary to find ways of tempering these dangers. That might be done in part through the design of any future information provision and in part through gradual processes of shifting the background conditions.

Regarding the first of these points, information provision might initially be modest in its depth and extended further only as confidence in the system increased. In addition, as in previous chapters, considerable attention needs to be given to who provides that information. The Electoral Commission has clearly indicated its desire not to take on a wider information role than it has at present. The BBC, as the country's most respected large-scale information provider, might adopt a more proactive approach, though it too may be reluctant. As mentioned earlier in the chapter, academics, such as those belonging in 2016 to the UK in a Changing Europe programme, have sought to provide impartial expert advice, and it would be possible to expand such work. Yet the provision of quality impartial information is particularly difficult in the context of a referendum campaign: attention is narrowed down to a single, typically binary question, meaning that debates over the accuracy of specific claims can become highly politicised and emotive. While academics and other experts may seek an enhanced role, their very expertise may mean that they have developed views in one direction or another on the referendum question and are therefore not best suited to heading a high-profile impartial campaign. Rather, it may be better if such people work within a structure headed by professionals whose expertise lies specifically in preserving impartiality.

These are important points, and we will return to them in Part 5 of the report. There we also examine the second issue highlighted above, of whether it would be possible to shift the UK's broader political culture in a direction that might be more favourable to the delivery of an impartial referendum information campaign.

Conclusion to Part 3

This part of the report has examined strategies for promoting quality information during election and referendum campaigns. We have explored four approaches: giving easy access to basic information on how people can vote and what the options are; developing Voting Advice Applications (VAAs) to help voters reflect on their own preferences and see how these relate to the positions of parties and candidates; providing analyses of parties' policies and manifesto commitments; and offering deep information on the options available in referendums.

We have found examples in which all such forms of information provision work very effectively. These examples all provide positive lessons from which the UK ought to learn.

At the same time, we have also repeatedly highlighted concerns about the applicability of these approaches to the UK. Three such concerns recur through the four chapters.

The first relates to which body or bodies would be best suited to providing detailed, high-quality, impartial information. Should it be an independent public body such as the Electoral Commission, the OBR, or another organisation specifically tasked with information provision? Should it be a public service broadcaster, such as the BBC? Should it be an academic organisation, such as the Institute for Fiscal Studies or the UK in a Changing Europe? Should it be a civil society organisation or set of such organisations, such as those that have to date provided Voting Advice Applications in the UK? Intervention by a public body may lack sufficient legitimacy. But action by any other body may struggle for resources and find it harder to gain traction.

The second concern focuses on the extent of the information that is provided. It is easier to maintain both the reality and the perception of accuracy and impartiality where information is relatively simple and uncontroversial. But such information may not address all of the issues that matter to voters and therefore fail to pass our test of relevance. Deeper information that addresses controversial matters and extends to the upper reaches of our information ladder is likely to be more useful to voters, but it makes higher demands of trust and legitimacy if it is to be accepted as accurate and impartial.

The third concern underpins the first two: the UK's media and political culture is particularly adversarial, and organisations seeking to provide genuinely impartial information are particularly vulnerable to attack by those who find the materials that they produce inconvenient. If this cannot be addressed, the degree to which any information campaign will be able to achieve its goals risks being more limited than in most other democracies.

We have suggested in the conclusions to the chapters of this part of the report that a gradualist approach to the development of stronger information provision may be one method for overcoming these concerns. Another may be to engage citizens more actively in the processes of generating information. This latter point takes us into strategies for promoting quality discussion among citizens, which Part 4 of our report examines in detail.

Part 4: Promoting Quality Discussion

We identified a number of ways in Part 3 in which the quality of information during election and referendum campaigns could be improved. Many of these are already being employed to a degree in the UK and could be developed further. Others would be more innovative.

Still, there are at least two important limits to what can be achieved through the strategies that we have described so far. First, those processes generally have a top-down character: information is handed down to voters from official bodies, experts, and others in privileged positions. In a world of scepticism or even cynicism towards those in authority, some voters may be reluctant to give credence to such information. It may be easy for campaigners for whom the content of this information is unhelpful to discredit it by attacking those who provide it as partisan, out of touch, or self-serving.

Second, the strategies examined so far relate only to information. While quality information may facilitate and stimulate quality discussion, it does not generate such discussion in itself. Yet, if the discourse of democratic politics is to be significantly improved, we must attend to how we listen to and speak with each other, not merely to the information we receive from others.

Our final set of strategies seeks to address these gaps by focusing directly on the quality of discussion among citizens. Such discussion is valuable in itself as an inherent part of what democratic societies do. It also provides information of a different kind from the strategies above: information generated by and directly relating to the concerns of ordinary citizens.

Strategies designed to foster quality discussion might focus on either of two scales: on creating opportunities for discussion among the public at large; or on enabling quality deliberation within so-called 'deliberative mini-publics' – small, representative groups of citizens, the results of whose deliberations are then disseminated to the population in general.

Several ways of engendering quality discussion of the first type have been proposed or attempted. Perhaps the most ambitious proposal is for a so-called 'deliberation day', set out by the political theorists Bruce Ackerman and James Fishkin in a 2004 book of the same name (Ackerman and Fishkin 2004). This would be a public holiday two weeks before each general election (the authors described it in relation to an American presidential election, but it could be adapted to fit elections in the UK or elsewhere too). Everyone would be invited to take part in a day of discussions at a local venue, and they would be paid for participating. The day would begin with everyone watching a national live televised debate on key issues selected through a prior public process. Then people would discuss this in small groups of fifteen, agreeing further questions that they would like to ask. Following this, the people at each venue – around 500 in total – would assemble and put their questions to local party representatives. All of that would take place in the morning. The afternoon would see a further round of exploration of issues in small groups and consideration of questions

raised in venue-wide assemblies. The day would conclude at 5pm (for full details of the proposed programme, see Ackerman and Fishkin 2004: 17–39).

Ackerman and Fishkin have high ambitions for what could be achieved through a process such as this. They say:

> If Deliberation Day succeeded, everything else would change: the candidates, the media, the activists, the interest groups, the spin doctors, the advertisers, the pollsters, the fund raisers, the lobbyists, and the political parties. All would have no choice but to adapt to a more attentive and informed public. When the election arrived, the people would speak with a better chance of knowing what they wanted and which candidates were more likely to pursue the popular mandate. (Ackerman and Fishkin 2004: 1)

We have a great deal of sympathy for these authors' ideas, and we think they deserve to be taken seriously. At the same time, they would clearly also involve enormous change, and they would be very expensive to implement. There appears no prospect that anything on this scale might come to pass in the short term. More modest proposals that may start to build support for the idea of such large-scale deliberative interventions are a more viable starting point.

That does not mean that attempts to develop mass-level discussions need to be abandoned: considerably less ambitious versions of this approach are possible. For the 2016 referendum on EU membership, the Electoral Reform Society, in collaboration with several universities, developed 'A Better Referendum' – a toolkit that was designed to help local groups run events to discuss the referendum issues. This included instructions on how to plan, publicise, and run the event, along with videos giving information on key issues for discussion (Electoral Reform Society 2016). According to the Electoral Reform Society:

> In their own meet-ups, voters picked the issues they wanted to discuss with the time they had available, and the site took them through the facts with the academics, and then the arguments of both campaigns, with time for discussion and deliberation (and tea). The aim was to create a platform for informed and vibrant deliberation. A Better Referendum gave citizens the information and arguments on the issues they wanted to discuss – picking from Social Policy, Migration and Work, Crime and Security, Regions and Nations, and Economic Impact – and then the time to come to their own conclusions in discussion with each other. (Brett 2016: 34–5)

Initiatives such as this can be valuable. But they also have limits. Without a broader culture change, people's willingness to organise or participate in meetings such as these is likely to be constrained: the Electoral Reform Society reports that only around 500 people attended events based on the 'Better Referendum' tool in 2016 (Brett 2016: 35). Furthermore, the people who do choose to participate will never be representative of the wider population, and are often likely to be people who are already engaged in political discussions anyway. And if meetings are organised by specific local groups, there is a danger that people end up discussing the issues only with others who are rather similar to themselves. In extremis, discussion within homogeneous groups can foster polarisation and hinder efforts to develop greater understanding of diverse perspectives across the community (Sunstein 2002). The basic difficulty is that, without the large-scale resources envisaged

by Ackerman and Fishkin in *Deliberation Day*, promoting quality deliberation on a mass level is hard.

For these reasons, we focus here on the alternative approach: strategies for fostering deliberation within 'mini-publics' and then disseminating the results more broadly. Two versions of this approach have been implemented, and we examine them in depth in the two chapters that follow:

- Chapter 9 examines the use of deliberative mini-publics to set the agenda of a referendum. Under this approach, a group of randomly selected citizens is recruited to examine an issue in depth. It meets over a number of weekends, during which its members reflect on their own views, listen to each other, discuss with experts and others with relevant experience, deliberate in depth, and produce recommendations. These recommendations then shape (more or less directly) decisions on whether to hold a referendum and, if so, what the option or options on the ballot paper will be.

- Chapter 10 turns to the use of deliberative mini-publics to frame the debate during an election or referendum campaign. The deliberative mini-public takes the same form as in the preceding case, but this time meets around the start of the campaign period. It considers the key issues at stake in the vote and issues a statement of its perceptions of them. This is then disseminated among voters, allowing them to see what a group of their fellow citizens think, having had the chance to hear the arguments and consider them in depth.

The first of these strategies relates specifically to referendums: it is a step in the process of working out the parameters of a vote on a specific policy issue. It has been deployed most prominently in Canada and Ireland, and Chapter 9 therefore focuses on these two cases. The second strategy could in principle be applied during either elections or referendums, but has so far been used only in relation to referendums. The most prominent case is in Oregon, and Chapter 10 examines experience there.

Chapter 9. Citizen Deliberation: Setting the Agenda

This chapter examines the idea that information and discourse during campaign periods could be enhanced by building an extra, prior stage into the policy-making process, during which a small but representative sample of citizens gather to deliberate on the issues and make recommendations. For our purposes in this report, this approach is specific to referendums – where a particular policy choice or set of policy choices is put before voters – and would not be suitable for extension to elections.

Advocates of introducing such 'deliberative mini-publics' hope that doing so may achieve three primary things. First, it may help to ensure that the options put to voters are the product of careful consideration and reflect voters' own priorities. Second, by ensuring that quality discussion takes place at the beginning of the process, in which the arguments on all sides are aired and carefully assessed, it may increase the likelihood of informed, considered discussion during the campaign period as well. Third, because information is generated and assessed by ordinary citizens, it may be given greater credence than the 'top-down' information that we have discussed in preceding chapters.

This approach has been put into effect in several countries through the use of so-called 'citizens' assemblies'. A citizens' assembly is a group of around 50 to 200 members of the public who are chosen at random from the wider population, using stratification to ensure they are as representative as possible. The members of the assembly meet over a number of weekends – ranging from two weekends in some cases to twelve or more in others. They reflect on their own priorities and listen to the views of their fellow members. They hear from experts and others with relevant experience and perspectives, with whom they can discuss their questions in depth. They deliberate together on the options that are available. Finally, they reach conclusions, including recommendations as to the course that should be taken.

The primary cases of using citizens' assemblies to develop proposals for referendums come from Canada and Ireland. The first citizens' assembly took place in the Canadian province of British Columbia in 2004; its recommendations were subsequently voted on at referendums in 2005 and 2009. This was followed by a citizens' assembly in Ontario in 2006–7, which led to a referendum later in 2007. A similar assembly was also held in the Netherlands in 2006, but no referendum followed. All three of these cases focused on electoral reform; they are discussed in depth in Fournier et al. (2011). The story of citizens' assemblies moved to Ireland in 2011, when an independent group led by academics established a citizens' assembly as part of a democratic engagement initiative called *We the Citizens*. This contributed to the establishment of two subsequent official citizens' assemblies: the Convention on the Constitution of 2012–14 and the Citizens' Assembly of 2016–18. Each of these examined a series of topics, making a range of recommendations on each. To date, four of these bodies' sets of recommendations – relating to same-sex marriage, the minimum age for candidacy in presidential elections, abortion, and blasphemy – have led to referendums.

We begin this chapter by outlining current practice in the UK. The chapter then focuses, in turn, on these Canadian and Irish cases. As in previous chapters, we describe each case and then evaluate it in terms of operability, perceptions, and impact:

- **Operability:** We look at the degree to which the work of the citizens' assemblies in themselves embodied the features of quality information and quality discussion that we have set out. We look particularly at the accuracy and depth of assembly members' understanding of the issues on their agendas and at whether different viewpoints were appropriately balanced. We also touch upon the criteria of accessibility and relevance. And we consider the degree to which the assembly discussions were inclusive and open-minded, and enabled bridging between different perspectives.

- **Perceptions:** We look here particularly at how the citizens' assemblies were seen by politicians and how they were portrayed in the media.

- **Impact:** We examine the degree to which citizens' assemblies have impacted wider debates during referendum campaigns. As we noted in the introduction to Part 4, given that citizens' assemblies directly involve only tiny numbers of people, their value comes mainly from their influence outside the walls of the assembly meeting room. We assess the degree to which debates during referendum campaigns have been influenced by citizens' assemblies, and whether there is evidence that voters' opinions have shifted as a result.

Existing scholarly literature is richer on these cases than on many of those that we have examined in past chapters. We therefore rely on that literature much more heavily here.

We conclude the chapter by drawing out lessons for the UK regarding the potential value of this strategy for strengthening discourse. We conclude that there is strong reason for viewing this approach very positively, but also for proceeding with some caution.

Existing Practice in the UK

Before beginning our detailed examination of the Canadian and Irish cases, we briefly outline existing practice in the UK in two respects. First, we look at the processes that have preceded past referendums for deciding what the options are and whether a referendum should be held to decide between them. Second, we set out the UK's experience to date of citizens' assemblies.

In several cases, decisions to hold referendums in the UK have been made with no careful prior deliberation regarding the issue at hand. Rather, the referendum has been used as a political fix for extracting those in power from a difficult position. This was most famously true of the 2016 Brexit referendum, which was announced by David Cameron in his Bloomberg speech of January 2013. Cameron did not propose the vote because he wanted Brexit or because he wanted a national debate on this issue. Rather, he wanted, in the short term, to quell dissent on his backbenches and curtail the rise of the UK Independence Party (UKIP); in the longer term, he hoped to put the question of the UK's EU membership to bed (Fisher and Renwick 2018: 592–3). Having said he wanted a referendum, Cameron did acknowledge the need for a process to clarify exactly what the options would be. But this involved simply a negotiation between the UK government and the EU of the UK's future EU membership terms; he made no suggestion that there should be any

inclusive discussion of what kind of relationship with the EU voters in the UK wanted (Cameron 2013).

Several other referendums have had similarly political origins. Speaking in 1970, future Prime Minister James Callaghan referred to the idea of a referendum on membership of what was then known as the European Community as 'a rubber life-raft into which the whole party may one day have to climb' (Butler and Kitzinger 1976: 12), and it was to hold together the party's warring factions that a referendum (following renegotiations, as in 2016) was promised in Labour's February 1974 manifesto (Butler and Kitzinger 1976: 17–20). The 1979 referendums on establishing Scottish and Welsh assemblies came about not because the government wanted them – it intended to proceed with devolution without a public vote – but because calling them was the only way to get the legislation past backbench rebels in parliament (Bogdanor 2009: 187). The 2011 referendum on the voting system for elections to the House of Commons was the product of dealing between the partners in the then coalition government. The Alternative Vote system was the preference of neither partner (though, ironically, a referendum on it had been in Labour's manifesto – Labour Party 2010: 9:3), never mind the product of considered discussion among voters.

Other referendums in the UK have followed more detailed discussions of alternatives. The structure of devolution put to voters in Scotland in 1997 was closely modelled on the proposals of the Scottish Constitutional Convention, which gathered Labour and Liberal Democrat politicians (the Conservatives and Scottish National Party declined to take part) with representatives of civil society and operated intermittently between 1989 and 1995 (Renwick 2014: 48–54). The 1998 referendum on the status and governance of Northern Ireland followed years of cross-party talks (Mitchell 1999; Powell 2008). The referendum on further devolution of powers to Wales in 2011 built on the recommendations of an independent commission – though even here the decision to make the changes subject to a public vote came from the need to smooth over disagreements within the Welsh Labour Party (Scully and Wyn Jones 2012: 24–7). Still, in none of these cases were ordinary members of the public brought directly into the process of examining the options: none approached the model of the citizens' assembly.

The 2014 referendum on Scottish independence, finally, occupied a middle ground between these two sets of referendums. The idea of holding such a vote had been long discussed, and a referendum was widely accepted as the only mechanism through which such a momentous decision could be taken: this was certainly not a 'quick fix' ballot. Nevertheless, there was no open or cross-party process of scrutinising the options and developing a detailed proposal to put to voters. The Scottish government issued a 650-page white paper setting out its vision of independence (Scottish Government 2013). But the partisan origins of this publication meant it could easily be dismissed by opponents of independence as unrealistic.

There is thus no experience in the UK of bringing the public directly into pre-referendum deliberations about what the issues and options are and whether a referendum is in fact the best mechanism for deciding them.

That is not to say, however, that citizens' assemblies and other forms of deliberative mini-publics are unknown in the UK. There is a relatively long history of small citizens' juries, which have been used, for example, for exploring policy issues within the NHS and local government (Delap 2001;

Davies, Wetherell, and Barnett 2006; Davidson and Elstub 2014). More recently, somewhat larger citizens' assemblies have gained in prominence. The first were two regional assemblies in South Yorkshire and the Solent region in 2015, focusing on devolution proposals (Flinders et al. 2016). The Citizens' Assembly on Brexit – led by the Constitution Unit – followed in 2017 (Renwick et al. 2017). The UK's first officially sponsored citizens' assembly took place in spring 2018, when two parliamentary select committees established the Citizens' Assembly on Social Care to support their inquiry into future funding options (Citizens' Assembly on Social Care 2018). Autumn 2018 saw the gathering of a Citizens' Assembly for Northern Ireland, which also explored aspects of social care provision (Citizens' Assembly for Northern Ireland 2019).

These citizens' assemblies have repeatedly shown the efficacy of the model within the context of the UK. It is possible to gather a group of people who reflect the diverse make-up of the population. These people engage effectively with each other and reach coherent conclusions that make sense given the priorities that they have expressed. The members report very high satisfaction with and confidence in the process (see e.g., Renwick et al. 2017: 62–75; Citizens' Assembly on Social Care 2018: 7 and 24). The conclusions of the Citizens' Assembly on Social Care were reflected extensively in the subsequent report of the parliamentary committees that had sponsored it (House of Commons Health and Social Care and Housing, Communities and Local Government Committees 2018). The chair of one of those committees, the MP Clive Betts, commented, 'The views of those that took part in our Citizens' Assembly have been vital in informing our thinking and the model also provides a possible route for further public engagement and building the support that any reforms will need' (Involve 2018).

These positive experiences have been reflected in an upsurge in interest in citizens' assemblies in the weeks and months before this report was published. Proposals for such an assembly to address the impasse on Brexit were made by MPs (e.g., Nandy and Creasy 2019), by the *Guardian* newspaper (*Guardian* 2019), and by former Prime Minister Gordon Brown (Brown 2019). A summary and analysis of these proposals is available at Renwick (2019). These interventions point to a strong and widespread interest in finding ways to discuss politics differently.

We consider possibilities for the UK further at the end of the chapter. Before that, we explore the experiences in our two cases: Canada and Ireland.

Canada: Citizens' Assemblies in British Columbia and Ontario

Canada was the trailblazer for using citizens' assemblies as precursors to referendums, and so it is there that we begin. We first describe how the two citizens' assemblies – in British Columbia and Ontario – came about and operated, before analysing their effectiveness in terms of our criteria.

History and Functioning of Canada's Citizens' Assemblies

Both of the Canadian citizens' assemblies focused on electoral reform. That in British Columbia followed two provincial elections with problematic results: in 1996, the Liberal Party gained most votes, but the New Democratic Party (NDP) secured more seats; then, in 2000, the Liberal Party

secured all but two of the seats on 58 per cent of the vote. Following the first of these results, 'Liberal leader Gordon Campbell promised to establish a "citizens' assembly" to assess the electoral system as part of a package of political reforms' (Warren and Pearse 2008: 9). He delivered on this after coming to power.

The British Columbia Citizens' Assembly on Electoral Reform (BCCA) comprised 161 members: a woman and a man from each of the province's 79 districts ('ridings'), plus two Aboriginal members who were added when it became apparent that British Columbia's indigenous peoples would otherwise be insufficiently represented, plus an independent chair appointed by the government. Just over 23,000 randomly selected citizens were initially invited to say whether they would be interested in taking part. The 1,715 who responded positively were invited to attend one of a series of meetings, where the work of being a member was described. Participants were asked to indicate at the end of the meeting whether they still wanted their names to go forward, and the majority said that they did. Assembly members were then selected by lot from among these people. Besides stratifying by gender and locality, measures were taken to ensure a broad spread of ages (BCCA 2004a: 31–40).

The Assembly's work had three phases. During the *learning phase*, which spanned six weekends in early 2004, members learnt about and discussed the Assembly itself, the role of elections, and options for the electoral system (BCCA 2004a: 65–70). In the *public hearings phase*, from May to June, members attended local public meetings; members of the public could give presentations, and the Assembly members and anyone else present could then ask them questions. There were 50 meetings in total, and 363 presentations (BCCA 2004a: 71–7; Pearse 2008: 77–81). Written submissions were also invited, and 1,603 were received (BCCA 2004a: 80). Finally, in the *deliberation phase* between September and November 2004, the Assembly gathered in plenary for six further weekends to explore the options and reach conclusions (BCCA 2004a: 89–94).

The British Columbia Citizens' Assembly decided by a majority of 142 members to 11 to propose a new electoral system (a form of the Single Transferable Vote, or STV) over the status quo. In a twenty-page report, it explained the process through which it had reached this recommendation and set out its reasoning (BCCA 2004b). Legislation passed while the Assembly was operating committed the government to putting any proposals for change to a referendum (British Columbia Electoral Reform Referendum Act 2004, section 10). This took place in May 2005. Though 58 per cent of those voting supported the change, this fell short of the 60 per cent threshold that had been set. Given the tight result, the referendum was repeated in 2009. But by then the wind was no longer in the sails of change, and the reform received the backing of only 39 per cent of voters (Fournier et al. 2011: 8).

Turning to Ontario, the reasons for contemplating electoral reform were weaker than in British Columbia. But the existing First Past the Post system had allowed several governments in the 1990s to implement radical reforms on only a minority of the votes cast, and the issue of the electoral system was therefore on the agenda (LeDuc 2009: 26). Following the British Columbia model, the Liberal government elected in 2003 chose to establish a citizens' assembly to make proposals.

The Ontario Citizens' Assembly was very similar to its predecessor. It comprised 103 randomly selected members – one from each riding – plus a chair appointed by the government. As in British

Columbia, gender balance was built into the design. The process of random selection was tilted to facilitate a representative age distribution, and the regulation establishing the Assembly required that there be at least one Aboriginal member. Over 120,000 people received invitation letters, of whom just over 7,000 responded positively (OCA 2007a: 42–8). The Assembly's work comprised the same three phases as in British Columbia (this time labelled *learning*, *consultation*, and *deliberation*), again spanning twelve plenary weekends in total as well as several dozen local meetings (OCA 2007a: 55–138).

As in British Columbia, the Ontario Citizens' Assembly proposed reform: it favoured a proportional electoral system called Mixed-Member Proportional (MMP). Its thirty-page report explained this system, set out the case for it, and described the Assembly's work (OCA 2007b). This was put to voters at a referendum in October 2007, but only 37 per cent of those taking part backed the change (LeDuc 2009: 37).

Both Canadian citizens' assemblies were thus substantial exercises in deliberative democracy, encompassing over 100 members each and extending over many months. To achieve this, both assemblies were well resourced, each having a budget of over US$4 million (Participedia 2018; Institute on Governance 2007: 22).

Operability

As the descriptions above suggest, during the processes of selecting the members of the Canadian citizens' assemblies, much effort was devoted to ensuring that participants were broadly representative of their respective provincial populations. Such representativeness is intrinsic to what our criterion of balance means in the context of a citizens' assembly: is the diversity of perspectives within society reflected in the microcosm that is the 'mini-public'? It is therefore sensible for us to begin our analysis of the operability of the citizens' assemblies here. We can break balance down into two parts: the composition of the citizens' assemblies; and their operation.

In terms of composition, as explained above, each assembly was designed to ensure gender balance and an equitable distribution of members across the province. Representativeness was also actively sought in terms of age and ethnicity. In addition, members were paid an honorarium for each weekend they attended to enable those on low incomes to take part and attract those who were not already interested in the subject matter (Renwick and Hazell 2017: 54).

In fact, as Figure 9.1 shows, both assemblies did broadly reflect their respective provincial age profiles. Ethnic representation, however, proved more problematic, at least in British Columbia (we do not have comparable evidence from Ontario).

Figure 9.1. Compositions of the Canadian citizens' assemblies and provincial populations

(a) British Columbia
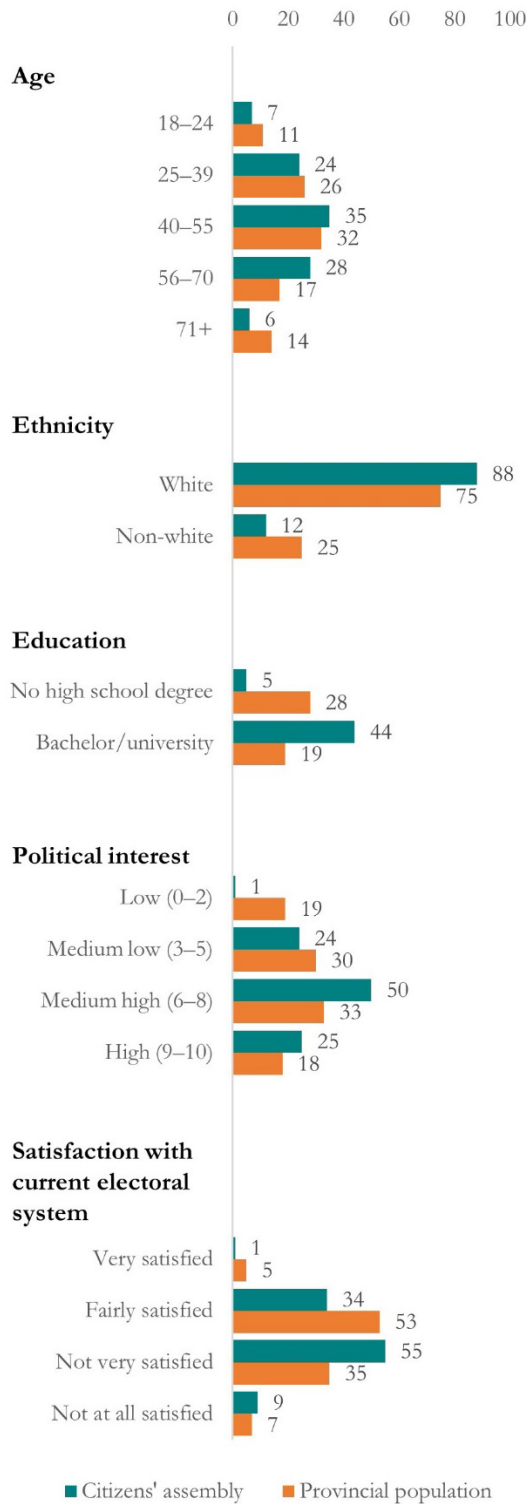
(b) Ontario
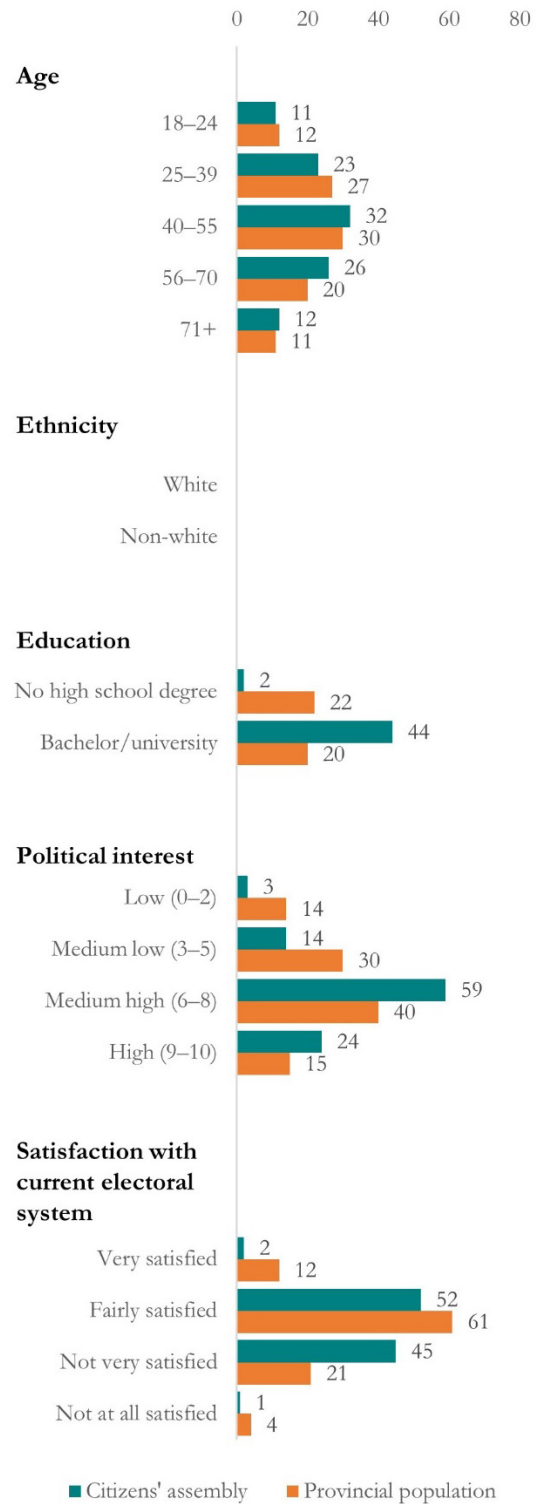
Sources: For data on ethnicity: James (2008: 112; for all other data: Fournier et al. (2011: 55, 57, 59).

Notwithstanding both random selection and stratification, some have expressed concern about the degree to which the citizens' assemblies really represented the population at large. LeDuc quotes one journalist who characterised the Ontario assembly as being 'comprised mostly of retirees, part-time workers, students, homemakers and computer nerds looking for some excitement in their humdrum lives…' (2009: 36). Less polemically, the political philosopher Dennis Thompson speculates: 'there may have been some unintended bias in the selection of members. Those who were content with the status quo were probably less likely to want to participate in this project' (2008: 34). Both of these quotations express a worry that, even if perfect representativeness were achieved in terms of standard demographic criteria, still a citizens' assembly may struggle for representativeness in a deeper sense: those who accept the invitation to participate are likely to be more interested in the subject or more engaged politically or less burdened with other responsibilities than those who decline.

The evidence set out in Figure 9.1 does somewhat back this up. First, the assembly members had completed much more formal education than had the wider populations: in both assemblies 44 per cent of members had a degree, compared with population proportions of 19 per cent (British Columbia) and 20 per cent (Ontario). Second, the assembly members were more politically engaged: just one per cent of members in British Columbia and three percent in Ontario professed low levels of political interest, contrasting with population shares, respectively, of 19 per cent and 14 per cent. Third, as Thompson suspected, assembly members were disproportionately likely to disapprove of the existing electoral system: 64 per cent in British Columbia and 46 per cent in Ontario were 'not very satisfied' or 'not at all satisfied' with it, compared with 42 per cent and 25 per cent of the respective provincial populations. Whether more can be achieved to promote representativeness in a citizens' assembly is a theme that we return to below in discussing Ireland and in drawing out lessons for the UK.

As we noted above, the balance criterion in relation to citizens' assemblies has two parts: beyond an assembly's composition, it relates also to its proceedings. In relation to the latter, we can ask two principal questions. First, was there equality in participation and influence among members? Presence in the list of members is all very well, but if some are more active than others or have more influence than others, that could unbalance the process as a whole. Second, did the assembly organisers maintain impartiality throughout the assembly proceedings? If, for example, the choice of speakers, the way in which options were packaged, or remarks made by key figures – such as the chair or academic director – favoured one perspective over others, that would have harmed the ability of the assembly members to reach their own autonomous decisions.

One basic point in terms of participation is whether the members actually attended the assembly sessions. In Canada they did so at remarkably high levels. In Ontario, for example, average attendance across the twelve plenary weekends was an astonishing 102 out of a possible 104 (OCA 2007a: 137). This means there was no difference in attendance rates among different social groups within the assembly. Beyond this, the available evidence on participation is qualitative. Several authors show through interviews and observation that some members in both assemblies appear to have been particularly influential. Lang (2008: 96–8), for example, traces the impact of one member in British Columbia, called Wilf, who took on the role of advocate for the rural north of the province. Fournier et al. (2011: 97–9) offer examples from both assemblies, but nevertheless conclude: 'all the evidence at our disposal – the members' perceptions tapped in our surveys and

our own observations of the assemblies – indicates that no small group of individuals shaped the major recommendations' (Fournier et al. 2011: 99).

Regarding the potential for imbalance introduced by the organisers, great efforts were made to avoid this. In British Columbia, for example, the organisation of the Assembly was overseen by an all-party committee of the provincial legislature, which confirmed the appointments of senior staff members (BCCA 2004a: 23–5). In Ontario, organisers worked with an Academic Reference Group, which provided feedback on the proposed learning programme (OCA 2007a: 221).

Evidence on the efficacy of these efforts comes from the perceptions of assembly members themselves. Drawing on surveys of all members, Fournier et al. (2011: 102) find that 'only 7 per cent of the participants in the Ontario assembly and only 12 per cent in the British Columbia assembly said that the presentation of the options was somewhat or very biased'. Only 20 per cent of members in Ontario and 31 per cent in British Columbia said that staff had a preference among electoral systems – and, among these, 'there was no consensus about the nature of the preference' (Fournier et al. 2011: 102). Two separate projects involving in-depth interviews with assembly members in British Columbia reach the same conclusion: Ratner says 'most' members 'had little criticism of the objectivity of staff' (2008: 153); Lang finds that 'Assembly members interviewed felt that the staff did not give away a particular preference for any electoral system or overemphasize particular criteria for evaluating electoral systems' (2007: 56). Fournier et al. consider whether a range of more subliminal mechanisms of influence could have operated, but find evidence for none (2011: 102–4). They conclude:

> It is hard to believe that the experts had no influence at all, direct or indirect, on any of the issues that were considered. The fundamental question, however, is whether the experts had a substantial impact on the most crucial decision, that is, the choice of the electoral system. The evidence that we have been able to assemble suggests that answer is no. (Fournier et al. 2011: 104).

Canadian experience therefore gives good reason to think that, if a diverse cross-section of society can be brought into the room in a citizens' assembly, balanced discussion can be achieved during the proceedings themselves.

These findings in respect of balance have implications for several of our other criteria too. The inclusiveness of the assembly discussions was clearly high, though limited by the concerns above about educational backgrounds and levels of political interest. Furthermore, the design of each assembly ensured that conversation bridged across social and attitudinal divides: much of the work was done in small groups whose memberships were kept deliberately diverse. That the assemblies comprised ordinary members of the public, and drew upon extensive consultations with people across each province, should also have increased the likelihood that the issues they discussed were relevant to public concerns. Here again the skew towards politically engaged people who were sceptical of the electoral system status quo must temper that positive assessment, but does not reverse its direction.

We turn next to our accuracy criterion. In the context of discussions within a deliberative forum, we can combine this with the relevance criterion to consider the degree to which assembly

members developed a rich and accurate understanding of the issues before them, reflecting ordinary people's real concerns. Evidence on this comes from both inputs and outcomes.

In respect of inputs, it is clear from the preceding discussion that members of both Canadian citizens' assemblies had considerable time to develop rich understandings: in each case, six weekends were devoted to learning about the issues in hand and the options available; following the local consultations, six more weekends were spent deliberating and deciding. By way of example, Table 9.1 shows how that time was used in the Ontario case. If used well, such extensive time clearly creates scope for the development of understanding far beyond what most people can attain in the course of a normal election or referendum campaign.

That time was, indeed, structured very carefully. The programmes for each day alternated between plenary sessions and small-group discussions. During the former, members would listen to presentations: for example, by the assembly's academic director, explaining electoral system basics, or by external speakers, who talked about particular relevant issues. These speakers included many of the world's leading scholars in the field, who were flown in from the UK, the United States, New Zealand, and elsewhere. During small-group discussions, members could discuss among themselves what they had heard from speakers or formulate questions they wanted to put to speakers, or consider their own priorities and preferences. All small-group discussions were facilitated to ensure that discussion remained focused on the questions at hand and inclusive towards all points of view around the table. Beyond the sessions themselves, members also received extensive written resources, including copies of the leading textbook on electoral systems (namely, Farrell 2001).

The key question, of course, is whether these rich inputs delivered in terms of outcomes: did assembly members have a rich and accurate understanding of the issues before them? Thompson (2008: 35–7) examines this by quoting from the recordings of the assembly sessions themselves, highlighting examples in which members of the British Columbia Citizens' Assembly justified their views through sophisticated reasoning. More systematically, Fournier et al. (2011: 83–93) analyse survey responses by members of the two Canadian assemblies, as well as the Dutch assembly, to see the degree to which their preferences had coherent foundations. They find that members' preferences among different possible electoral systems were related to their underlying values: for example, they were more likely to support First Past the Post if they prioritised local representation and simplicity, more likely to back STV if they were hostile towards political parties, and more likely to endorse MMP if they emphasised representation of parties (Fournier et al. 2011: 83–4). All of these connections chime with what experts would say. The authors conclude: 'Overall, assembly preferences regarding electoral systems were not the product of haphazard reasoning or random guesses. Individual opinions were coherently linked with features of electoral systems and relevant values' (Fournier et al. 2011: 86).

We have looked so far at the nature of the assembly discussions, the quality of understanding of assembly members, and the degree to which the assemblies' conclusions were coherently grounded. The final element of the assemblies' formal work relates to the reports through which they communicated their conclusions to policy-makers and wider publics. To what extent did these meet our standards of information quality in terms of accuracy, balance, accessibility, and relevance?

Table 9.1. Schedule of the Ontario Citizens' Assembly on Electoral Reform

Learning Phase	
Weekend 1 (9–10 September 2006)	Introductions; discussion and agreement of rules of procedure and principles of working together; introduction to electoral systems; discussion of what elections should accomplish
Weekend 2 (30 Sept–1 Oct 2006)	Introduction to legislatures, parties, and the relationship between parties and electoral systems
Weekend 3 (14–15 October 2006)	Introduction to plurality and majority electoral systems and to Ontario's electoral system
Weekend 4 (28–9 October 2006)	Introduction to proportional electoral systems, STV, and mixed systems
Weekend 5 (11–12 November 2006)	Talks from and Q&As with experts on electoral systems; preliminary weighing of principles for choosing among electoral systems
Weekend 6 (25–6 November 2006)	Simulations of elections under different systems; reports from working groups exploring various issues
Consultation Phase	
November 2006 to January 2017	41 public meetings were held throughout Ontario, attended by almost 2,000 people and addressed by 501. In addition, over 1,000 written submissions were received.
Deliberation/Decision Phase	
Weekend 1 (17–18 February 2007)	Review of Consultation Phase; identifying objectives in designing electoral systems; selection of the first system to design (MMP)
Weekend 2 (3–4 March 2007)	Design of a working model for the first system (MMP); selection of a second system to design (STV)
Weekend 3 (17–18 March 2007)	Design of a working model for the second system (STV); design of outstanding aspects of the first system (MMP)
Weekend 4 (31 March–1 April 2007)	Further discussion of outstanding aspects of the design of MMP and STV systems; decision between these systems (in favour of MMP)
Weekend 5 (14–15 April 2007)	Weighing FPTP and MMP against each other; decision on recommendation (in favour of MMP); discussion of final report
Weekend 6 (28–9 April 2007)	Discussion of, and agreement, on the final report; discussion of next steps; presentation ceremony

Source: OCA (2007a).

Although both reports are freely available (BCCA 2004b; OCA 2007b), no such detailed analysis of their content has, to our knowledge been conducted, and we are cautious of imposing our own judgements. Given our discussions above of accuracy, balance, and relevance, it is reasonable to

expect that the reports did perform strongly in terms of these criteria, and we see nothing in them to doubt that. The reports are intended to advocate the assemblies' conclusions, and therefore do not present a non-judgemental discussion of different options. They do, however, present the results of balanced analysis of these options. So far as we have been able to see, they do so, accurately reflecting a variety of real-world evaluative criteria. In terms of accessibility, each assembly produced two reports: a detailed one including extensive information about the assembly's operation (BCCA 2004a; OCA 2007a) and a much shorter one focused mainly on recommendations (BCCA 2004b; OCA 2007b). In each province, the latter report was addressed both to the provincial government and to the people at large, was expressed in relatively simple language, and was professionally designed to engage as wide an audience as possible.

Of our seven criteria for judging the quality of information and discussion, the only one we have not yet mentioned is that relating to the open-mindedness of discussions: to what extent were members willing to listen to each other and to the perspectives of others and to change their own views if the balance of argument and evidence pointed that way? We are aware of no systematic analysis of this in Canada. Indeed, it is very difficult to measure. Such more impressionistic evidence as exists is, nevertheless, positive: Lang, for example, notes that assembly members in British Columbia 'worked to find common ground around which to structure their decision, and the majority of participants from urban areas made significant compromises to accommodate the needs of a vocal minority from rural areas' (2007: 62). We seek further evidence below when we look at Ireland and then draw out lessons for the UK.

Overall, as the preceding paragraphs show, expert evaluations of how the Canadian citizens' assemblies operated are very positive. The words of political philosopher Dennis Thompson sum this up:

> Anyone watching the sessions of the Assembly, reading the material distributed to members, and browsing through their discussions on the web is bound to be impressed with the seriousness with which the leaders, staff, and members approached their task. The quality of the deliberations was uneven, but it was significantly higher than skeptics and some sympathetic supporters had anticipated. (Thompson 2008: 30)

Perceptions

The Canadian citizens' assemblies operated well in themselves. As the other sections of this chapter illustrate, they were far from unique in that: so long as they are well resourced and well designed, citizens' assemblies and other similar deliberative mini-publics do consistently deliver high-quality, inclusive deliberation. But that is of only limited value in itself: only if the work of a citizens' assembly affects broader debates does it really fulfil its purpose. We discuss such wider impact directly in the following section. In this section we examine briefly the route to such impact: how such assemblies are perceived. If they are not seen as legitimate, they will not be taken seriously.

We have not found direct evidence of public opinion towards either assembly (though we draw on evidence regarding public awareness of the assembly processes in our discussion of impact

below). We therefore focus on opinion among politicians and commentators, as expressed in debates within the provincial legislatures and in the media.

Politicians' perceptions of the Canadian citizens' assemblies appear to have differed somewhat between British Columbia and Ontario. In the former, politicians from across the political spectrum gave strong support to the assembly's creation. The Prime Minister of the then Liberal government, Gordon Campbell, was unsurprisingly effusive in his praise, saying, 'It is by turning to the people and trusting the public that I believe we can re-establish the critical link between our democratic institutions and those that they are supposed to serve' (Legislative Assembly (British Columbia) Deb 2003a: 6357). The Leader of the Opposition, Joy MacPhail of the New Democratic Party (NDP), was no less supportive. In an early debate, she said, 'we fully support the Liberal government's decision to begin to map out how that public debate will be conducted, what a citizens' assembly might look and function like, and how it provides for a thorough examination of all electoral models before coming to a recommendation that suits B.C. best' (Legislative Assembly (British Columbia) Deb 2002: 3808). Indeed, she added, 'a citizens assembly might also be the forum where many other ills of our current system can be examined and remedies prescribed' (ibid.). She later described the British Columbia Citizens' Assembly as 'an excellent experiment in participatory democracy' (Legislative Assembly (British Columbia) Deb 2003b: 6910). We have found not found significant criticisms of the assembly in any of the debates.

In Ontario, we find more critical voices alongside those who were supportive. For example, Norman Sterling of the opposition Progressive Conservatives contended that a citizens' assembly could be 'captured by one or two individuals' (Legislative Assembly (Ontario) Deb 2005: §1650). He also suggested that the Ontario Citizens' Assembly was not adequately representative of voters (Legislative Assembly (Ontario) Deb 2007a: §1950) and that it was a creature of the Liberal government (Legislative Assembly (Ontario) Deb 2007b: §1410). There was criticism from the left too: the NDP's Peter Kormos, for example, asked a series of rhetorical questions:

> So what's this with citizens' juries? Is this a high-priced focus group? Is this a group that's going to be manipulated in terms of the input that's given to them so that they come up with the answers the government wants? Why aren't politicians prepared to stand up on principle, on the basis of what they advocated and what they stand for as members of a political party and when they run a campaign to get elected, and engage in the debate? What's this with passing the buck? This is democracy. Make it work. Don't pass the buck off to citizens' so-called juries. (Legislative Assembly (Ontario) Deb 2005: §1750)

The same difference in the balance of opinion between British Columbia and Ontario can be seen in the media. In the former, LeDuc finds 'at least 30 newspapers endorsing the STV proposal' (2009: 36). He adds: 'Not uncommonly, the rationale advanced for such support was that the Citizens' Assembly had recommended STV, thereby providing an important degree of legitimacy to the proposal.' In Ontario, by contrast, he concludes that 'almost the exact opposite mentality seemed to predominate' (LeDuc 2009: 36). Reviewing in detail the content of coverage in Ontario's three main newspapers, LeDuc et al. find, 'There were only three articles exclusively dedicated to explaining or discussing the Assembly process. Of the twenty nine articles which took note of the Assembly along with the electoral reform issue, only six could be considered positive' (2008: 35). One editorial in the *Globe and Mail* characterised the creation of a citizens' assembly as 'populist

pandering' and suggested that a 'small panel of experts' should have developed reform proposals instead (LeDuc 2009: 34). Fournier et al. (2011: 137) do not find newspaper coverage in Ontario to be quite as negative as LeDuc suggests: they find that articles adopting a positive tone towards the Ontario Citizens' Assembly outnumbered those with a negative tone by 24 per cent to 11 per cent (with the remainder not expressing a view). But this is still in marked contrast to British Columbia, where positive articles outnumbered negative by twenty per cent to just two per cent.

It is difficult to find substantive content in the Ontario media coverage that might indicate why attitudes were so negative: it appears that many of the province's journalists and commentators just never took the citizens' assembly process seriously. As LeDuc et al. put it, 'the convening of a Citizens' Assembly was an event so unique that it drew the interest of both American and European scholars, and yet the Ontario press was curiously indifferent or hostile' (2008: 35). Perhaps one reason lies in the attitudes of government. LeDuc (2009: 40) argues, 'Having created the Assembly, the Ontario government essentially abandoned and isolated it.' With no positive narrative from its creators, few journalists could see what the point of the citizens' assembly might be. This leads on, clearly, to the issue of the assemblies' wider impact.

Impact

In order to assess the wider impact of the citizens' assemblies on the quality of information and debate during the referendum campaigns in British Columbia and Ontario, we work through four steps. First, we look at the degree to which the citizens' assemblies were present in those debates. There are hints of that already in the section above on perceptions, but we analyse the evidence on degree of presence more thoroughly. Second, we gauge how aware members of the public in fact were of the citizens' assemblies. Third, we examine how awareness of the work of the citizens' assemblies affected voting patterns. This has been a significant focus for studies interested in understanding the determinants of the referendum outcomes. It is less central for us, but it nevertheless serves as a useful indicator. Finally, we look directly at the question of whether discourse during the campaign period was affected by the citizens' assemblies' work.

As noted above, the citizens' assemblies engaged in extensive public outreach during the course of their deliberations, holding dozens of local public meetings and advertising for written evidence submissions (Ward 2008). But this happened well before the referendums. What crucially matters is the degree to which information about the assemblies' work was disseminated during the referendum campaigns.

We have already seen that the government in Ontario did little to disseminate that work. LeDuc et al. (2008: 33) write:

> outside Internet access, the Citizens' Assembly proposal which explained how and why they arrived at the recommendation was made unavailable to the public by the government shortly after the campaign began. This sanctioned recommendation was not shared openly with the electorate when they would have been most likely to seek it out. This is a curious decision coming from the very government which had commissioned the Assembly, and the original printing of its recommendation in the first place. It was almost as if the

government distanced itself from the process at its most vulnerable point, leaving it in the hands of a relatively hostile press.

More was done in British Columbia: Ratner reports that a budget of CA$800,000 'was provided to inform voters on the Assembly's recommendation before the referendum' (2008: 145–6). The same author argues, however, that this was far from enough. In consequence, 'Assembly members were left to mobilize their own resources if they wanted to represent their motion to the voters. Approximately 100 of them became active ambassadors of the Assembly and its recommendation […] and made presentations to interested groups in their respective ridings' (Ratner 2008: 146).

In the absence of well-resourced information campaigns about the citizens' assemblies, the general public could become aware of their work only through the media. We have already seen that that media coverage was varied in its content: strongly positive in British Columbia, but more negative in Ontario. The volume of that coverage matters too. Here, different studies draw different conclusions. LeDuc et al. (2008: 36) find that it was greater in the first British Columbian referendum than in Ontario: 'In total the three major newspapers covering the Ontario referendum ran 124 articles or columns on the Assembly, the electoral reform issue, or the referendum, compared with 180 written by the Vancouver Sun alone during the British Columbia referendum process.' By contrast, Fournier et al. (2011: 137) find more articles in Ontario than in British Columbia dealing with the issue of electoral reform, though the proportion of these that mentioned the citizens' assembly was higher in British Columbia.

Our own analysis, summarised in Table 9.2, supports the view that coverage of the assembly was greater in British Columbia. We searched the Nexis newspaper archive for articles containing the word 'referendum' or the phrase 'citizens' assembly' in the 30 days preceding each referendum. We used the three newspapers with the highest circulations in each province (using 2008 data, from News Media Canada n.d.). We find that the citizens' assembly was mentioned in slightly more articles in British Columbia in 2005 than in Ontario in 2007 (though coverage fell substantially in 2009). The number of articles mentioning the assembly as a proportion of all articles mentioning the referendum was also highest in 2005. Furthermore, the final two rows of Table 9.2 show that the depth of coverage was greater in British Columbia in 2005 too: the average article mentioning the citizens' assembly referred to it 2.8 times there, compared to 1.8 times in Ontario in 2007 and 1.6 times in British Columbia in 2009.

Whether we should regard these levels of coverage as high or low is impossible to judge without a point of comparison. That half of all articles mentioning the referendum in British Columbia in 2005 mentioned the citizens' assembly does suggest a substantial presence – much higher, for example, than that of the Referendum Commissions in Ireland, reported, in Chapter 8. On the other hand, the citizens' assemblies were more fundamental to the referendums than are Ireland's Referendum Commissions. Introducing the Irish citizens' assemblies below will allow more meaningful comparisons to be made.

Table 9.2. Newspaper articles mentioning the citizens' assembly in the final 30 days before each referendum: British Columbia and Ontario

	BC 2005	Ontario 2007	BC 2009
Articles mentioning 'citizens' assembly'	72	65	32
Articles mentioning 'referendum'	146	198	94
Articles mentioning 'citizens' assembly' as a percentage of those mentioning 'referendum'	49%	33%	34%
Number of mentions of 'assembly'	201	119	52
Mentions of 'assembly' per article	2.8	1.8	1.6

Notes: Newspapers in British Columbia: *Vancouver Sun*, *The Province*, *Times Colonist* (Victoria). Newspapers in Ontario: *Toronto Star*, *Globe and Mail*, *National Post*. Dates: BC 2005: 18 April to 17 May; Ontario 2007: 11 September to 10 October; BC 2009: 13 April to 12 May. All newspapers were searched using the Nexis newspaper archive on 6 November 2018.

Turning to levels of public awareness of the citizens' assemblies, the evidence is somewhat mixed (given different methodologies and different times when research was conducted), but it again points to a contrast between British Columbia and Ontario. Fournier et al. (2011: 133) report that twice as many survey respondents said they knew about the citizens' assembly in British Columbia in 2005 than in Ontario in 2007: 25 per cent compared to 13 per cent. By the end of the 2005 referendum campaign, Cutler et al. (2008: 174) found a much higher level of professed knowledge in British Columbia: 'almost 60 percent [of respondents] claimed to know something' about the assembly. Referring to the Ontario Citizens' Assembly, LeDuc concludes that 'the public was largely unaware of its existence or that a debate on electoral reform was actually taking place' (2009: 30). He continues: 'A poll commissioned immediately following the conclusion of the Assembly and the public release of its recommendation found that four out of five of those surveyed across the province had heard "little or nothing" about the Citizens' Assembly and its recommendation' (LeDuc 2009: 30). Citing evidence that 'some two-thirds of British Columbians still knew "very little" (39%) or "nothing" (25%) about the BC-STV electoral system that the Assembly had recommended', Ward concludes:

> For all the efforts of its members and support staff to publicise its activities and to obtain public input through public hearings and submissions via the Internet, a significant number of British Columbians appear to have been unaware of the Assembly's existence and mission. This is a gap that will need to be closed if, indeed, citizens' assemblies are to be used in the future to counter the democratic deficit. (Ward 2008: 313)

The degree to which the citizens' assemblies really seeped into voters' consciousness is indicated by the impact they had on actual voting behaviour in the referendums. Fournier et al. (2011: 131–2) find that voters who knew about the citizens' assembly and voters who trusted the citizens' assembly were more likely to vote 'Yes' in all three Canadian referendums. That effect did,

however, vary: it 'was strongest in the first referendum, British Columbia's in 2005, only half as strong in Ontario, and then negligible in British Columbia in 2009' (Fournier et al. 2011: 132).

Finally, and most importantly, we can consider directly the degree to which the citizens' assemblies had any influence on the content or tenor of debate during the referendum campaigns. As at similar points in previous chapters, it is here that our analytical task becomes hardest: we cannot know what the debate would have been like had the citizens' assemblies not taken place.

We know that members of the citizens' assemblies themselves were often critical of the referendum campaigns. In interviews with British Columbia Citizens' Assembly members who participated in public meetings during the 2005 campaign, for example, Ratner finds that they thought that '[p]roblems of comprehensibility were rampant, as many voters came to meetings without any prior information or had already adopted unyielding views on the basis of false information about the STV electoral system' (Ratner 2008: 161). LeDuc et al. sum up their assessment as 'a successful Citizens' Assembly: a failed referendum debate' (2008: 45).

But such assessments may be too harsh. It is inevitable that citizens' assembly members will find the discussions at public meetings in the context of a referendum campaign to be inferior to their own discussions; and political scientists are always likely to think that public discussion of electoral systems lacks substance. That does not mean that the presence of the citizens' assemblies did not improve the debates, but it would require more detailed analysis than we have been able to carry out to discern this.

Overall, the citizens' assemblies in Canada clearly had some impact on debate in the subsequent referendums. Yet, while concrete evidence regarding the content and tenor of debate is limited, those who observed the campaign period most closely are broadly negative. LeDuc concludes that limited dissemination of the Ontario Citizens' Assembly's work meant that 'the wider public that had to make the final decision in the referendum was almost completely isolated from the deliberative process that had preceded it' (2009: 36). In the words of LeDuc et al., 'if experiments of this kind are to succeed in the future, the public need to be better informed and more completely integrated into the larger process.' (2009: 46) This is an important lesson, and one that we will explore further in the final section of this chapter.

Concluding Remarks on Canada

The two Canadian citizens' assemblies operated very well in themselves: discussions were balanced and allowed members to develop high levels of understanding; they were also inclusive and encouraged people with different perspectives to engage with each other; so far as we can tell, they were open-minded.

The connections between the assemblies and the wider debates during the referendum campaigns were, however, weak, and it is difficult to discern any substantial impact on the tenor of those debates. A crucial question therefore concerns whether assembly and referendum processes can be better designed to enable greater integration.

Ireland: Constitutional Convention and Citizens' Assembly

Ireland has held two national citizens' assemblies: the Convention on the Constitution of 2012–14 and the Citizens' Assembly of 2016–18. Each of these addressed multiple topics. Unlike in Canada, the government in Ireland made no guarantee that these bodies' recommendations would be put to voters in a referendum. Nevertheless, four issues have to date generated referendums, three of which passed: allowing same-sex marriage, in May 2015; removing constitutional restrictions on abortion, in May 2018; and deleting the offence of blasphemy from the constitution, in October 2018. A further proposal, on lowering the minimum candidacy age in presidential elections, was put to the electorate at the same time as the marriage vote in 2015 but was rejected. At the time of writing, the government proposes that referendums on several further matters will be held in 2019.

All of this means that Ireland has the richest experience of using citizens' assemblies to set the agenda for referendums of any country in the world. As Farrell, Suiter, and Harris put it:

> Ireland, therefore, not only stands out internationally as the first country in the world to hold two constitutional mini-publics in quick succession, but also as a world leader in the linking of deliberative democracy (mini-publics) and direct democracy (referendums). (Farrell, Suiter and Harris 2018: 7)

We begin this section by outlining the history and operation of the Convention and the Assembly. Then we consider how they measure up against our criteria.

History and Operation of the Convention and Assembly

The origins of Ireland's use of deliberative mini-publics lie in the financial crisis that began in 2008. Confidence in existing political institutions collapsed, prompting all the parties to propose changes to how politics was done: most extensively, in 2010 Fine Gael issued a programme – called *New Politics* – that set out reforms including abolition of the upper house of parliament, strengthening of the lower house, and measures to empower citizens (Fine Gael 2010; see also Suiter and Farrell 2011). At the same time, a group of academics and civil society activists convened an unofficial deliberative process in 2011 – called *We the Citizens* – that was designed to promote the use of deliberative mini-publics. As the academics who led the project have written, 'the aim was to demonstrate the virtue of deliberative approaches by holding our own (pilot) citizens' assembly' (Farrell et al. 2013: 102). This involved a series of open public meetings around the country in May and June 2011, which helped to set the agenda for a weekend-long citizens' assembly in late June of the same year, comprising 100 members selected through stratified random sampling (Farrell et al. 2013: 102–4).

The specific form of the Convention on the Constitution (often known, more simply, as the Constitutional Convention) emerged through the negotiations between Fine Gael and the Labour Party to form a government following the 2011 general election. In its manifesto, Fine Gael had proposed a citizens' assembly on the Canadian model, whereas Labour had advocated a convention comprising equal numbers of politicians, experts, and members of the public. The

body they agreed comprised 66 members of the public, 33 politicians, and a chair appointed by the government (Suiter et al. 2016: 33–4).

Following some delay, the Constitutional Convention was established in late 2012. A market research company was employed to recruit the citizen members. The politicians' places were allocated to parties in proportion to their strength in parliament, plus representatives from the Northern Irish parties that wanted to take part. The parties decided themselves how to select their representatives (Suiter et al. 2016: 34–5). The Convention's agenda included eight eclectic topics, which again reflected compromise between the governing coalition partners. In practice, the Convention often stepped beyond the boundaries of these topics, and it was also able to add two further topics that it chose following extensive public consultation (Suiter et al. 2016: 36–41).

With such a heavy agenda, the Convention could not luxuriate in multiple weekends of learning and deliberation, as occurred in Canada. Rather, for the most part, it devoted one weekend to each topic. Briefing documents were made available to members several days ahead of each weekend. Then the weekend would involve presentations from experts, deliberation among members, presentations from advocacy groups, further deliberation, agreement on a ballot paper to decide the Convention's recommendations, and finally a secret vote (Suiter et al. 2016: 45).

Following each weekend, a report was prepared on each topic by the Convention's secretariat (led by a senior civil servant), setting out the process and the conclusions that the Convention had reached (Irish Convention on the Constitution n.d.(a)). These reports were delivered to parliament. The resolution establishing the Convention said, 'the Government will provide in the Oireachtas [the Irish parliament] a response to each recommendation of the Convention within four months and, if accepting the recommendation, will indicate the timeframe it envisages for the holding of any related referendum' (Oireachtas 2012). We discuss the follow-up activity that has actually taken place in the section below on impact.

The Citizens' Assembly of 2016–18 was in many ways very similar to the Convention on the Constitution. It too had a mixed agenda, based on Fine Gael manifesto commitments and post-election negotiations. It again comprised 100 members who met over multiple weekends. This time, however, all the members except the chair were ordinary citizens selected through stratified random sampling. And, in contrast to the Convention, the Assembly did spend an extended period – five weekends – examining the core topic on its agenda: the regulation of abortion (Farrell et al. 2018).

Table 9.3 summarises these five weekends. Two features are particularly noteworthy. First, the Assembly members heard from a diverse array of experts, advocates, and individuals whose personal lives had been affected in different ways by existing arrangements. This evidence and information – which was also (and to date remains) publicly available via the Assembly's website (Irish Citizens' Assembly n.d.(b)) – was detailed, thoughtful, and sometimes harrowing. It laid very strong foundations for deliberation and subsequent debate. Second, by contrast, there was very little time for the Assembly members to deliberate in depth among themselves. There were opportunities for small-group deliberations within each weekend, but, given the number of speakers and the range of topics covered, these were often brief. There was no extended deliberation phase during which members could have reflected across the four weekends of

evidence-gathering and explored their own thoughts. We consider the implications of this further in the subsections below.

Table 9.3. Irish Citizens' Assembly 2016–18: Schedule of work relating to abortion

Weekend	Focus
Weekend 1 26–7 November 2016	Presentations from legal, medical, and ethical experts on the existing situation in Ireland, and discussions thereof
Weekend 2 7–8 January 2017	Expert presentations and Assembly discussions on foetal abnormalities, the moral status of the unborn/foetus, and how laws are made and changed
Weekend 3 4–5 February 2017	Discussion of public submissions; expert presentations and Assembly discussions on availability of legal terminations in other jurisdictions, rape, reproductive autonomy, and regulation of the medical profession
Weekend 4 4–5 March 2017	Expert presentations and Assembly discussions on legal aspects of the 8th Amendment (on abortion), testimony of women affected by the 8th Amendment, and presentations from seventeen advocacy groups and representative organisations
Weekend 5 22–3 April 2017	Agreement of ballot papers and voting

Source: Irish Citizens' Assembly (2017: 60–75).

As in the case of the Constitutional Convention, the Citizens' Assembly delivered its reports to parliament. The resolution establishing the Assembly committed the government to responding to each of the Assembly's recommendations – though, unlike in the case of the Convention, it imposed no timeframe within which this should happen (Oireachtas 2016). We examine follow-up in the section below on impact.

Operability

As in the section above on Canada, we begin by looking at our balance criterion, conceived in terms of the degree to which different perspectives were present within the Constitutional Convention and Citizens' Assembly.

As noted above, both bodies were designed to be broadly representative: the ordinary citizen members were chosen through stratified random sampling, while the politician places within the Convention were allocated across parties in proportion to their parliamentary representation. In at least one respect, representativeness was pursued more rigorously than in Canada, in that stratification was more thorough. First, more stratification criteria were used: socio-economic status (that is, social class) and work status (whether in full-time work, in part-time work, or not in work) were used alongside region, gender, and age. Second, quotas were applied for how many

members should fit within each of these categories, in contrast to the less precise approach taken in the case of age in Canada. Third, for the Constitutional Convention (though not the Citizens' Assembly), these quotas were 'intersectional': the targets included, for example, that there should be one man aged under 25 from Dublin, four women from Munster aged between 25 and 44, three part-time workers from Connaught/Ulster, and so on (Behaviour and Attitudes 2012; RED C Research and Marketing 2016).

Nevertheless, several concerns about representativeness have been expressed. First, in purely descriptive terms, the presence of politicians chosen by political parties meant that the Constitutional Convention overall did not mirror the nation: notably, only 40 per cent of the politician members were women (Suiter et al. 2016: 43). Second, it is likely that, as in Canada, the members of the public who accepted the invitation to participate were unusually interested in politics. We have not found data on this for either the Convention or the Assembly, so we cannot be sure. For the unofficial *We the Citizens* assembly, however, Farrell et al. find that those who accepted the invitation to participate were 'much more likely to be interested in politics' than those who did not (2013: 107–8). Furthermore, the fact that, in contrast to their counterparts in Canada, participants in none of these bodies were paid for taking part is likely to have skewed the sample towards those who were intrinsically interested in the subject matter and who could afford to participate and take time off work (cf. Carolan 2015: 748). Third, specific failures in the recruitment process came to light in both the Convention and the Assembly. In the former, it emerged that a married couple and two neighbours were among the members (Sheahan 2013; Carolan 2015: 742). In the latter, it became apparent that seven members who were added for the January 2018 session (on the conduct of referendums) were 'recruited in a manner which did not comply with the agreed methodology for recruitment of Assembly members' (Irish Citizens' Assembly 2018: 95). These members were excluded once the problem came to light.

These difficulties clearly point to a need to learn lessons about how member recruitment should and should not be done. Careful thought must be given to the 'sampling frame' that defines the recruitment targets. A sample that is not skewed towards those with specific interest in the topic will be attainable only if members are paid for their participation (Renwick and Hazell 2017: 54). The recruitment process itself must be of the highest calibre. We draw these points out further in the final section of the chapter.

As we saw in Canada, balance requires not just that a broad cross-section of society be recruited, but also that they attend meetings and participate to a fairly even extent. Participation was consistently lower in Ireland than in either Canadian case: the highest attendance at a weekend of the Citizens' Assembly, for example, was 92 (out of a possible 99), at the final weekend discussing abortion, while just 76 attended the first weekend on abortion and 73 each of the two weekends looking at the ageing society and fixed-term parliaments (Farrell et al. 2018: 5). We do not, however, have evidence on *who* did and did not participate, so cannot be sure that non-attendance generated imbalances in who was present.

Turning to how members engaged once they were in the room, we have evidence of members' perceptions rather than concrete evidence on actual engagement. Harris et al. (2018: 28) find little relationship in the Convention between socio-demographic factors and members' satisfaction with their deliberations (except that older members were somewhat less likely to be satisfied). Farrell et

al. (2018: 6) find that members of the Citizens' Assembly overwhelming agreed with the statement 'I had ample speaking opportunities' and disagreed with the statement 'I didn't feel free to raise my views'; they tended also to disagree with the statement 'Some members dominated discussion', though opinions here were somewhat more varied. In general, therefore, it appears that members did not perceive participation as unduly uneven.

Finally in terms of balance, we can look at the influence of the organisers of and speakers at each assembly. Speakers were recommended by an Expert Advisory Group and then confirmed by a Steering Group, comprising the Chair, secretariat, and eleven Assembly members (Irish Citizens' Assembly 2017: 48–52). As the examples above indicate, the speakers invited to contribute to the weekends were diverse. At least in the case of abortion, the organisers of the Citizens' Assembly emphasise the degree to which Assembly members themselves were able to influence what issues were examined and who addressed them (Irish Citizens' Assembly 2017: 60–75). Speakers at the final evidence-gathering weekend on abortion included representatives of organisations such as Doctors for Life Ireland, Doctors for Choice, Parents for Choice, Every Life Counts, the Irish Catholic Bishops Conference, and Atheist Ireland (Irish Citizens' Assembly 2017: 74–5). At the same time, there may be concern that the limited time available to the Convention and the Assembly – particularly the lack of any distinct deliberation phase, even on abortion – meant that members did not have sufficient opportunity to reflect on and assimilate what they heard. Particular claims may have gained influence without there being adequate chance to scrutinise them and hear alternative views. No systematic analysis of this has been done, but the absence of extended deliberation time makes such effects likely. Carolan (2015: 747), for example, expresses the concern that certain advocacy groups may have exerted too much power over aspects of the work of the Constitutional Convention.

This links directly to our next broad set of criteria, relating to the accuracy and richness of the knowledge gained by Convention and Assembly members. The extent and quality of the information provided to both bodies is evident from the materials available on their websites (Irish Convention on the Constitution n.d.(b); Irish Citizens' Assembly n.d.). The principal concern relates again to the time members had to absorb this. Suiter et al. comment in relation to the Convention:

> The tight timelines (ten topics over eight weekends) meant that very little time could be spent on a discussion of broader principles or values because a lot of essential and sometimes quite technical information needed to be covered. This was particularly true in the case of parliamentary reform, where the information gap between the politician- and citizen-members was too large to overcome in a single weekend. (Suiter et al. 2016: 44)

The same authors note that 72 per cent of the Convention's politician members and 62 per cent of the citizen members said when surveyed that they felt sufficient time had been devoted to each issue (Suiter et al. 2016: 44). But we lack the clear evidence on members' actual understanding that would be necessary to draw firm conclusions.

The evidence we have discussed so far suggests that much was achieved in Ireland's two assemblies in terms of balance and understanding, but it also raises a number of questions. That evidence also points, as in Canada, to the fact that the discussions were broadly inclusive and therefore likely to be relevant to ordinary people's concerns. Furthermore, by bringing people into the same room

and asking them to participate in small-group discussions with each other, the design of the citizens' assemblies ensured that conversation bridged across different perspectives. This is particularly striking on a polarising topic such as abortion, on which members naturally began with sometimes sharply diverging views. There were certainly sometimes tensions in the room. Nevertheless, careful chairing and facilitation ensured that members did engage constructively with each other.

This leads on to the criterion of open-mindedness. Suiter et al. report that, remarkably, 'only 21 per cent [of Convention members] disagreed or completely disagreed that they had changed their views' (2016: 44). We have not seen responses to the same question in relation to the Citizens' Assembly. Nevertheless, Farrell et al. (2018: 6) show that the vast majority of members agreed that 'Members respected my view', suggesting that people were at least willing genuinely to listen.

We can turn finally to the reports produced by the Convention and the Assembly. These were scrupulous in setting out the facts of how the body operated and what conclusions it reached. They were not, however, designed to be accessible to a broad readership. In Canada, each citizens' assembly published two reports: first, a short report intended for a general audience setting out the assembly's conclusions and reasoning and briefly indicating its modes of operation; second, a longer 'technical' report going into much more detail on process. In Ireland, the Convention and Assembly published just one report on each topic within their remits, addressed to parliament, setting out their procedures and processes in detail. These were therefore not readily digestible documents: the abortion report, for example, ran to 83 pages without its appendices (and 141 pages with them) (Irish Citizens' Assembly 2017). This may be regarded as a weakness. At the same time, the websites of the Convention and (particularly) the Assembly did provide much more accessible summaries (Irish Convention on the Constitution n.d.(b); Irish Citizens' Assembly n.d.).

Overall, Ireland's two citizens' assemblies perform well against our criteria for operability, but not without difficulties owing to limits in the processes for recruiting their members, unduly wide agendas combined with limited time, and some aspects of procedure that could have been strengthened. In part, these problems can be attributed to the politics surrounding the assemblies' creation: governments piled issues onto their agendas that they preferred not to have to handle themselves or that needed to be addressed to satisfy some groups within parliament. In part, they are also the product of relatively constrained budgets: the Constitutional Convention had a budget of €1.4 million and the Citizens' Assembly €1.5 million[13], compared with around €4 million for each of the Canadian assemblies (Irish Comptroller and Auditor General 2014: 39, 2015: 42, 2018: 46; Participedia 2018: vii; Institute on Governance 2007: 22). These difficulties carry clear implications for the UK, which we explore in the final section of the chapter.

Perceptions

As in the Canadian case above, we focus our assessment of perceptions of the Irish citizens' assemblies largely on politicians' positions and on media commentary.

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[13] 2017 only.

Carolan (2015: 739–41) points out that many authors were critical of the Constitutional Convention when it was initially proposed and formed. The most widely shared concern was that the Convention's agenda was too piecemeal. The leading commentator Noel Whelan said it was being asked to deal with 'essentially insignificant constitutional provisions' (Whelan 2012). Another prominent commentator, Fintan O'Toole contrasted the government's rhetoric on the need for 'radical root-and-branch change' with an agenda of 'piecemeal reform, beginning with a few trivialities' (O'Toole 2012). Legal academic Conor O'Mahony said, 'this so-called "constitutional convention" is a joke. The "comprehensive constitutional reform" that was supposed to be considered will comprise, in reality, a handful of relatively inconsequential issues' (O'Mahony 2012). The main opposition party, Fianna Fáil, referred to the agenda as 'worse than ridiculous' (Suiter et al. 2016: 37).

Two aspects of the Convention's membership were also criticised: the inclusion of politicians and the exclusion of experts. McGreevy, citing international experts, noted worries that citizen members 'would be manipulated by politicians well-trained in advocacy and politics' (McGreevy 2012; see also O'Connell 2012). Regarding experts, O'Mahony asked, 'where are the constitutional experts?', and continued: 'I doubt anyone suggested the group considering proposals for a national children's hospital did not need the input of any doctors. To think the constitutional convention can make the best possible proposals without the involvement of political scientists, constitutional lawyers and others is simply ludicrous.' (O'Mahony 2012)

Some writers also criticised the Convention's powers, saying the fact that it could only make recommendations to parliament, not force a referendum, meant politicians would still make the real decisions (Smyth 2012; Whelan 2012). Sometimes linked to this was a wider scepticism that the Convention could deliver change. O'Mahony thought it was 'highly unlikely that the Government will put any of the convention's proposals to a referendum' (O'Mahony 2012). Whelan observed that 'there are few precedents for citizens' assemblies delivering actual constitutional change' (Whelan 2012).

Yet these criticisms subsequently subsided, not least because the Convention and later the Citizens' Assembly did contribute to major change on major issues. It is noteworthy that none of the critiques above attacked the principles of deliberative mini-publics (except, to a degree, those lamenting the exclusion of experts, but these appear simply to have misunderstood the vital advisory role that experts play in such mini-publics). More recent assessments emphasise the positive contribution that public deliberation is seen as having made. Writing after the Constitutional Convention, Suiter et al. observed:

> Despite initial criticisms from the media, some academics, and many in civil society of its limited remit and its composition, and concerns around governmental responsiveness, there is now broad agreement that, as a process, the Convention worked. For example, Dearbhail McDonald, legal editor of the Irish Independent newspaper, who was a self-professed 'huge Convention cynic', speaking on radio after the marriage-equality weekend, cited the Convention 'as a model for debating complex social issues' and queried whether such 'dispassionate, considered, mature debate would be replicated in a political context'. Similar sentiments were expressed by academics and civil-society leaders who had also been critical of the process previously. (Suiter et al. 2016: 49)

This change became more marked still following the 2018 abortion referendum. Referring to the Citizens' Assembly, Fintan O'Toole, one of the early sceptics quoted above, mused 'If the Brexit referendum had been preceded by such a respectful, dignified and humble exercise in listening and thinking, it would surely have been a radically different experience' (O'Toole 2018).

To provide more systematic evidence of the changing tenor of commentary on the citizens' assemblies in the Irish media, we have conducted our own analysis of newspaper coverage, as summarised in Table 9.4. We looked at the whole of the year during which creation of the Constitutional Convention was on the agenda (2012) and then at the 30 days preceding and the 30 days following the three referendums since 2015. We find that, indeed, the balance of coverage was strongly negative before the Convention had been established. There has been very little commentary about the Convention or the Assembly during any of the referendum campaigns. The period following the 2018 abortion referendum, however, saw a marked rise in positive comment, confirming the impression that the result of that referendum prompted a significant shift in views. Indeed, many of these articles called for further citizens' assemblies to be held on a range of other topics.

Table 9.4. Tone of newspaper coverage of Irish citizens' assemblies

	Creation of Constitutional Convention, 2012	Marriage Referendum, May 2015		Abortion Referendum, May 2018		Blasphemy Referendum, October 2018	
		30 days before	30 days after	30 days before	30 days after	30 days before	30 days after
Negative	48	1	0	0	2	1	0
Neutral	145	11	12	16	25	8	0
Positive	13	2	2	1	15	0	1

Notes: Newspapers included are the three largest circulation newspapers that are covered in the Nexis newspaper archive for all the relevant dates: the *Irish Independent*, *Irish Times*, and *Irish Daily Mail*. Dates: Marriage: 23 April 2015 to 21 June 2015; Abortion: 26 April 2018 to 24 June 2018; Blasphemy: 27 September 2018 to 25 November 2018. Newspapers were searched using the Nexis newspaper archive on 9 November 2018 (31 January 2019 for the period after the blasphemy referendum). Small numbers of duplicate articles in the archive have been removed.

Impact

The material in the previous section indicates that there is now a widespread perception that the Constitutional Convention and Citizens' Assembly have been successful in pushing forward debate on certain issues in Ireland. In this section, we seek to pin that impact down more precisely. We go through five steps in doing so. Four of these steps are the same as in our discussion of impact in Canada: the presence of the Convention and Assembly in the relevant subsequent debates; levels of public awareness of these two bodies; the impact of the Convention and Assembly on referendum voting patterns; and the degree to which the Convention and Assembly shifted the tenor of public debate. Before reaching these points, however, we need first to look at the degree to which the recommendations of these two bodies have actually been picked up in

subsequent policy-making processes. Unlike in Canada, Ireland's citizens' assemblies have not led *automatically* to referendums, so this initial step is vital.

Farrell (2018) summarises progress as of July 2018 in the process of following up the Convention's and Assembly's recommendations. Of the ten topic areas addressed by the Convention (the eight areas stipulated by the government, plus the two others chosen by Convention members), referendums have been held on three and promised on three others. In one further area, most recommendations had been implemented via changes to parliamentary standing orders. The government had rejected the recommendations in one area, while, in the final two, consideration of how to respond was ongoing. Regarding the five topics explored by the Citizens' Assembly, one had gone to referendum, and a special parliamentary committee had been established to consider another; there had been no response on the remaining three (though in two of these cases the Assembly's report had only very recently been published). Responses have thus been somewhat patchy. Nevertheless, there is a substantial record of achievement here. Certainly, substantial policy debates have ensued following the two citizens' assemblies' reports, and there is therefore much scope to explore the degree to which the assemblies have influenced the content and tenor of those debates.

In examining those debates, we first look at the presence of the Convention and Assembly within them. Table 9.5 repeats the analysis we conducted in Canada, of newspaper coverage in the final 30 days preceding each of the three referendums since 2015. It is readily apparent that the presence of the citizens' assemblies in these debates is far lower than in Canada: while a third to half of all articles about the referendums in Canada referred to the relevant citizens' assembly, coverage rates in Ireland have been just a tenth of that – between two and four per cent.

Table 9.5. Newspaper articles mentioning the Convention or Assembly in the final 30 days before each referendum: Ireland since 2015

	Marriage 2015	Abortion 2018	Blasphemy 2018
Articles mentioning 'Constitutional Convention', 'Convention on the Constitution', or 'Citizens' Assembly'	16	18	9
Articles mentioning 'referendum'	816	450	251
Articles mentioning an assembly as a percentage of those mentioning 'referendum'	2.0%	4.0%	3.6%
Number of mentions of 'convention' or 'assembly'	25	23	18
Mentions of 'assembly' per article	1.6	1.3	2.0

Notes: Newspapers included are the three largest circulation newspapers that are covered in the Nexis newspaper archive for all the relevant dates: the *Irish Independent*, *Irish Times*, and *Irish Daily Mail*. Dates: Marriage: 23 April 2015 to 22 May 2015; Abortion: 26 April 2018 to 25 May 2018; Blasphemy: 27 September 2018 to 26 October 2018. All newspapers were searched using the Nexis newspaper archive on 9 November 2018. Small numbers of duplicate articles in the archive have not been removed, which is why numbers are not identical to those in Table 9.4.

Further systematic analysis of the reasons behind this discrepancy would be valuable, but we have not been able to conduct it as part of this research. One factor is likely, however, to be the indirect nature of the route from assembly to referendum in Ireland: coverage often refers to the government's proposals or the recommendations of the parliamentary committee that considered the relevant assembly report, rather than to the assembly itself – but these recommendations were themselves strongly shaped by the proposals from the assembly. For example, the report of the Joint Oireachtas Committee on the Eighth Amendment of the Constitution (2017), relating to abortion, mentioned the Citizens' Assembly 30 times in its 36 pages. Each section began by stating the Assembly's relevant recommendations. We calculate that the Assembly was mentioned 82 times in the course of the twelve hours of debate in the Dáil on the proposed constitutional amendment liberalising abortion law in March 2018 (the debates can be read and viewed at Oireachtas 2018). Suiter notes that the majority report of the Joint Oireachtas Committee 'was largely based on the Assembly report' and that this 'provided the basis for the official referendum and the legislation which would underpin it in the event of a vote for repeal' (Suiter 2018b: 32).

Thus, while the Convention and Assembly have rarely been mentioned directly during Ireland's recent referendum campaigns, it is possible nevertheless that they have strongly affected the shape of debate. We consider this further below.

We can take the next two steps in our analysis – gauging public awareness of the citizens' assemblies and the impact of such awareness upon voting patterns – together, as both rely on survey evidence. Such evidence comes from two sources: an academic referendum study conducted on the 2015 marriage referendum (Elkink et al. 2017), and an exit poll conducted in relation to the 2018 abortion referendum for Ireland's national broadcaster, RTÉ (Behaviour & Attitudes 2018). The exit poll for the October 2018 blasphemy referendum did not ask relevant questions (RED C Research and Marketing 2018).

Beginning with the 2015 study, respondents were given four statements about the Convention and asked to indicate whether they thought them true or false. Most respondents (77 per cent) correctly identified as true the statement 'The Constitutional Convention recommended a referendum on marriage equality', while only 34 per cent correctly said that 'The Constitutional Convention recommended the abolition of the Seanad' was false. Most (67 per cent) could say correctly that 'Some politicians were included in the Constitutional Convention'. The final statement was 'The participants in the Constitutional Convention were ordinary citizens' – an unfortunate wording, given that some but not all of the Convention members were ordinary citizens. The majority of respondents – 54 per cent – answered it affirmatively, which can reasonably be taken as the most accurate answer (Elkink et al. 2017: 371). Looking across these four questions, Elkink et al. (2017: 371) report that 12 per cent of respondents answered all of them correctly and a further 34 per cent got three out of the four right.

Turning to the May 2018 survey, Figure 9.2 shows that 66 per cent of respondents said that they had heard of the Citizens' Assembly, while 34 per cent said they had not. Between 65 and 76 per cent of those who reported awareness of the Assembly could answer questions about it correctly. We do not, however, have data on how many questions different respondents got right.

Figure 9.2. Awareness of the Irish Citizens' Assembly at the end of the abortion referendum campaign, May 2018
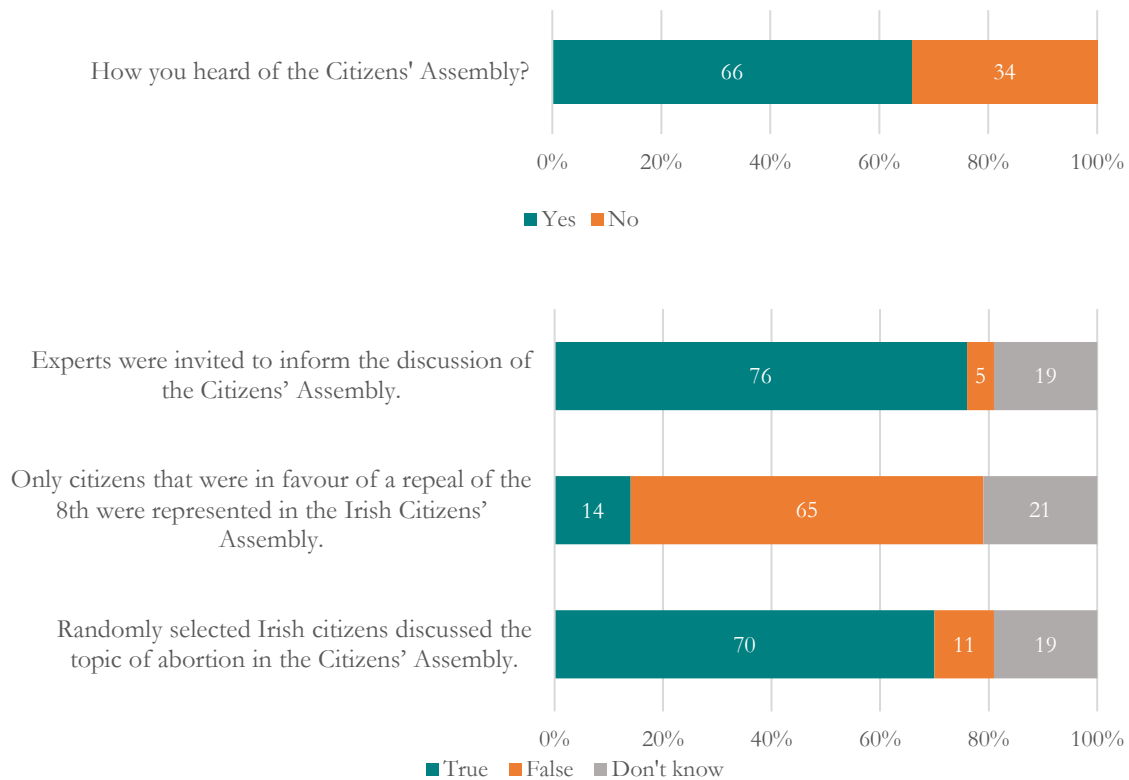
Note: The statements in the lower panel were put only to respondents who answered 'Yes' to the question in the upper panel. They were asked, 'For each of the following statements, please tell me whether you believe it is true, or false.' The correct answers are, in turn, 'True', 'False', and 'True'. Source: Behaviour & Attitudes (2018: 51 and 54).

As regards voting patterns in the referendums, the 2018 exit poll finds that awareness of the Citizens' Assembly did correlate with voting behaviour in the referendum: across the three knowledge questions, the average proportion of respondents giving the correct answer was 74 per cent among 'Yes' voters, compared with 66 per cent among 'No' voters (Behaviour & Attitudes 2018: 56). This may suggest that knowledge of the Assembly had a causal effect upon voting. Indeed, Suiter writes:

> we find in both referendums that voters who are familiar with the Convention or Assembly [tend] to vote differently from those who are not. This suggests that the establishment of assemblies in advance of the referendum has an impact on the deliberative nature of the referendum in the wider community. In both referendums there is a positive and statistically significant effect on the probability of voting Yes by those who felt they fully understood the issues. (Suiter 2018a)

At the same time, Suiter also adds, 'Further research to clarify the mechanisms and impact is currently being undertaken by the research team' (2018a). And, indeed, we do need to be cautious of any strong causal claim, particularly when looking at a simple bivariate relationship such as this: correlation does not prove causation. Indeed, it is worth remembering that, while the electorate as a whole has concurred with the Convention's or Assembly's recommendation on three occasions,

it has demurred – by a huge majority of 73 to 27 per cent – in one other. Nevertheless, evidence that fits with a causal interpretation comes from a further question in the survey, asking about how much respondents trusted different groups. As shown in Figure 9.3, this indicates that respondents were much more willing to trust the Citizens' Assembly than they were 'most politicians', which may indicate that awareness of the Assembly encouraged people to vote in accordance with its recommendations. Caution is again needed, but the evidence tends to point in favour of the existence of a genuine link.

Figure 9.3. Trust among Irish voters at the end of the abortion referendum campaign, May 2018
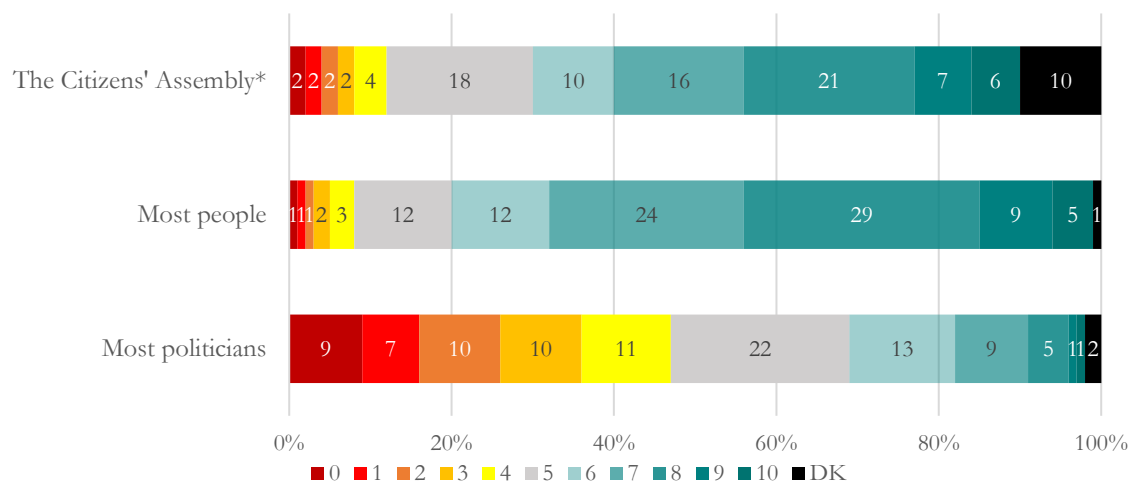
* The Citizens' Assembly option was put only to respondents who said they had heard of it. Respondents were asked: 'How much do you personally trust each of the following on a scale from 0 to 10 where 0 means you do not trust at all, and 10 means you have complete trust.' Source: Behaviour & Attitudes (2018: 58).

The greater passage of time since the 2015 referendum has allowed more detailed statistical analysis to be conducted. This finds that, even once factors such as age, social class, and attitudes towards abortion and other matters are controlled for, those voters who knew about the Constitutional Convention were more likely to vote 'Yes' in the referendum than those who did not (Elkink et al. 2017: 370). The effect is small, but nevertheless statistically significant. Elkink et al. conclude: 'This suggests that the involvement of the Convention in the establishment of the referendum has had an impact on the deliberative nature of the referendum in the wider community' (Elkink et al. 2017: 372).

This takes us to our final question, regarding the impact of Ireland's Constitutional Convention and Citizens' Assembly on the quality of information and discussion during the referendum campaigns that have stemmed from them. The hope of the advocates of deliberation is that, *during the campaigns*, the assemblies provided a framework for thoughtful evaluation of the options, improving understanding of the different values that might be at stake and enhancing availability of evidence on the effects that different options might have. Is there evidence that this was in fact the case?

Any conclusive answer to this question would require detailed analysis that has not been possible as part of the present study. We therefore rely on the judgements of those who have been closest to the events. Two themes recur in those judgements: first, that the Convention and Assembly helped to set the tone for the serious and considered debates that followed them; second, that the evidence and arguments that they brought to the fore helped many people in coming to their final views on the issues.

In respect of the first of these themes, one letter to the *Irish Times* said, 'The Citizens' Assembly was hugely instrumental in broadening and informing the debate on the recent referendum' (Smith and O'Carroll 2018). Mary Carr wrote in the wake of the abortion referendum:

> since the thunderbolt of the referendum result, it is clear that not only were the Assembly's conclusions a harbinger of those of the electorate, but also that its modus operandi of gradual consensus-building through calm debate and reflection, based on facts, expert testimony and impartial information, prefigured how large swathes of the electorate approached the decision. (Carr 2018)

Multiple authors comment that it was the unexpectedly radical result of the Assembly's deliberations that caused people to think that bold change was possible (e.g., Gibbons 2018). For McGreevy (whom we cited above as an early sceptic), 'The assembly's judgments emboldened the Committee on the Eighth Amendment of the Constitution chaired by Sen Catherine Noone. In the end, 70 per cent of TDs and senators reached the same conclusion – unrestricted abortion up to 12 weeks' (McGreevy 2018). Even some who had opposed the conclusions of the Assembly acknowledged this. For example, Michael Jackson, Anglican Archbishop of Dublin, wrote:

> One of the factors that has come through consistently as having been a contributor to the discussions ahead of May 25th has been the telling of and the listening to stories 'on both sides'.

> This process of telling and listening to stories began in the context of the Citizens' Assembly and continued thereafter, around kitchen tables and on the national airwaves, right up until, in the latter case, the moratorium on public broadcasting ahead of the referendum itself came into force. (Jackson 2018)

Regarding the second theme, Carr cites the example of one senior minister:

> Foreign Minister Simon Coveney, who was relatively late to move from a pro-life position to one of enthusiastic support for Repeal, for the sake, he said, of his daughters, credited the Citizens' Assembly for his radical change of heart. He said it was the Assembly's example 'that forced me to think about my own views on this issue that were somehow settled before these arguments were made'. (Carr 2018)

Indeed, Stephen Collins (2018) suggests that the Prime Minister himself shifted his view having been persuaded by the Assembly's reasoning, while Labour Party leader Brendan Howlin referred to the broad shift of view among politicians, saying 'we shouldn't underestimate the importance of the Citizens' Assembly and the Oireachtas Committee' (Howlin 2018). Suiter concludes that the Citizens' Assembly 'provided evidence for the parliamentary committee to consider and persuaded senior politicians to change their minds from binary "pro-life" positions' (Suiter 2018b: 32).

Concluding Remarks on Ireland

Overall, Ireland's experience of using citizens' assemblies to pave the way for referendums has been very positive. Particularly in relation to the high-profile and controversial issues of same-sex marriage and abortion, the assemblies have allowed proposals to be formulated on the basis of reasoned and informed discussion. Considered reasoning has characterised not just the assemblies themselves, but also subsequent debates among politicians and, to a degree, the referendum campaigns too. No one would suggest that these referendums have been perfect in the quality of information or discussion that they carried: as we saw in Chapter 8, for example, the Referendum Commission felt it needed to intervene during the campaign to correct certain false claims that were being made. Nevertheless, the general consensus, shared even by some on the losing side in the referendum votes, is that the Convention and the Assembly helped foster better awareness of the issues, of people's concerns, and of the advantages and disadvantages of the range of options.

The fact that the experiment of the Constitutional Convention was repeated – this time without including politicians – in the Citizens' Assembly is an indicator of the esteem in which it was held. That calls for a further assembly are now common makes the point still more strongly. Citizens' assemblies are certainly not yet standard in Ireland, but they appear to be moving towards normalisation as key elements in the process of considering major change.

Lessons for the UK

In this final section of the chapter, we draw out lessons of three types. The first of these flows straightforwardly from the preceding analysis: citizens' assemblies can make an important positive contribution to setting the agenda for a referendum: examining the options that should be considered and coming to an inclusive, reasoned view as to what would be the best way forward. The finding that citizens' assemblies and other kinds of deliberative mini-publics are highly effective in stimulating quality discussion within themselves is not exclusive to Canada and Ireland: as we saw at the start of the chapter, the same has been found for various deliberative exercises in the UK; and there are many examples from other countries too (see, e.g., Smith 2009). Linking mini-publics to broader policy-making processes is harder (Goodin and Dryzek 2006; Parkinson and Mansbridge 2012). But the Irish examples that we have explored show that it can be done.

The second and third kinds of lesson require more reflection: lessons for how citizens' assemblies (or deliberative mini-publics more broadly) are best run and embedded within the wider political system; and lessons for whether this model would work well in the particular context of the UK.

Regarding how citizens' assemblies are best run and embedded, we draw five key points from our detailed examination of the cases of Canada and Ireland:

1. First, *the recruitment of assembly members must be designed with care to ensure they reflect the broad make-up of society as a whole*. Randomised sampling from the electorate is essential, so that an assembly includes people who would not think to put themselves forward. Stratification must also be used, to even out inequalities in the willingness of people from different groups to accept the invitation to take part. As suggested by the Citizens' Assembly on Brexit, stratification may sometimes need to encompass attitudes as well as demographics

(Renwick et al. 2017: 32), so as to avoid the problem seen in Canada above, where those from one side of a debate are more likely to take part than those on another.

2. Second, *balanced recruitment can be aided by other aspects of assembly design too*. Notably, it is essential that assembly members should be paid and treated well throughout the process. One point that does not emerge from the Canadian or Irish cases, but that is present in wider discussions of deliberative mini-publics, is the value of specific assistance for those who face barriers to participation, such as help with childcare during assembly weekends and the provision of learning materials in a range of formats (Renwick and Hazell 2017: 53–5).

3. Third, *to succeed fully, a citizens' assembly must have sufficient time to complete the task it is given*. Time is needed so that the assembly members can explore their thoughts on an issue in depth, learn from each other and from outside speakers, and reflect carefully. Where an assembly is unduly rushed, as in some cases in Ireland, there is a danger that members will be unable fully to understand all that they have heard, or process it and work out their own position. The time that is needed depends on the task that the assembly is given. But an assembly cannot fulfil its potential if it is asked to tackle a string of complex topics with only a weekend or two for each.

4. Fourth, *an assembly requires adequate financial support*. A sufficient budget is needed not just for the practicalities of hotel rooms, travel expenses, and honoraria, but also so that trained facilitators can be hired, expert speakers can be brought in, and the assembly's programme can be carefully designed. As we have seen, it is also crucial that an assembly have the resources to communicate its work effectively to the wider public.

5. Fifth, *an assembly must connect to the wider policy-making process*. While citizens' assemblies can be established by civil society organisations in order to try to steer debate, they are most effective where they are set up by the state and given a defined role in shaping the policy agenda. In this chapter, we explore the use of citizens' assemblies specifically to examine the reform options that might be considered and whether these ought to be put to a referendum. The clearer this link, the greater the incentive for all concerned to take the assembly seriously.

As this final point makes clear, any citizens' assembly serves as a supplement to, not a substitute for, representative democracy. In the UK, as in most democracies, referendums are initiated from within the representative democratic institutions. Citizens' assemblies provide a mechanism for strengthening how this is done.

Turning to our third set of lessons, regarding whether citizens' assemblies on the model we have discussed could operate effectively within the particular context of the UK, we can begin by offering a positive description of how a citizens' assembly might allow a referendum to be embedded effectively in the broader policy process. At the time of writing, in early 2019, no one can suppose that the Brexit process is an exemplar of the effective use of referendums. Voters were offered a vague proposition in June 2016. No significant prior work had been done – within government, by Brexit supporters, or elsewhere – to establish what leaving the European Union might involve: what the process would be, what kind of divorce arrangements might be reached,

or how in future the UK would interact with the EU and the world beyond. That meant, first, that debate during the referendum campaign was of often miserable quality (Renwick, Palese, and Sargeant 2018) and, second, that government and parliament were wholly unprepared for the negotiations that followed.

By contrast, had Prime Minister David Cameron said in his Bloomberg speech in January 2013 (Cameron 2013) not that he would call a referendum on EU membership, but that he would convene a major citizens' assembly, the process might have been very different. The assembly members could have explored what (if anything) troubled them about EU membership and what the possible solutions might be. They might have examined the issue of immigration and come to a view on whether they felt the outcome they desired could be obtained by greater use of the controls already available within the terms of the Single Market, or by seeking reform of those terms, or only by leaving the EU (for the conclusions of the 2017 Citizens' Assembly on Brexit on this, see Renwick et al. 2017: 56–8). Regarding trade, experts and campaigners from different perspectives would have had to set out their proposed future arrangements and could have been questioned in depth on their feasibility; assembly members could then have set out priorities for what they wanted and how they thought that would best be achieved. Other issues could have been explored as well. At the end of this process, assembly members might have opted to recommend a referendum on EU membership, or they might have proposed some other course. In any subsequent referendum, as in Ireland, much more work would already have been done than was the case in 2016 to tease out and interrogate the arguments. If the whole process worked well, a much more strongly grounded debate could then have ensued.

Of course, the words 'if the whole process worked well' in that final sentence are crucial. We have just set out a vision for how a citizens' assembly *might* have strengthened referendum campaign discourse in the UK context. But would that context in fact have allowed it? As in previous chapters, concerns about whether the UK's unusually adversarial political and media culture could accommodate such outcomes are again relevant. Those who disliked the assembly's conclusions might seek to discredit the whole exercise. They might target individual assembly members, raking through their past tweets and other activities to find anything that might embarrass them.

Such concerns are real and suggest a need for caution. To hold a first citizens' assembly on an issue as polarised as Brexit would be highly risky. Far better, if possible, would be to build the credibility of the approach by piloting it on an issue that people care about, but where existing positions are much less entrenched. The 2018 Citizens' Assembly on Social Care focused on exactly such an issue: there is general agreement that changes to social care provision in the UK are needed, but few people have clear views on the form these should take; the assembly allowed an open-minded exploration of the arguments. As we have seen, while that was not linked to a referendum, it has contributed significantly to ongoing policy debate.

What any future citizens' assembly might in fact be held on is far from clear. If Brexit happens, an assembly or series of assemblies on the contours of the UK's future relationship with the EU is one possibility. Whether Brexit happens or not, the underlying problems that in 2016 drove much of the vote to leave the EU will still need to be addressed, and some of these too may be suited to examination by a citizens' assembly.

In any such case, the evidence of this chapter suggests that with careful design, effective resourcing, and clear linkage to any subsequent referendum, citizens' assemblies could strength the quality of information and discourse both within assemblies themselves and also across the wider public debate.

Chapter 10. Citizen Deliberation: Framing the Debate

This chapter considers ways in which citizens can inform and frame public debate by deliberating on issues that will form part of an election or referendum campaign. While the previous chapter focused on mechanisms whereby citizen deliberations influence the options that are put to voters in a referendum, in this case the referendum question has already been set by the time the deliberative exercise takes place. A deliberative mini-public is used here to help frame and inform debate on that question.

We focus in particular on the most developed example of citizen deliberation of this kind: the Citizens' Initiative Reviews (CIRs) that have taken place in the US state of Oregon at most election cycles since 2010. In a CIR, a panel of 18–24 citizens, broadly representative of the electorate, convenes to deliberate over the course of three to five days on an initiative – that is, a citizen-initiated referendum – included on the ballot. During the CIR, panellists hear from advocates on either side of the issue; can call on independent experts to provide additional information; access relevant background and impartial information; identify key aspects of the ballot measure; and provide arguments in favour of each referendum option. Through the CIR, panellists also directly contribute to the official information material sent out to the general public by preparing a statement setting out their key findings and their arguments for and/or against the measure. This statement is included in the official state voters' pamphlet, which is mailed to each household.

This chapter is set out as follows. The first section briefly outlines how citizens are currently engaged during election and referendum campaigns in the UK. Section two provides an in-depth examination of the CIRs held in Oregon, examining their origins, describing how they work in practice, and assessing their effectiveness in fostering quality information and discussion by considering their operability, how they are perceived, and their wider impact on political discourse. For CIRs, we examine the following in particular:

- **Operability**: We seek to understand whether CIRs are perceived as operating well by those most closely involved in their work. In addition to possessing sufficient resources, a mini-public should be inclusive, diverse and open-minded in order to operate effectively. This means that participants should be representative of the electorate; discussions should be inclusive, with space for differing perspectives; it should also be open-minded, with participants showing respect for each other's opinions. The information provided by the CIR should also be relevant, balanced, accessible and accurate.

- **Perceptions**: We consider what the wider perceptions of the operability of the CIR are: How do political parties in Oregon perceive the CIR? Is there any reporting of the CIR in the media? If so, what kind of coverage does it receive?

- **Impact**: We assess the wider impact of CIRs in fostering high-quality discussions and informing public debate. Are voters aware of CIRs? If so, do they make use of the statement contained in the voters' pamphlet? What is their perception of receiving

information from their peers? More broadly, are CIRs perceived as reaching their objective of advancing quality deliberation and framing public debate?

Section three aggregates the preceding analysis and considers the lessons that can be drawn for the UK context.

Existing Practice in the UK

We begin by examining how citizens are currently engaged in election and referendum campaigns in the UK. This section is much shorter than the equivalent parts of many earlier chapters have been, as there is simply very little existing practice for us to report on. The chapters of Part 3 of our report set out mechanisms for top-down information provision. But opportunities for bottom-up involvement in the UK are much more limited. Those that exist are unofficial and often ad hoc.

As we noted in the introduction to Part 4, the Electoral Reform Society provided an online toolkit during the 2016 EU referendum campaign that was designed to help local groups organise deliberative discussions of the issues raised by the vote. This small-scale initiative is, however, the only attempt at facilitating genuinely deliberative discussion among citizens within the context of an election or referendum campaign that we are aware of.

Beyond this, broadcasters have increasingly sought to engage voters actively. Audience participation in set-piece debates – leader debates held at elections since 2010 and debates among leading campaign representatives in the 2016 referendum – allows a heavily stage-managed and often highly adversarial form of involvement. There are also the customary vox pops, as well as occasional focus-group-type discussions. Outside the realm of broadcasting, local hustings and town-hall debates continue to be features of campaigns around the country. None of these, however, adopt the kind of deliberative approach that might be expected to inform and enrich campaign discourse.

The UK is not unusual in this: well organised deliberative interventions during election and referendum campaigns remain rare throughout the democratic world. Oregon is the clear trailblazer, and we therefore turn to it now for detailed examination.

Citizens' Initiative Reviews in Oregon

In this section, we examine in depth the Citizens' Initiative Reviews (CIRs) held on ballot initiatives in Oregon. We first describe the initiative process in Oregon and the origins of CIRs. Then we outline how CIRs operate in practice and assess them in terms of quality information and discourse at the levels of operability, perceptions, and impact. Finally, we draw out conclusions.

The Origins of Citizens' Initiative Reviews

Oregon was one of the first US states to adopt mechanisms of direct democracy, and the first to allow forms of direct law-making (Abrams 2008: 1026). Since 1902, citizens have been able to propose amendments to state law or the state Constitution through three mechanisms. Through

what are known as *initiatives*, citizens can enact new legislation or amend existing laws or the Constitution; *referrals* allow citizens to decide on constitutional or statutory changes proposed by the legislature; through a *referendum*, citizens can reject legislation (Legislative Committee Services 2012: 1–2). Hitherto, CIRs have been convened exclusively to debate initiatives.

To place an initiative on the ballot paper, petitioners must obtain signatures equivalent to six per cent of the votes cast for the governor in the most recent gubernatorial elections (eight per cent in the case of constitutional amendments) (Legislative Committee Services 2012: 2). Signatures must be submitted to the Secretary of State for verification four months before the next scheduled elections. If this step is successful, the initiative is sent for comment to the Attorney General, the chief petitioners, the legislative assembly and other interested parties. The Secretary of State and Attorney General determine whether a measure complies with the Constitution. Once the initiative is approved, the Attorney General prepares the title of the measure, which comprises a caption of up to 15 words, two 25-word statements explaining the effects of a yes or no vote, and an impartial 125-word summary of the measure (Oregon Revised Statutes 2015, vol. 06, ch. 250.035). These materials are circulated for public comment.

For each measure, a five-member committee is set up to prepare an explanatory statement. Two members are chosen by the proponents of the measure (or the Secretary of State if the proponents fail to do so); two members are chosen by the Secretary of State from among the measure's opponents; and one member is chosen by the four appointed members (the so-called 'impartial fifth member'; Legislative Committee Services 2012: 3). A financial estimate committee examines the financial impact of each measure and prepares an impartial statement for those exceeding $100,000. This committee comprises the Secretary of State, the Director of the Department of Administrative Services, the Director of Revenue, the State Treasurer, and a local government representative (Legislative Committee Services 2012: 3). All materials prepared for a measure are included in the official voters' pamphlet, which is sent out to every elector alongside the ballot paper (all voting in Oregon is by post; Gastil 2017a). This constitutes the primary official source of information available to Oregon voters and contains: information on and statements prepared by each candidate standing for election; information on who can vote and in what manner; and information on each ballot measure, including the implications of a yes or no vote, a summary of the measure, and campaigners' statements for and against the measure. Given the quantity of information included, the voters' pamphlet typically runs to at least 140 pages.

Despite allowing the direct participation of citizens in the legislative process, initiatives have been criticised for creating confusion among voters, and for producing 'bad laws' (Abrams 2008: 1028; Gastil et al. 2007: 1441–9; Healthy Democracy n.d.; Howe Verhovek 2000; Levine 2013; see also Hoesly 2005). Many factors contribute to this perception. First, a multiplicity of ballot measures can be submitted at each election cycle, meaning that voters must make decisions on multiple issues. Second, unlike legislation introduced in the assembly, initiatives are not subject to careful, considered debate that might enhance the quality of the proposed measure or citizens' knowledge thereof. Third, the involvement of well-financed special interests in campaigns leads, according to some, to the deliberate or unintentional dissemination of false or misleading information in order to gather voters' support. All of this is seen as increasing the possibility of electors voting without being fully informed of the aims, effects and legal applicability of an initiative. In turn, this may

lead to a situation where initiatives are passed that harm the state's finances, are conflicting, or have to be repealed subsequently by the state or federal courts (Richards 2012).

Concerns have indeed been raised about the quality of information provided by official sources, the media and campaigners, which may be lacking in relevance, balance, accuracy or accessibility. Gastil and Richards, for example, described this as a situation where the 'campaign and media environment […] foregrounds the sensational over the substantive or, in the case of low-profile ballot measures, provides little or no information' (Gastil and Richards 2013: 254). Furthermore, the information provided by official sources is sometimes considered to be too complex, full of jargon or too lengthy (Gastil and Richards 2013: 262). A 2000 article in *The New York Times* reported on this potential confusion: "'It's like a full-time job trying to figure all these out," said Ms. Knowles, who already has a full-time job as a cashier in a nearby casino. "It's totally confusing. Sometimes I'm not even sure if a yes vote really means yes or no. Unless you're a real intellectual, you can get mighty bogged down"' (Howe Verhovek 2000). Citizens are often forced to rely on 'low-information shortcuts' to make a decision, such as partisan or elite cues, which might not always be available during an initiative campaign (Gastil and Richards 2013: 254).

In this context, Professor John Gastil, a prominent scholar of political deliberation, has long advocated the establishment of citizen panels to enhance the availability of high-quality information and obviate voters' need to rely on sometimes misleading cues from parties and campaigners (see, for example, Gastil 2000). Through small-group deliberations, a panel of citizens could carefully review an issue submitted to a vote and produce a statement outlining key findings and arguments in favour and/or against. The composition of the mini-public – obtained through near-random or stratified sampling – would contribute to the inclusiveness and diversity of the discussions (Warren and Gastil 2015: 568). Such panels could in turn enhance macro-level politics by helping a larger public make more informed and reflective judgements (Gastil et al. 2014: 63; Gastil et al. 2016: 175). Mini-publics could provide information that is more accessible and relevant to ordinary citizens than what is offered by official sources (Gastil 2017a). Citizens could use this information in their own decision-making and thus engage in what Gastil et al. (2014) term 'vicarious deliberation'. Most importantly, voters may be more likely to trust information that is prepared by their peers, rather than by campaigners, political elites, the media or official sources (Gastil et al. 2014: 65; Gastil et al. 2016: 175, 178). In this sense, mini-publics can act as a trustee: voters can use the information provided by fellow citizens, who have enhanced their knowledge of a certain issue, as a shortcut to making a decision, thus substituting partisan or elite cues (Gastil et al. 2016: 178, 187).

Building on the theoretical work of John Gastil and inspired by Ned Crosby's citizens' juries (Gastil 2017b; Healthy Democracy 2017), activists Tyrone Reitman and Elliot Shuford decided to establish Citizens' Initiative Reviews in Oregon. Reitman and Shuford wished to improve the initiative process by engaging citizens directly in the state's democratic process and providing voters with accurate and unbiased information developed by their peers (Healthy Democracy n.d.; Participedia 2010). Reitman argued that 'voters need "higher quality" information about ballot measures than the "paid advertising" from pro and con forces that constitutes most of the information about ballot measures on the voters [sic] pamphlet' (Hammond 2008). He stated that voters need 'honest, reasoned debate' and 'a counterweight to campaign advertising and political

spin when it comes to sizing up initiatives' (Steves 2008). CIRs would 'empower citizens to make informed decisions' (Reitman and Shuford 2010).

Before attempting to push for legislation in this area, Reitman and Shuford decided to conduct an unofficial pilot CIR in 2008 to establish the credibility of the process, though its findings were not included in the voters' pamphlet (Knobloch et al. forthcoming: 6). This approach was motivated by the failure of a similar project in the state of Washington. In 2007, Ned Crosby and Pat Benn had proposed legislation there to set up a publicly funded CIR, an idea that was supported by 70 per cent of voters surveyed (Gastil et al. 2007: 1462–5). But the lack of evidence of the CIR's impact, combined with the fact that it would be funded by the state, led to the proposal not being progressed by the legislature in the state of Washington. Drawing upon the success of the 2008 pilot in Oregon, Reitman and Shuford lobbied the legislature to allow for an official, state-wide CIR pilot. House Bill 2895 was proposed in the 2009 legislative session, with Democratic representatives Ben Cannon and Chris Harker and Republican senator Doug Whitsett as its chief sponsors (Oregon State Legislature n.d.). House Bill 2895 was approved and allowed the establishment of a one-off Citizens' Initiative Review. The bill granted the Secretary of State powers to designate

> one or more organizations to work cooperatively to establish citizen panels to review not more than three initiated state measures and file with the secretary Citizen Statements on each measure reviewed to be included in the voters' pamphlet (HB 2895 s1(1)).

The bill also set out requirements for the review, which included:

- the selection of a representative panel of citizens having regard for place of residence, party affiliation, voting history and age, and giving equal chance to all electors to be selected (HB 2895 s1(a–b));

- the designation of experienced moderators and facilitators (HB 2895 s1(g));

- an independent evaluation of the panels' usefulness to be conducted after the CIRs (HB 2895 s1(d)).

According to the bill, the panel should comprise between eighteen and twenty-four electors, and should deliberate on five consecutive days (HB 2895 s1(2)). The panel could prepare and submit to the Secretary of State statements for and against the measure, and a statement reflecting the views of a majority of panellists, of 150 words each (HB 2895 s3). Such statements could be filed with the Secretary and included in the voters' pamphlet with a disclaimer (HB 2895 s1(3b–c)). The bill also required the convening organisation to provide for all costs associated with the CIR, including the compensation and reimbursement of panellists (HB 2895 s1(c)), and prevented it from accepting funds from political committees or corporate or union treasuries (HB 2895 s1(f)).

Healthy Democracy, the non-partisan NGO set up by Reitman and Shuford to advance 'innovative ways for the public to engage in the democratic process and improve political discourse' (Citizens' Initiative Review Commission 2013: 4), was chosen as convening organisation, as they had conducted the pilot CIR in 2008 and had lobbied for the passage of the bill (Fuji Johnson et al. 2017: 432). Prior to the 2010 elections, Healthy Democracy convened two citizen panels.

Following this official pilot, House Bill 2634 was proposed in 2011, with representatives Vicki Berger (Republican Party) and Arnie Roblan (Democratic Party) as chief sponsors. This bill aimed at permanently establishing Citizens' Initiative Reviews as part of the ballot process. House Bill 2634 was passed by the legislature in 2011 with the support of all Democrats, one fifth of Republicans in the House and one quarter of those in the Senate (Knobloch et al. forthcoming: 12). In addition to the provisions already contained in HB 2895, the new law established a Citizens' Initiative Review Commission to oversee the CIR process (HB 2634 S2(1)), identify the initiatives to be reviewed (HB 2634 s5)) and ensure that CIRs would be convened to review measures in a 'fair and impartial manner' (HB 2634 s2(3a)). The Commission would have eleven members: three appointed by the Governor and chosen from those who served as an impartial fifth member in the state committee, with regards to party political affiliation and representation; four former moderators of a citizen panel; and four former participants in a panel (HB 2634 s2). The bill also allowed for the creation of an independent fund for the Commission to carry out and oversee its activities, within – yet independent from – the state Treasury (Joint SubCommittee on General Government 2011). Contributions received by the Commission were to be deposited in the Fund and the Commission was banned from accepting funds from political committees, for-profit corporate treasuries, union treasuries or any other source which could be used to transfer funds from such sources (HB 2634 s4). This was seen as protecting the CIRs from co-optation by powerful special interests (Gastil and Richards 2013: 273).

The bill specified that the Commission would choose one or more ballot measures to be reviewed prior to a general election, and set out the criteria for selection, namely: their fiscal impact; whether they constituted an amendment to the Oregon Constitution; the availability of funds to run a CIR; any other criteria established by the Citizens' Initiative Review Commission by rule (HB 2634 s5(2)). For the selection of panellists, HB 2634 included the additional criteria of gender and ethnicity (HB 2634 s5(4c)). Panellists would continue to be compensated for their service and to have their travel expenses reimbursed (HB 2634 s5(5)). The length of deliberations also remained unchanged, but the bill clearly specified that each panel would conduct public hearings with testimony from proponents and opponents (HB 2634 s5(6b)).

Finally, the bill changed the requirements of the materials prepared by the panel, which were to consist of: statements for and against the measure (if applicable, a statement that no panellist took either position could be presented); a statement of key findings that could include how many panellists agreed with each finding; and a statement of additional policy or fiscal considerations, if supported by at least three-quarters of panellists (HB 2634 s7(1)). These would all be included in the voters' pamphlet (HB 2634 s7(2–3)).

Following the passage of House Bill 2634, CIRs were held in Oregon in 2012, 2014 and 2016 (Healthy Democracy 2018). There was, however, no state-wide CIR in 2018, 'due to a lack of funding' (Healthy Democracy 2018). Healthy Democracy has also disseminated the CIR model outside Oregon and replicated it at different jurisdictional levels (Sullivan 2013). For example, local CIR pilots have been held in Jackson County (Oregon) and Phoenix (Arizona), and a state-wide pilot was convened in Colorado in 2014 (Gastil et al. 2015). In 2016, a pilot CIR was held in Massachusetts (Massachusetts Citizens' Initiative Review Pilot Project n.d.). 2018 saw state-wide pilot CIRs in Massachusetts and California, and a local CIR in the Portland metro area (Healthy Democracy n.d.).

How Does the Citizens' Initiative Review Operate in Practice?

The Citizens' Initiative Review process begins with the selection of panellists. Around 10,000 registered voters receive an invitation to participate by mail (Knobloch et al. forthcoming: 16). From those who reply (generally around 800–1,000 voters), a panel of between eighteen and twenty-four is selected through blind sampling. The pool is stratified so as to be representative of the electorate (Healthy Democracy n.d.).

CIRs take place two to three months before the elections, with panellists meeting over three to five consecutive days, for not less than 25 hours in total, as provided for in HB 2634. The process is overseen by experienced facilitators trained by the convening organisation (HB 2634 s5(8)). On the first day, participants are introduced to all aspects of the CIR process. The facilitation team lays out expectations regarding the quality of deliberation and introduces the panellists to the different deliberation methods that will be used (Gastil and Knobloch 2010: 56). Panellists learn about the ballot initiative process; the specific policy areas to which the chosen measure relates; the position of advocates on either side; and the mechanism for requesting background or additional information (Gastil and Knobloch 2010: 56).

Participants spend the following two to three days hearing from advocates of the measure (generally two from either side of the campaign, with equal time allocated to supporters and opponents), and, if they wish, from independent or background experts. During each session, panellists are given time to reflect on and review the information provided. At the end of each day, participants plan the agenda for the following day, including the questions to be addressed (Gastil and Knobloch 2010: 57–9). They also provide feedback to independent evaluators on the quality of the process and the deliberation (ibid.: 56–64). The final one to two days are reserved for deliberation among panellists. Participants discuss and formulate pro and con arguments in both plenary and small-group form. They then vote on the measure and agree the key findings (ibid.: 58–9). The last day of the CIR is dedicated to writing up the key findings and arguments that will be included in the voters' pamphlet (ibid.: 60–1). The CIR statement is fully integrated within the pamphlet and is displayed on a stand-alone page (Figure 10.1 provides an example). The statement cannot feature different branding or colours to differentiate it from other kinds of information contained in the voters' pamphlet.

Table 10.1 displays information and voting results for all CIRs since 2010. As shown, reviews have been held on a variety of measures (amendments to the Constitution and legislative proposals) and topics (including taxation, law and order, and agriculture). While two measures were reviewed up to and including the 2014 elections, the 2016 panel only reviewed one measure. The panels comprised 24 members for the 2010 and 2012 CIRs, but this dropped to 19–20 panellists in 2014 and 2016. While this is not explicitly stated in the literature or media coverage, it seems likely that one of the reasons for reducing the number of panellists since 2012 and holding only one CIR in 2016 was the limited availability of funds. As we noted above, this is the reason explicitly given by Healthy Democracy for the absence of any state-wide Oregon CIR in 2018 (Healthy Democracy 2018).

Figure 10.1. Example of an Oregon CIR statement: Measure 90 (2014)

Citizens' Review Statement

This Citizens' Statement, authorized by the 2011 State Legislature, was developed by an independent panel of 19 Oregon voters overseen by the Oregon Citizens' Initiative Review Commission. The panelists were randomly selected from registered voters in Oregon and balanced to fairly reflect the state's voting population based on location of residence, party registration, age, gender, education, ethnicity, and likelihood of voting. Over a period of three and a half days the panel heard from initiative proponents, opponents, and background witnesses. The panelists deliberated about the measure and produced this statement. This statement has not been edited, altered, or approved by the Secretary of State.

The opinions expressed in this statement are those of the members of a citizen panel and were developed through the citizens' review process. They are NOT official opinions or positions endorsed by the State of Oregon or any government agency. A citizen panel is not a judge of the constitutionality or legality of any ballot measure, and any statements about such matters are not binding on a court of law.

Key Findings

- Under M90, no political party could restrict non-members from voting for its candidates during the primary.
- Most elections are currently decided in low turnout primaries. Candidates have won races with as little as 7% of total voters in a district. M90 increases competition among primary candidates allowing the primary voters to vote at their discretion, regardless of party registration.
- Currently, every party has the right to have a candidate on General Election Ballot. M90 changes that and allows only the top two primary vote receiving candidates to advance to general election
- Proponents do not predict that M90 would increase voter participation. They are encouraged that M90 would give all registered voters the opportunity to vote for any candidate in primary races.
- M90 gives a real choice to more Oregonians – those Democrats and Republicans who live in districts dominated by the other party. Their party's candidates for key offices have no real chance in the General election.
- M90 could allow 499,335 Oregonians who have not registered as a Democrat or Republican to fully participate in May Primary Elections. These Oregonians represent a large and growing share of the electorate.
- M90 decreases choice in General Election for all voters.
- The Top Two system is the only election method in use throughout the country that allows only two candidates in the General Election.

Citizen Statement in Support of the Measure

Position taken by 5 of 19 panelists

- M90 treats all voters equally in every election. Regardless of how Oregonians' political views may differ every voter should have equal rights in every election. How or if they align with political parties shouldn't affect their rights as citizens.
- While all Oregon taxpayers fund the May primary election, voters who don't register as a Democrat or Republican are currently not allowed to participate in primaries of the major parties. M90 would allow any registered voters to vote for primary candidates of the major parties.
- Under M90 all registered voters would have the unrestricted right to vote for any primary candidate.
- Most elections are currently decided in low turnout primaries. Candidates have won races with as little as 7% of total voters in a district. M90 increases competition among primary candidates allowing the primary voters to vote at their discretion, regardless of party registration.
- M90 differs from the Top Two systems of California and Washington, because it allows voters to see candidates' personal party registration and all party endorsements that s/he accepts. This information helps voters understand candidates' views and allies.

Citizen Statement in Opposition to the Measure

Position taken by 14 of 19 panelists

- A broad coalition opposes M90, including at least two election reform groups, as well as major and minor political parties.
- M90 limits the voice of minority voters, minor parties, and grassroots campaigns. A diverse electorate needs choice & diversity in the General Election.
- M90 has several drafting errors. The most significant appears to eliminate minor parties. Because M90 bars parties from nominating candidates, their legal status is in jeopardy. Another error could allow candidates with more than 50% of the primary vote to automatically win their election without a November run-off.
- Home Rule counties have their own election systems independent of the statewide system. M90 could result in a confusing patchwork of contradictory election rules – candidates could have different rules in different areas of their district.
- Turnout in Primary Elections is much lower than General Elections. M90 decreases choice in the General Election for all voters. Nationwide, Primary turnout has fallen to less than 15%, including Top Two states.

Source: Brown 2014: 88

Table 10.1. Summary information on Oregon CIRs

Year	Date and location	Election date	Measure number	Measure title	Total panellists	Panellists in favour	Panellists against
2010	9–13 August, Salem	02/11/2010	73	Increases minimum sentences for certain repeated sex crimes, incarceration for repeated driving under influence	24	3	21
2010	16–20 August, Salem	02/11/2010	74	Establishes medical marijuana supply system and assistance and research programs; allows limited selling of marijuana	24	13	11
2012	6–10 August, Salem	06/11/2012	85	Amends Constitution: Allocates corporate income/excise tax "kicker" refund to additionally fund K through 12 public education	24	19	5
2012	20–4 August, Portland	06/11/2012	82	Amends Constitution: Authorizes establishment of privately owned casinos; mandates percentage of revenues payable to dedicated state fund	24	7	17
2014	17–20 August, Salem	04/11/2014	90	Changes general election nomination processes: provides for single primary ballot listing candidates; top two advance	19	5	14
2014	16–20 August, Salem	04/11/2014	92	Requires food manufacturers, retailers to label "genetically engineered" foods as such; state, citizens may enforce	20	9	11
2016	18–21 August, Monmouth	08/11/2016	97	Increases corporate minimum tax when sales exceed $25 million; funds education, healthcare, senior services	20	11	9

Sources: Brown 2010, 2012 and 2014; Atkins 2016; and Oregon Secretary of State n.d.
Note: There was no state-wide Oregon CIR in 2018.

Operability

The above description shows that CIRs have been formally integrated in Oregon's initiative process, and, until 2018, they had taken place on one or two ballot measures in each election year since legislation was passed. This section considers the views of those closely involved in the CIR on the operability of this mechanism.

Tyrone Reitman and Elliot Shuford, the founders of the CIRs in Oregon, are unsurprisingly positive about the reviews' role in fostering high-quality deliberation and in informing the debate. In an environment dominated by campaigners and well-financed special interests, Reitman and Shuford argue that the CIR allows for a 'voice of reason in ballot measure deliberations' and helps restore faith in the democratic process by shifting the debate back to voters (Reitman and Shuford 2010). They consider that the CIR's procedural rules, the random selection of a representative panel, and the involvement of professional facilitators help prevent potential bias or partiality. Even though CIRs rely on donations and grants rather than public funding, Reitman and Shuford do not perceive there to be concerns about the potential vested interest of donors, given the legislative provisions to prevent undue influence (House Committee on Rules 2011; Joint SubCommittee on General Government 2011). For the CIR's sponsors, the main area of concern and potential improvement relates to the funding of the panels. Tyrone Reitman has said that 'in an ideal world […] the Legislature would provide money for the initiative review process, which now must rely upon private support' (*The Oregonian* 2012b). The precarious nature of relying on private funding was demonstrated in 2018, when lack of resources made a state-wide CIR impossible.

The evaluations of CIRs conducted by John Gastil and Katherine Knobloch's research team allow for a more detailed insight into the operability of this mechanism, in terms both of whether it fosters inclusive, diverse and open-minded discussions, and of whether the information it provides is relevant, accessible, accurate and balanced. For each CIR, the research team evaluates the design of the review and the quality of the deliberative process by considering whether it 'provided opportunities for analytic rigor, sustained a democratic group process, and resulted in informed and egalitarian decision-making' (Gastil et al. 2017: 3). All three aspects are scored on a scale from A (excellent) to F (failure) (Gastil and Knobloch 2010: 8). The quality of the final statements is also evaluated by the research team in terms of accuracy, comprehensiveness, readability and clarity. Results for the 2010–14 CIRs can be found in Tables 10.2–5. For the 2016 CIR, only data relating to readability were available, for which reason we excluded it from the analysis. In 2018, clearly, the lack of any state-wide CIR made such research impossible.

Analytic rigour is assessed by looking at whether the process allowed panellists to gain an adequate understanding of the issues involved in the ballot measure; to identify key values and evaluative criteria; to examine a range of alternatives and solutions; and to weigh the arguments for and against the measure (Gastil and Knobloch 2010: 8). Based on the results of the end-of-week surveys (Table 10.2), panellists felt that they learnt basic information about the issues and were able to examine underlying values and consider a range of alternatives, weighing the pros and cons of each measure. The quality of the learning and critical assessment aspect of the CIR process appears on this basis to be high.

Table 10.2. Oregon CIR evaluation data: Analytic rigour

Year	Measure	Learning basic issue information	Examination of underlying values	Considering a range of alternatives	Weighing pros and cons of measure
2010	73	B+	B-	A	A
2010	74	B+	B	B	A
2012	85	B+	B	A	A
2012	82	A-	A	B	A-
2014	90	A-	A-	A-	A
2014	92	B	B	B+	B

Sources: Gastil and Knobloch 2010: 8; Knobloch et al. 2013: 5; Gastil et al. 2015: 73.

The quality of the democratic process is measured by examining whether panellists had an equal opportunity to participate in the deliberation (which corresponds to our criterion of inclusion), whether the process allowed the comprehension of information and each other's views (our bridging criterion), and whether it ensured mutual respect among panellists (our bridging and open-mindedness criteria; Gastil and Knobloch 2010: 9; Knobloch et al. 2013: 8–12). The end-of-week surveys show that the CIRs score very highly on each criterion, with the exception of the comprehension of information aspect, whose score is slightly lower (Table 10.3). This suggests that CIRs do indeed foster high-quality discussion by allowing panellists equal opportunity to participate in a democratic group process in which different views are considered and treated with mutual respect.

Table 10.3. Oregon CIR evaluation data: Democratic group process

Year	Measure	Equality of opportunity to participate	Comprehension of information	Consideration of different views	Mutual respect
2010	73	A	B+	A	A-
2010	74	A	B+	A	A
2012	85	A	A-	A	A
2012	82	B+	B+	A-	B
2014	90	A	B+	A-	A
2014	92	A	B	A-	A

Sources: Gastil and Knobloch 2010: 8; Knobloch et al. 2013: 5; Gastil et al. 2015: 73.

The quality of the decision-making and evaluation processes are measured by looking at whether the deliberative process (and resulting statement) reflected the information available and was conducted in a non-coercive way (Gastil and Knobloch 2010: 9). Both criteria are assessed by

examining the transcripts of the proceedings and resulting statements, in addition to the panellists' surveys. Once again, the CIR scores highly on both aspects (Table 10.4).

Table 10.4. Oregon CIR evaluation data: Egalitarian decision-making

Year	Measure	Informed decision-making	Non-coercive process
2010	73	A-	A
2010	74	A	A
2012	85	A	A
2012	82	B	A-
2014	90	B+	B
2014	92	B	B+

Sources: Gastil and Knobloch 2010: 8; Knobloch et al. 2013: 5; Gastil et al. 2015: 73.

Finally, the quality of the statement is judged in terms of accuracy, clarity, comprehensiveness and readability. Accuracy is measured as a percentage of error-free substantive sentences; clarity is an index consisting of the mean of 'the percentage of sentences free from grammatical or vocabulary error, confusing or incoherent phrasing, and undefined jargon'; comprehensiveness is calculated on the basis of the percentage references to fifteen content features identified as relevant in the deliberation (this corresponds to our 'relevance' criterion); readability is based on the Flesch-Kincaid score that assesses the reading-grade level in US public schools (this corresponds to our 'accessibility' criterion; Gastil et al. 2015: 24–31).[14]

Table 10.5. Oregon CIR evaluation data: Quality of statement

Year	Measure	Accuracy	Comprehensiveness	Readability (Flesch-Kincaid score)	Clarity
2010	73	100.0	80.0	11.3	100.0
2010	74	100.0	80.0	12.5	100.0
2012	85	100.0	93.3	12.0	99.4
2012	82	96.6	86.7	12.6	98.0
2014	90	100.0	93.3	11.8	98.0
2014	92	91.3	100.0	12.2	100.0

Source: Gastil et al. 2015: 25–9.

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[14] Eleventh grade in the US is comparable to Year 12 in England and Wales, and fifth year of secondary school in Scotland; twelfth grade corresponds to Year 13 in England and Wales, and sixth year in Scotland.

As shown in Table 10.5, the statements produced by the panel are of a very high-quality in terms of accuracy and clarity, though there is scope to increase the comprehensiveness of issues included (relevance) and the simplicity of the language used (accessibility).

In addition to evaluating the CIRs, Gastil and colleagues have made a series of recommendations over the years as to how the CIR process could be improved in the future:

- First, they suggest that more time and guidance should be provided for the development of the elements to be included in the voters' pamphlet so as to avoid it being rushed and not checked for accuracy and clarity (Gastil et al. 2015: 61; Gastil et al. 2017: 38).

- Second, they propose that training provision be strengthened so that moderators and panellists fully understand each stage of the process, how it will work and what terms will be used, and advocates and independent experts are sufficiently prepared for their presentations (Gastil et al. 2015: 61; Gastil and Knobloch 2010: 45–8; Knobloch et al. 2013: 27).

- Third, the state, they argue, should allow for the style and formatting of the statement to be more visually engaging (Gastil et al. 2015: 66; Gastil and Knobloch 2010: 54; Knobloch et al. 2013: 26). Additional information on the CIR process and panel should be included in the CIR section in the voters' pamphlet so as to reach a larger audience and build trust with voters by being more transparent about how the process works (Gastil et al. 2017: 39).

- Fourth, they contend that the CIR process and statement should be more heavily publicised through a public information campaign, which engages the media and political actors (Gastil et al. 2015: 66; Gastil et al. 2017: 39–40; Gastil and Knobloch 2010: 54–5; Knobloch et al. 2013: 26). Panellists themselves could also act as ambassadors for the process so as to explain how the CIR works to the wider public (Gastil et al. 2015: 66; Gastil et al. 2017: 39–40). Publicity should focus on the quality of the CIR process and deliberations, rather than its voting outcomes. In this regard, they argue in their 2016 evaluation for the removal of the vote tally in the arguments for and against the measure, so as to focus participants on developing rigorous and informed statements, regardless of their position (Gastil et al. 2017: 38).

We turn now to panellists' own perceptions of the operability of the CIR process. The surveys of those panellists show that most are satisfied or very satisfied with the CIR experience and with the key findings section compiled for the voters' pamphlet; they also feel that they have learnt enough during the process (Figures 10.2–4). Perceptions of staff neutrality are overwhelmingly positive (Figure 10.5). However, the numbers of those dissatisfied or very dissatisfied has increased slightly since 2012; in particular, one fifth of panellists were dissatisfied or very dissatisfied with the CIR process in 2016 (Figure 10.2).

Figure 10.2. Surveys of Oregon CIR panellists: Overall satisfaction with the CIR process
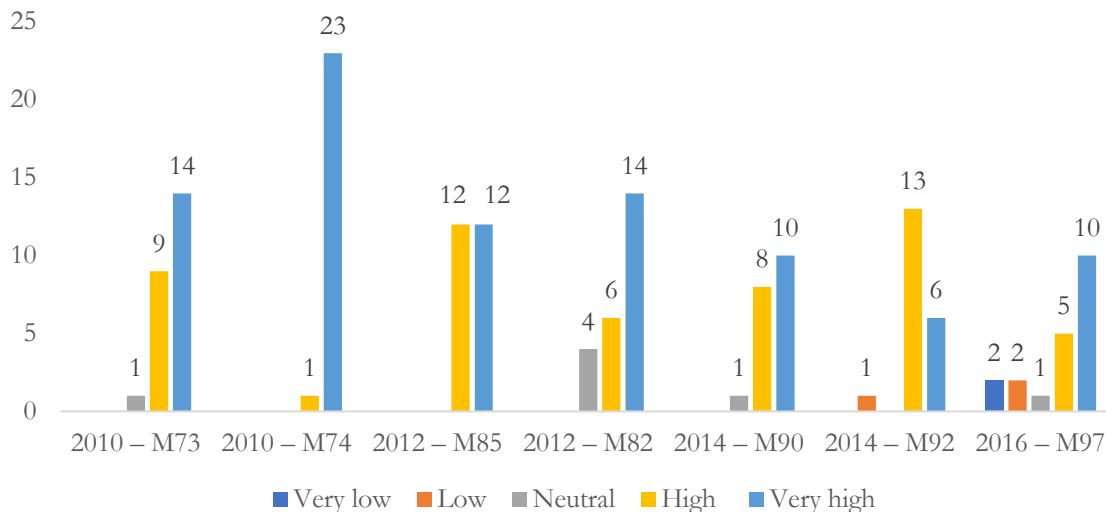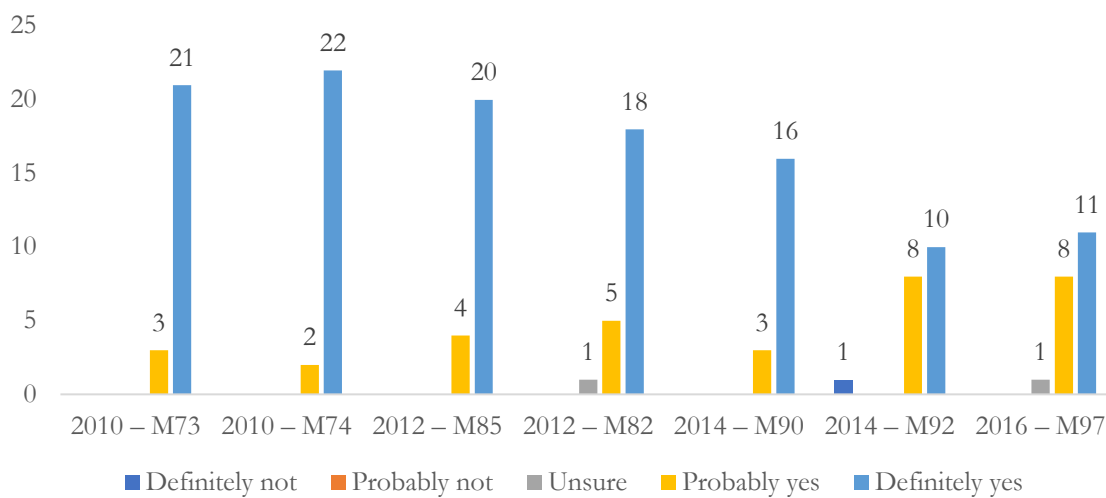

Sources: Gastil and Knobloch 2010: 11; Knobloch et al. 2013: 5; Gastil et al. 2015: 10; Gastil et al. 2017: 3.
Question for the 2010 evaluation: 'Looking back over the past five days, how would you rate your overall satisfaction with the CIR process?' Exact question wording for the 2012 evaluation was not available, though Knobloch et al. indicate that they asked panellists to 'rate [their] overall satisfaction with the CIR process' (2013: 4). Question for the 2014 and 2016 evaluations: 'Looking back over the past 4 days, how would you rate your overall satisfaction with the CIR process?'
Note: Results for the 2014 CIRs were reported as percentages and have been converted to their numerical value. In 2014 and 2016, the five-point scale was labelled from very dissatisfied to very satisfied.

Figure 10.3. Surveys of Oregon CIR panellists: Satisfaction with having learnt enough

Sources: Gastil and Knobloch 2010: 15; Knobloch et al. 2013: 6; Gastil et al. 2015: 10; Gastil et al. 2017: 4.
Question for the 2010 evaluation: 'A goal for this week was to learn enough about Measure [73/74] to reach an informed decision. Do you believe that you learned enough this week to make an informed decision?'
The question wording for the 2012 evaluation is not available. Question for the 2014 evaluation: 'A goal for this week was to learn enough about the measure to reach an informed decision. Do you believe that you learned enough this week to make an informed decision?'. Note: Results for the 2014 CIRs were reported as percentages and have been converted to their numerical value. Question for the 2016 evaluation: 'Do you believe that you learned enough this week to make an informed decision?'.

Figure 10.4. Surveys of Oregon CIR panellists: Satisfaction with key findings

**Very dissatisfied** ■ **Dissatisfied** ■ **Somewhat satisfied/Neutral** ■ **Satisfied** ■ **Very satisfied**
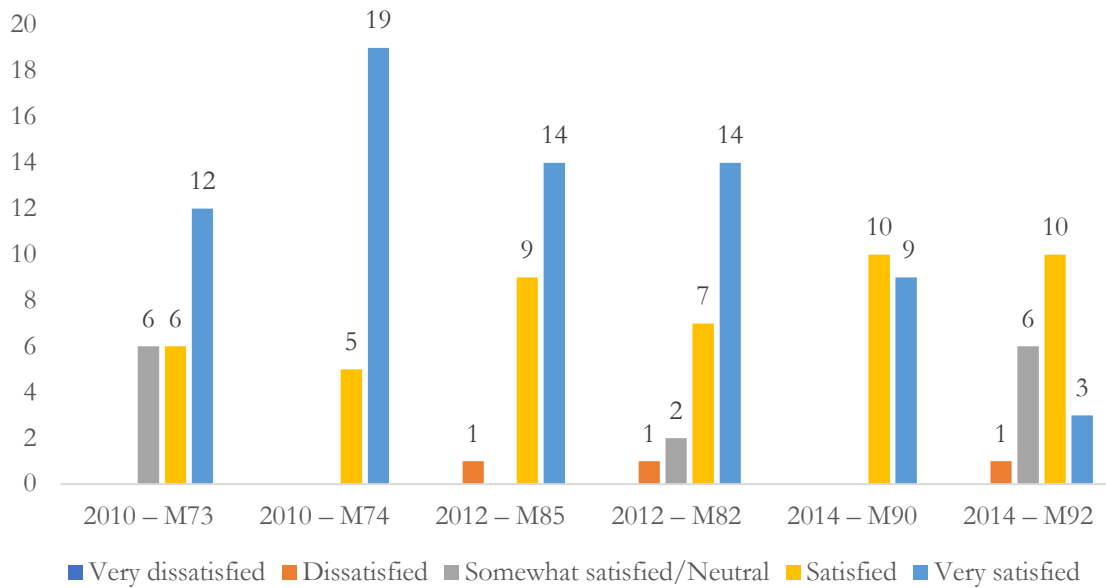
Sources: Gastil and Knobloch 2010: 30; Knobloch et al. 2013: 15; Gastil et al. 2015: 21. NB: Results for the 2016 CIR are not available.
Question for the 2010 and 2014 evaluations: 'How satisfied were you with the KEY FINDINGS that the CIR panel decided on and wrote?'. The question wording for the 2012 evaluation is not available.

Figure 10.5. Surveys of Oregon CIR panellists: Satisfaction with staff neutrality

Very dissatisfied ■ **Dissatisfied** ■ **Neutral** ■ **Satisfied** ■ **Very satisfied**
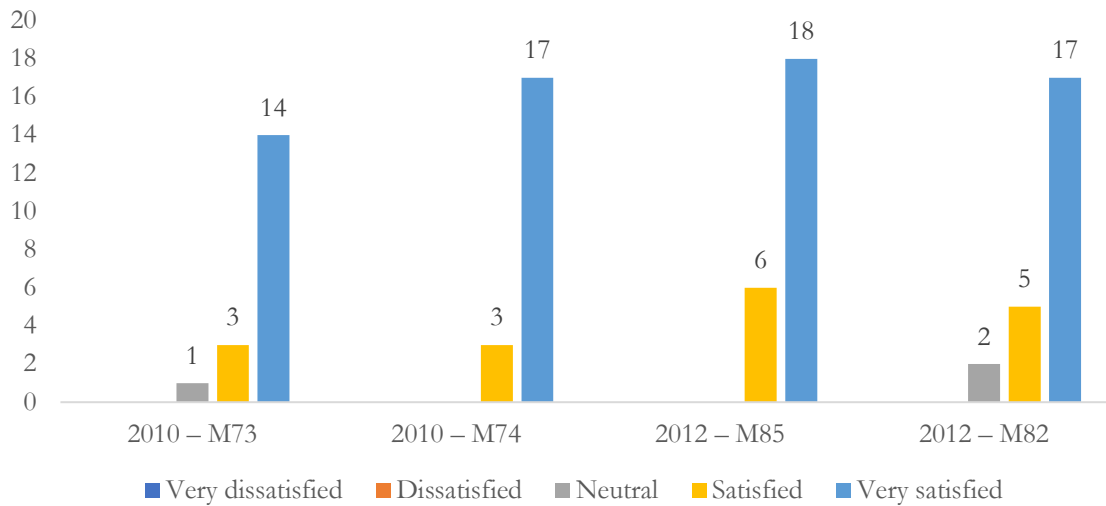
Sources: Gastil and Knobloch 2010: 24; Knobloch et al. 2013: 12.
Question for the 2010 evaluation: 'One of the aims of the process was to have the staff conduct the Citizens' Initiative review in an unbiased way. How satisfied are you in this regard?'. This question was asked in the follow-up survey conducted two months after the CIR, which might account for the missing six panellists.
Question for the 2012 evaluation: 'One of the aims of this process is to have the staff conduct the Citizens' Initiative Review in an unbiased way. How satisfied are you in this regard?'. This was asked at the end of the CIR process.
Note: For the 2014 evaluation, the same question was asked of panellists, but results for the individual CIRs are not available. Results for the 2016 evaluation are not available.

Panellists' perceptions of the quality of deliberation and discussion in CIRs, and of their impact on the quality of public discourse can also be gauged through their interventions in committee hearings and in the media. During a 2009 House Committee on Rules hearing, participants in the unofficial 2008 CIR praised the quality of factual information they received during the CIR and contrasted this with the advertisements paid for by special interests and the emotional and polarising initiative campaigns (House Committee on Rules 2009). In 2011 hearings, panellists praised the opportunity to gather evidence, weigh data, question advocates and experts, and find common ground (Joint SubCommittee on General Government 2011).

In the media as well, participants primarily praise the CIR process. For example, Terry Helfrich, a 2012 panellist, said that 'Being a member of the panel gave me a chance to sit down with regular folks like myself and have an honest, thoughtful discussion about the future of our state […] That was a refreshing change from the influence of media and sound bite politics we are bombarded with daily' (Kost 2012). Others stated that the 'setting […] encouraged fact-based inquiry and respectful listening' (Hammond 2008) and that everyone 'got a chance to have our voices heard' (Melton 2010b). One panellist stated that Healthy Democracy had 'the process down pat pretty well' (Wong 2010a). Participants often referred to the difficulty they had in making a decision as evidence of the quality of deliberation in the CIR. Tim Miller, a 2010 panellist, said that he 'was on the fence right up until the end' and Melissa Nogren said that 'the fact that it came down so evenly shows what a difficult measure it is […] It is not something that people should make a snap decision about' (Wong 2010a). A panellist in the 2012 CIR told journalists that 'she flip-flopped several times before deciding she was against the measure' (Hubbard 2012). The fairness and impartiality of the CIR's structure and facilitation were also praised for giving equal time to panellists and advocates. A 2010 panellist, Barbara Ogden, for example, stated that 'There was no question they kept things fair and impartial', while another said that he 'was "staggered" by the process. "Everybody had a chance to say what they wanted to say […] It was done in a professional manner"' (Wong 2010b).

Panellists also recognise the value of the CIR in allowing citizens themselves to provide relevant, accurate, balanced and accessible information to the wider public. A journalist reported that 'many in the group said they take their responsibility to represent Oregonians seriously' and interviewed a panellist who stated that 'I feel responsible to other citizens. Hopefully I can be unbiased and make the best decision thinking of the whole state, not just what I would do' (Melton 2010a). Another participant is quoted as saying that she felt they were doing a service to 'their fellow voters by sorting through the facts, studies, expert statements and persuasive arguments, and then drawing informed conclusions' (Steves 2010). Panellists were proud of the clarity and simplicity of their statements. Cheryl Bunner said that the 'statements are written in pretty plain language and have a lot less "legalese" than other write-ups of the measure' (Hubbard 2012). Participants are also positive about the CIRs' effects on the quality of discussion and democratic engagement. Melissa Nogren, one of the 2010 panellists, stated, for example, that 'being involved in the panel was an affirmation that the democratic process really does work' (Reitman and Shuford 2010).

But participants also believe that the CIR process could be improved. For example, in their evaluation of the 2012 CIR, panellists stated that it was sometimes frustrating to discover that independent experts were not easily reachable despite having offered their availability, or that advocates did not have relevant documentation to hand to back up their claims (Citizens' Initiative Review Commission 2014). Participants also agreed with the researchers' recommendation that CIRs should be more heavily publicised. In the 2012 evaluation, they suggested issuing a press

release on the final day of the CIR highlighting the quality of information and of the process, rather than the number of panellists who favoured or opposed a measure (Citizens' Initiative Review Commission 2014).

Thus, we see strong praise for the operation of CIR in Oregon from all who are close to the process, but also several recommendations for how the system could be improved, both in the working of the panels themselves and in how the panels' work is publicised.

Finally, the failure to hold any state-wide CIR in 2018 is also noteworthy. As we have seen, though CIR in Oregon has a statutory footing and is therefore officially supported by the state, it receives no public funding. We have noted in previous chapters – particularly in Chapter 6, on VAAs, and Chapter 7, on analysis of manifestos – that relying on private funding for democratic information can be perilous: such resources can be difficult to secure without endangering the independence and integrity of the information provision. Oregon's experience appears to confirm the same picture. We reflect on this further in the final part of this chapter and in Part 5 of the report.

Perceptions

This section considers wider perceptions of the review panels in Oregon by drawing upon the legislative debate on establishing the CIR, and the results of a media content analysis conducted on 82 news pieces from Oregon's three most widely circulated newspapers (*The Oregonian*, *The Register-Guard*, and the *Statesman Journal*) covering the period from 2008 to 2018.[15]

The legislative vote for permanently establishing the CIR in 2011 indicates that there was wide agreement among politicians on the benefits of having a panel of citizens review ballot measures prior to an election. That support was not evenly spread across the two main parties: Democrats voted unanimously for HB 2634, but only a fifth to a quarter of Republicans did so. Nevertheless, Vicki Berger, a Republican representative, was one of the CIR's strongest advocates, describing it as 'a chance to see democracy as it should be' (Berger 2012) and a 'stunning work of good public policy', which enhances the initiative process (House Committee on Rules 2011; Joint SubCommittee on General Government 2011).

Both during legislative debates and in the media, politicians praised the CIR on two counts. First, they recognised the quality of deliberation during the CIR, which exposes participants 'to information the average voter isn't likely to get from campaigns and limited press coverage' and allows them 'to see a much bigger picture than what is presented in campaigns' (Eachus 2010b). Second, they also valued the quality of information that the process offers Oregonians in general.

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[15] The search string used to find articles in ProQuest was: "citizen initiative review" OR "Citizens' Initiative Review" OR "Citizen's Initiative Review" OR ("citizen pane" AND ("ballot" OR "measure")) OR "citizens initiative review" OR ("citizens review" AND ("ballot" OR "measure")) OR ("citizens' review" AND ("ballot" OR "measure")) OR ("citizen review" AND ("ballot" OR "measure")) OR ("citizen's review" AND ("ballot" OR "measure")) OR ("citizens panel" AND ("ballot" OR "measure")) OR ("citizens' panel" AND ("ballot" OR "measure")) OR ("citizen's panel" AND ("ballot" OR "measure")) OR ("voters' pamphlet" AND "citizen statement") OR ("voters' pamphlet" AND "citizens' review statement") OR ("voters' pamphlet" AND "citizen's review statement") OR ("voters' pamphlet" AND "independent panel") OR ("citizen statement" AND "independent panel") OR ("citizens' review statement" AND "independent panel") OR ("ballot measure" AND "independent panel") OR ("CIRs" AND "statement") OR ("CIRs" AND "independent panel") OR ("CIRs" AND "voter pamphlet"). We initially conducted our search on the period between 2008 and 2016. When we returned (in early 2019) to add a search covering 2017 and 2018, *The Oregonian* was no longer available in the ProQuest archive. We therefore supplemented our ProQuest search by searching on the *Oregonian* website (*The Oregonian* 2019).

When discussing the bill at a public hearing of the House Committee on Rules on 30 March 2009, Republican senator Doug Whitsett argued that a Citizens' Initiative Review would strengthen direct law-making by providing an objective, impartial and non-partisan analysis of a ballot measure, and act as an alternative to partisan rancour (House Committee on Rules 2009). During the hearing, Democratic representative Ben Cannon argued that the CIR statement would be an additional tool for making an informed decision (House Committee on Rules 2009). In the media, Democratic representative Nancy Nathanson was quoted as saying: 'Voters receive lots of information in quick soundbites these days […] All [House Bill 2634] does is provide them with one extra source of information: impartial, unbiased, by citizens just like them who spent days on end studying (the issue)' (Hubbard 2011). Former politicians Dave Frohnmayer (Republican) and Phil Keisling (Democratic) argued that the CIR was 'going to yield far better information about a ballot measure than poll-tested campaign ads and talking points', and offered a 'clear, useful and trustworthy evaluation of ballot measures' (Frohnmayer and Keisling 2012). These politicians clearly perceive the information provided by the CIR to be accurate, balanced, and valuable.

But some politicians have also raised concerns. State involvement through endorsement and funding were two of the main reasons adduced by those who voted against HB 2634. During a 2009 debate, Republican senator Ted Ferrioli questioned the need for state approval of the CIR, given that any organisation could analyse a measure and publish its findings in the pamphlet (Senate Committee on Rules 2009). In 2011, Republican representative Matt Wingard expressed concern about the state being perceived as endorsing the results of the CIR in an official document, given the inclusion of panellists' vote tallies in the arguments for and against a measure (House Committee on Rules 2011). During a 2011 debate on HB 2634, Republican representative Bill Garrard raised the issue of the long-term financial sustainability of the CIR and potential requests for state funding in the future (Joint SubCommittee on General Government 2011). Though a supporter of the CIRs, Vicki Berger has also been adamant in arguing that the state should not subsidise the CIR, given the budget deficit and a desire to avoid state involvement in initiative measures (House Committee on Rules 2009; House Committee on Rules 2011). Further concerns raised by politicians during the 2011 legislative debates related primarily to the potential vested interests and 'agendas' of panellists and funders, and to the inclusion of a vote tally in the CIR statement (House Committee on Rules 2011; Joint SubCommittee on General Government 2011). But such concerns were not widespread and were offset by compromises made by Reitman and Shuford to their initial proposals (Gastil and Richards 2013: 271), such as the inclusion of a clear disclaimer on the CIR's statement page indicating that the state was not involved in the process.

Though coverage is quite low (in the available database, there were only 82 articles mentioning the CIR, compared to 738 pieces mentioning the elections), the media appear to raise awareness of CIRs among the wider public. References to the CIR most often focus on what it is, how and why it was established, and how it works (Figure 10.6) and, out of 544 coded statements made by journalists, 368 are descriptive in tone. Examples include: 'the goal of the review is to help Oregonians better understand ballot measures' (Melton 2011); 'No state tax money is involved' (Melton 2010a); 'the evaluations will include presentations from sponsors and opponents of the initiative, analysis by experts in relevant fields of public policy, and deliberations by the 24 members of the review group' (*The Register-Guard* 2010); 'They listen to presentations, ask questions and then deliberate' (Wong 2012).

Figure 10.6. Oregon CIRs in the newspapers: Most coded topics
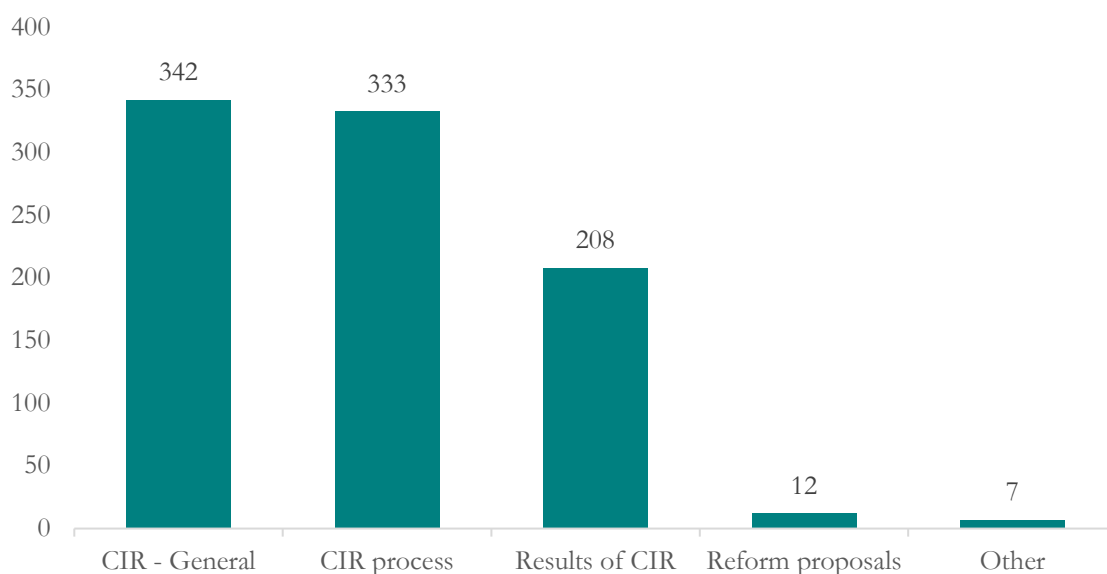
Turning to more substantive statements, journalists are twice as likely to praise as to criticise the CIR (we coded 61 statements as positive, 27 as negative). The CIR process and panellists' statements are widely praised in the media for their balance, accuracy and trustworthiness, and are often contrasted with regular campaigns. A journalist for the *Statesman Journal*, for example, reported that the CIR would provide voters with 'straightforward, unbiased information from a source they can trust: their fellow Oregonians', while maintaining that campaigners' advertisements in the pamphlet were 'a bad way to judge [a ballot's] merits' (*Statesman Journal* 2009). Others stated that the CIRs are 'intended as an antidote to the attack ad, the viral video, the sound bite' (Nielsen 2010) and are a way 'to push back on so much of the white noise engulfing modern life' (*The Oregonian* 2011). The CIRs and the quality statements they produce are seen as helping 'voters make heads or tails of the spin' (*Statesman Journal* 2008), given that sifting through information and campaigners' arguments could be a 'confusing, time-consuming challenge for voters' (*Statesman Journal* 2009). The CIRs' impact on informing the debate can also be seen in the fact that, in eight articles, the panels' results are used by the authors or those they quote to back up their own claims or discredit those of their opponents. These include examples such as: 'The panel had a chance to see the bigger picture. When done, 21 opposed it, concluding that it will have little crime deterrent effect but will mean cuts in other programs or new taxes' (Eachus 2010a); 'we think you'll come to the same conclusions as both candidates for governor and all those citizens who studied Measure 73: It's not good policy for Oregon right now' (*The Oregonian* 2010); and 'Clearly, when people take the time to really understand what this is about they oppose it' (Guson 2010).

The impartiality and transparency of the process were also picked up by the media. One journalist referred to the CIR as a 'laudable exercise in transparency' (*The Register-Guard* 2012). Others emphasise that panellists are 'regular citizens, not paid hucksters' (Eaton 2010), do not 'come in with an agenda', and have no 'direct stake in the outcome' (Steves 2010; *The Oregonian* 2016).

Journalists' positive perception of the operability of the CIR is also evident from the fact that some have suggested expanding this mechanism both within and outside Oregon. *The Oregonian* editorial board, for example, suggested making legislative referrals subject to a review panel as well (*The Oregonian* 2012b). They argued that this would enhance the relevance of review panels and subject legislation introduced by law-makers themselves to scrutiny. In so doing, the editors believed that

panels 'would perform a valuable public service by highlighting some of the tricks of the lawmaking trade. Like, for instance, the Legislature's habit of writing the ballot titles for its referrals, a privilege that initiative sponsors don't enjoy' (*The Oregonian* 2012b). A journalist for *The Register-Guard* reported that 'if it's successful it could be replicated in states where complex, consequential and costly decisions are being made at the ballot box' (*The Register-Guard* 2010).

The media coverage gives some insights into campaigners' perceptions of the CIR process too. Their interventions are relatively few (68 references out of 881 coded statements) and almost half of these (30) are from one individual: Scott Moore, in relation to the 2012 campaign for measure 85. The official sponsor of measure 85 – an organisation called Our Oregon, for whom Scott Moore was a spokesperson – refused to participate as an advocate in the CIR. Moore offered several reasons for this:

- He claimed that CIRs have no impact on the quality of debate and on voters: there is 'very strong evidence […] that the output of the Citizens' Initiative Review has zero impact on shaping the opinions of voters' (*The Oregonian* 2012a) and that reading 'tallies of the votes of anonymous strangers is simply not useful to most Oregonians' (Moore 2012). For example, he pointed out that 'the 2010 election outcome didn't correspond with what that year's citizen review had recommended, thereby implying that the process was ineffective and irrelevant' (*Statesman Journal* 2012).

- He suggested that the information produced by the CIR was of poor quality: 'statements produced by the panels don't differ in any way from the campaigns' talking points, and don't offer any more insight into the issues' (Moore 2012).

- He said the participants were unrepresentative: 'the panels are far from representative of the voting public' (Wong 2012); the process 'excludes anyone who can't take off of [sic] work or other responsibilities to hang out in a Salem conference room for a week' (Moore 2012).

- He implied that CIRs relied on public funding: 'While Oregon is facing ongoing cuts to schools and basic services like health care and public safety, the state shouldn't be giving or loaning money to ineffective projects like this one. However much money or staff time has been given or loaned to the project is money that should have been spent in Oregon classrooms or on critical projects' (Wong 2012).

But Moore's assertions are isolated among the few other campaigners present in the media coverage, and other stakeholders. Indeed, many journalists criticised Our Oregon's decision not to participate. One wrote that this decision reflected 'poorly on the sponsors' of the initiative and was a 'puzzling and unfortunate trashing of a fledgling effort that deserves encouragement and support, not ham-fisted, uninformed criticism from a group that should both accept and encourage citizen review' (*The Register-Guard* 2012). Another accused Our Oregon of 'shirking duties' and 'trying to sabotage voters' understanding of the initiative process' (*Statesman Journal* 2012).

It is important to note, finally, that our search of newspaper coverage of CIRs yielded no relevant coverage at all in 2017 or 2018. Thus, the absence of CIR in 2018 appears to have gone unreported. This has implications for the degree to which CIR can be claimed to have broader impact on referendum discourse in Oregon, and we therefore consider it further in the next sub-section.

Impact

We now turn to the question of whether CIRs do indeed contribute to informing public debate. We assess the impact of the information they provide on voters and the broader quality of discourse.

To assess the degree of public knowledge of and engagement with the CIR process and statements, we draw on post-election surveys conducted by Gastil and Knobloch for CIRs between 2010 and 2016. As shown in Table 10.6, around half of respondents said they were aware of the CIR statement in the pamphlet. From 2010 to 2014, the number of those aware of the statement increased, peaking at 54 per cent, before slightly falling in 2016. Of the voters aware of the CIR, fewer than half read its statement, though this also increased after 2010 and subsequently remained stable around 43–44 per cent. At least from 2012 onwards, most of those who read the statement said they found it useful and that it provided them with new arguments or information. These results suggest that awareness of CIRs has risen, and that voters have increasingly used the CIR statement as a source of information.

Table 10.6. Public engagement with Oregon CIRs

Year and measure	Voters who were at least somewhat aware of CIR process (final week)	Voters who read statement	Voters who found statement at least somewhat helpful	Readers who considered new arguments/information after reading statement
2010 – 73	40% (N:111)	29% (N: 111)	53% (N: 85)	44% (N: 601)
2010 – 74	40% (N:111)	29% (N: 111)	33% (N: 85)	31% (N: 601)
2012 – 85	52% (N:323)	43% (N: 323)	71% (N:323)	-
2012 – 82	52% (N:323)	43% (N: 323)	65% (N:323)	-
2014 – 90	54% (N:403)	44% (N: 403)	56% (N: 403)	67% (N: 403)
2014 – 92	54% (N:403)	44% (N: 403)	58% (N: 403)	63% (N: 403)
2016 – 97	52% (N: 435)	43% (N: 435)	60% (N: 435)	69% (N: 435)

Sources: Gastil and Knobloch 2010: 34; Knobloch et al. 2013: 20–1; Gastil et al. 2015: 35–8; Gastil et al. 2017: 17–20.

Note: The way the sources report the data on whether voters found the statement useful means that the numbers in that column may not be exactly accurate.

In 2010, Gastil and Knobloch (2010: 34) found that surveyed voters spent on average eleven minutes reading the CIR statements for measures 73 and 74, compared to six minutes for the campaigners' arguments against a measure, four minutes for those in favour, and four minutes for the state's explanatory statement. The 2012 survey asked voters to indicate the level of trust they placed in different sections of the voters' pamphlet. Thirty-five per cent of respondents placed a lot or complete trust in the CIR statement, higher than campaigners' arguments (18 per cent), though lower than the explanatory statement (44 per cent) (Knobloch et al. 2013: 22). Though

limited in time, these results seem to indicate that citizens value the information received from their peers and perceive it to be more trustworthy than campaigners' statements.

Voters' increased awareness of the CIR might be partly due to panellists acting as ambassadors for the process. In the media, participants were positive about the possibility of sharing their experience more broadly, with one 2010 panellist saying that they would 'share with everyone at home what I got this week on this initiative' (Wong 2010b). But, as we have seen, Gastil and his colleagues have suggested that more could be done to encourage participants to pro-actively take on such an ambassadorial role.

There does not appear to be a relationship between the voting outcomes in the CIR and actual election results. Indeed, Table 10.7 shows that the electorate's preferences opposed the panellists' on three initiatives. This discrepancy in voting outcomes is sometimes reported in the media. For example, one journalist stated that 'Measure 73, which a majority of the panel opposed but which voters approved, imposes tougher sentences for certain sex crimes. Measure 74, which a majority of the panel favoured, but which voters rejected, would have changed Oregon's medical marijuana system' (Hubbard 2011). Scott Moore in particular used these results as proof of the CIRs' lack of impact on voters. But causal inferences should not be made on this basis, given that CIRs aim to contribute to the election debate and foster more informed, reflective voting decisions, rather than to tell people how to vote. Some journalists state this explicitly, with one writing that the 'idea was never that the panels should direct Oregonians how to vote, or that they should pick winning measures' (*The Register-Guard* 2012), and another stating that their 'real contribution was to ensure that voters' decisions were better informed' (*The Register-Guard* 2011). Similar views are shared by Gastil and his colleagues (Gastil 2014: 145; Gastil et al. 2014: 65).

Table 10.7. Comparison of referendum and CIR results in Oregon

Year	Measure	Referendum result	Referendum Yes vote	CIR result	CIR Yes vote	Do results match?
2010	73	Yes	57%	No	13%	No
2010	74	No	44%	Yes	54%	No
2012	85	Yes	60%	Yes	79%	Yes
2012	82	No	28%	No	29%	Yes
2014	90	No	32%	No	26%	Yes
2014	92	No	50%	No	45%	Yes
2016	97	No	41%	Yes	55%	No

Sources: Brown 2010, Brown 2012, Brown 2014, Atkins 2016 and Oregon Secretary of State n.d. Note: Percentages have been rounded to the nearest whole number.

The evidence above indicates that CIRs do improve the information environment in Oregon referendums to a useful degree. But it is less clear that they have any substantial effects on the quality of referendum discourse. We have seen that news media outputs do at times draw on the CIR reports – but the extent of this is hardly overwhelming. Most striking is the fact that we have found no commentary at all on the absence of any CIR in 2018: neither in the newspapers nor in

the state legislature have we found any evidence that this absence was even noticed. Clearly, therefore, while CIR may be formally part of the system, it has not become baked into people's expectations for the referendum process. We should not exaggerate the significance of this: multiple initiatives appear on the ballot paper in every election cycle and only one or two of these have ever been subject to CIR in any given year; the people of Oregon have therefore remained used to voting on measures without any CIR to guide them, so might not have seen anything unusual in 2018. Nevertheless, were CIR seen as important, we would have expected at least some attention to be given to its absence.

Thus, while the impact of Oregon's CIR system upon campaign information and discourse is clearly positive, we must remain cautious in our assessment of how deep that impact extends.

Concluding Remarks on CIR in Oregon

On the whole, the evidence suggests that Citizens' Initiative Reviews help inform referendum debate in Oregon. Deliberation during CIRs is inclusive, open-minded, and bridges across diverse perspectives. Panellists are representative of the Oregon electorate and feel that they are able to fully engage in the process. The way the process is structured, particularly the role of facilitators, is conducive to open-mindedness: participants are encouraged to respect and listen to each other's views. Most stakeholders agree that the impartiality and fairness of the process is high.

There is broad agreement that the information provided to voters through the CIR is of high quality. The statements produced have been found by researchers to score well in terms of accuracy, readability, comprehensiveness and clarity. Both politicians and panellists praise the information provided by the CIR, which they view as a welcome addition to a debate generally dominated by campaigners. Participants have shown a willingness to act as ambassadors for the CIR and share their experience with friends and family – though it appears that more could be done in this regard.

Around half of voters have said that they are aware of the CIR and that they have read the pamphlet statements; most of these find the statements useful, giving access to new arguments or information.

Nevertheless, it is hard to discern a wider impact of such information on the broader political discourse, and CIR's proponents have argued that it could be better publicised and integrated into the referendum campaign. The sustainability of funding is also clearly an issue. We will carry these points forward as we turn now to consider potential lessons for the UK.

Lessons for the UK

We conclude our examination of deliberative processes aimed at informing public debate by considering what lessons might be drawn for the UK.

As in the cases of Canada and Ireland explored in Chapter 9, Oregon shows that it is possible to run deliberative processes that, in themselves, score very highly in terms of both the quality and inclusiveness of the discussions that take place within them and the quality of the information that they subsequently make available to voters. Very similar procedures have been followed in Oregon as in the earlier cases in order to achieve these outcomes, including careful recruitment of panel

members to ensure they are broadly representative of the Oregon electorate, careful development of a balanced programme for panel meetings, and expert facilitation of all panel discussions.

Experience in Oregon also highlights the fact that deliberative exercises of this kind need sufficient time and financial resources to operate effectively. In particular:

- Oregon's citizen panels, unlike the citizens' assemblies that we examined in Chapter 9, run over four or five consecutive days, rather than over multiple discrete weekends. This leaves limited scope for corrections to be made along the way. For example, if panel members want more information on particular matters, we saw that it is not always possible to obtain it in time. Wherever possible, a structure of distinct sessions appears preferable.

- Reliance on private funding is clearly precarious, as the absence of any CIR in 2018 demonstrates.

- Any CIR-type process requires the means to disseminate its findings effectively across the electorate. That requires funding. In the UK, it is also likely to require close collaboration with the Electoral Commission or any other body charged with promoting information provision in elections and referendums.

This final point, on publicity, is crucial. We have not seen evidence to suggest that CIR has had the transformative effect on discussion in Oregon that its proponents might have hoped for. That is likely, at least in part, to be because CIR is not sufficiently prominent. Each panel's statement takes the form of a page of dense text buried in a very thick booklet of campaign literature. No such booklet exists in the UK, which means there is a blank slate upon which to develop better dissemination mechanisms. These should link closely with the mechanisms that might be used to deliver all of the forms of information that we have discussed in this report, and we therefore pick the point up in Part 5.

Three questions regarding applicability to the UK remain. The first two of these are already familiar from preceding chapters: Who would best convene any deliberative processes modelled on Oregon's CIR process? And how would such processes fare within the UK's adversarial political and media culture? The third takes us into territory that we have touched on in earlier chapters but not yet fully developed: Are there any other purposes to which such deliberative processes could be put besides simply providing a statement of arguments at the start of a campaign.

On the first of these questions, three models that we have discussed in previous chapters are again relevant: the state might run citizen panels directly; or public funding might be provided for initiatives organised at arm's length from the state; or deliberative mini-publics might be convened by broadcasters. The first of these could raise concerns about independence and therefore legitimacy – which ties into the question of the UK's political and media culture. The second structure is one that we think the UK could aspire to. Should political support not be forthcoming for that, the third approach also holds considerable promise.

Indeed, broadcasters in the UK are acutely aware that they need to do better in any future referendum campaign than in the past at fostering informed and inclusive discussion that engages people effectively. The same applies to elections too. The development of deliberative programme formats would provide a new way of doing that. This would constitute a development from the broadcasters' existing work during campaign periods and, as such, it would be less likely to meet

disabling political or media opposition than might the creation of a wholly new structure. At least in the short term, we think this offers a very promising path forward.

This last point provides an answer to our second question, on the UK's political and media culture. As in previous chapters, we suggest that a gradualist approach, building on existing practices and institutions, would help minimise opposition and claims of illegitimacy.

Finally, we turn to our third question: could deliberative mini-publics be used in the context of election or referendum campaigns for purposes other than the provision of a fixed statement, as in Oregon. We ask this because we have repeatedly raised a similar question in previous chapters: could direct citizen involvement help advance the quality and the legitimacy of other kinds of intervention? For example, could it be used as part of a fact-checking process? Could VAAs be developed using citizen participants – as already happens to some degree with Germany's Wahl-O-Mat? Could deliberative citizen involvement be integrated into mechanisms of policy analysis, or the development of referendum information provision?

We will not attempt to answer these questions here: that is a job for Part 5 of the report, where we draw all the strands of our analysis together. At this stage, the core lesson that we draw from the evidence and analysis in this chapter is that Oregon has pioneered the involvement of citizens in deliberative processes during campaign periods, but has not yet exhausted all the potential of this approach. We think that, by drawing on the insights of all the preceding chapters, more could be achieved.

Conclusion to Part 4

This part of the report has focused on ways of directly fostering quality discussion of election and referendum issues among citizens. We began by differentiating between strategies that seek to draw in the mass of citizens and those that enable structured deliberation among a sample of citizens – a so-called 'mini-public' – and then disseminate the results of that more widely. For practical purposes, it is the latter approach that is realistic. Chapters 9 and 10 explored two variants of this. The first of these, as exemplified by recent practice in Canada and Ireland, uses a citizens' assembly to explore an issue and make recommendations on what proposals (if any) should be put to voters. The second, as pioneered in Oregon, uses citizens' panels to explore the issues raised by a referendum question that has already been fixed.

Both chapters show that, with appropriate time and resources, such deliberative mini-publics can operate very effectively in themselves. Representative samples of participants can be recruited and, working with facilitators in the context of a carefully balanced programme, they can engage in inclusive, diverse, open-minded discussion and thereby develop an informed understanding of the issues. They can then produce information materials that themselves display the qualities we focus on, being accurate, balanced, accessible, and relevant to people's concerns.

The key question concerns whether these deliberative mini-publics can connect effectively with wider political discussion and policy-making. In this regard, we have seen much that is positive in all three countries that we have examined in detail. But we have also seen scope for further improvement in how the results of mini-publics are disseminated. And, as in previous chapters, we have raised the question of whether practices such as these could survive within the UK's political and media culture.

We have suggested that this last point can be addressed through a gradualist approach: by selecting carefully the topics on which early citizens' assemblies are held, focusing on those where debate is not already deeply polarised; and by building on existing practices, such as the work that broadcasters already do to foster discussion during campaign periods.

We have also suggested that the UK need not be bound simply to following the approaches that have already been taken in other countries: there is also scope to combine the deliberative model with the lessons from our earlier chapters, relating to other strategies for promoting high-quality information and discussion.

In Part 5, we bring these ideas together and flesh out a model for how information and discourse in election and referendum campaigns in the UK could be improved.

Part 5: Conclusions

Chapter 11. A Blueprint for Change

The preceding chapters have examined multiple strategies through which information and discourse in election and referendum campaigns in the UK might be improved. Building on experience in the UK as well as on international case studies, we have drawn conclusions within each chapter regarding the desirability and feasibility of each of these strategies. In this final chapter, we pull the strands of our analysis together and offer a blueprint for a new approach.

We think that significant change is needed in how election and referendum campaigns are conceived. Democracy works best when people can access the information they want from sources they trust, and when they can take part in high-quality discussions relating to key political issues. These things are not happening sufficiently today, and this situation is not likely to improve on its own. Clear policy decisions are needed – within government and beyond – to ensure that our democratic system is fit for purpose.

We sum up our analysis through four steps. First, we review the conclusions that we have reached so far, summarising our findings on individual strategies, identifying requisites for any future approach to information and discourse, and highlighting contextual factors in the UK that need to be borne in mind when devising an approach. Second, we set out our proposal for an optimal model for fostering high-quality information and discourse in future election and referendum campaigns. We argue that this should be coordinated, but also pluralistic, and that it should incorporate deep citizen involvement at every stage. Third, we consider how best to get to the model that we propose. As in preceding chapters, we recognise that a gradualist approach may be optimal, and we consider how it might best be sequenced. Finally, we open up our discussion to wider changes that might help improve information and discourse in the UK. Our focus throughout this report has been on interventions during election and referendum campaigns. But wider contextual factors clearly matter too. We look particularly at the media and education.

Findings from Preceding Chapters

We begin by reviewing the conclusions that our analyses in previous chapters have led us to.

Strategies for Improving Information and Discourse

Over the preceding nine chapters, we have investigated nine possible strategies for improving information and discourse in election and referendum campaigns, grouped into three categories: confronting misinformation, promoting quality information, and promoting quality discussion.

We have rejected only one of these strategies: we concluded in Chapter 2 that, while mechanisms for banning misinformation have worked well in themselves in both South Australia and New Zealand and have probably had some positive effects in both of those polities on the quality of information and discourse, they are unlikely to be suited to the UK. The benefits of any misinformation ban are necessarily limited: only manifestly false claims can be stopped; it is all too easy to word a misleading claim in a way that is not strictly false, so change to discourse would be slight. The UK's particularly adversarial political and media culture means that any such benefits could easily be outweighed by costs. A system of banning misinformation would likely be 'weaponised' as part of the political game. Campaigners or newspapers that found particular

judgements unhelpful to their cause would seek to undermine the legitimacy of the body making those judgements. Campaigners could deliberately promote falsehoods in order to skew the agenda of discussion onto territory favourable to their cause. Those willing to use populist tactics might do the same so that they could claim victimisation at the hands of a supposedly out-of-touch establishment.

By contrast, we have argued that the remaining eight strategies all show considerable promise:

- *Fact-checking* (Chapter 3) has recently emerged as a distinct strand within and beyond journalism, and offers an important mechanism for identifying and exposing misinformation. Developments have continued while we have written this report: for example, the BBC has raised the profile of its 'Reality Check' strand, and Facebook has launched a collaboration with the UK's leading independent fact-checker, Full Fact. Fact-checking is reactive to information put out by others, so it cannot in itself offer a complete solution to the problem of poor information and discourse. But it is one important building block.

- Measures to increase *transparency* of political discourse (Chapter 4) constitute a further building block. Online political campaigning has so far been notably opaque: microtargeting makes it difficult to see the range of messages that campaigners are putting out, and who is responsible for advertisements can be unclear. This is another area of rapid development. Facebook and some other tech companies have introduced archives of advertisements during the time we have been writing this report, but, as many voices in the ongoing debates have argued, more government intervention is likely to be needed.

- Turning to strategies for promoting quality information, provision of *basic information* on how to vote and on the options available during election and referendum campaigns (Chapter 5) is currently badly neglected in the UK and many other democracies. Such information is relatively uncontroversial, covering only the first two rungs of the information ladder that we set out in Chapter 1, and we therefore think that rectifying this gap ought not to pose great problems.

- *Voting advice applications* (VAAs) (Chapter 6) extend information provision up to the third and fourth rungs of our information ladder, helping voters understand the positions of political parties and how these relate to their own views. VAAs have already proved popular in the UK as in many other democracies – most notably, in Germany. They could be developed much further to help the broadest possible range of voters understand the options before them. Capacity to take up these opportunities has, however, been limited in the UK by lack of funding.

- *Party policy analysis* (Chapter 7) also already exists in the UK. Indeed, it is here that existing UK practice, particularly through the work of the Institute for Fiscal Studies (IFS), is most developed. Drawing on experience in the UK, the Netherlands, and elsewhere, we found that there are both advantages and disadvantages in an approach to policy analysis that relies entirely on an independent research institute such as the IFS. We considered the possibility that the IFS's important contribution could be supplemented by work by a public body such as the Office for Budget Responsibility (OBR).

- *Information provision during referendum campaigns* (Chapter 8) has been a subject of particular concern in the UK since the 2016 EU referendum – though problems were already evident in earlier referendums too. We saw New Zealand's model of ambitious information provision as the goal to aspire to, though we also suggested that the sudden adoption of this model would carry risks in the context of the UK's political and media culture. We proposed that a gradualist approach might be best.

- Turning finally to strategies for promoting quality discussion, the use of *citizen deliberation to set the agenda* for possible referendums (Chapter 9) has been particularly successful in recent years in Ireland in assisting grounded, reasonable discussion of contentious issues. We think this approach could have a similar effect in the UK, though it would be highly desirable to develop familiarity with the idea of citizens' assemblies and embed them as a legitimate part of the policy-making process by using them first on issues where opinion is not already highly polarised.

- We also supported the use of *citizen deliberation to frame the debate* during election and referendum campaigns (Chapter 10). This has worked well in Oregon and some other US states. Though we found that its impact there has been relatively limited, we also argued that the basic model could be integrated much more effectively into the wider campaign process in order to deliver greater results.

The question now is how we can tie together all these individual conclusions into an overall model for enhancing information and discourse during elections and referendums in the UK. Before setting out our proposal, the following two subsections draw out from the preceding chapters some of the key points that need to be borne in mind when such a model is being developed.

Requisites of an Effective Model

In Chapter 1, we defined high-quality information as information that is accurate, balanced, accessible, and relevant to the full range of people's concerns. We defined high-quality discussion as discussion that is rooted in high-quality information and, additionally, is inclusive, bridges between people with differing perspectives, and is open-minded. We said that measures to enhance information and discussion must satisfy these dimensions and must be able to do so in a timely fashion. Furthermore, we said that such measures should satisfy these dimensions in themselves (our operability domain), be seen to do so (our perceptions domain), and positively affect wider campaign discourse (our impact domain).

In order to advance these objectives, any model must have a number of features:

- It must be clearly *independent* of government, political parties, and other interests with views on the issues in hand. Any bias or unfeigned perception of bias would be very damaging.

- It must draw on *expertise*. Different forms of expertise are relevant depending on which of the strategies above is our focus. They include, for example, expertise on the content of the issues in hand, on the range of perspectives that exists on those issues, on how to assess empirical claims, on how to facilitate productive, deliberative discussions, and on how to reach and engage the widest possible range of audiences.

- It must be adequately *funded*. That relates both to the level of funding and to its sources. Generating high-quality information and enabling high-quality discussion requires significant financial resources. Information materials must be tailored to suit a range of audiences, and wide advertising is needed to reach those audiences. Embedding citizen deliberation into the heart of information provision also requires funding.

- It needs to be *trusted*. We have seen several cases in preceding chapters where information is provided by a long-established and long-trusted institution, such as the German BPB, or where it is backed up by a well-recognised brand, such as the New Zealand Electoral Commission's 'Orange Guy'. At the same time, reliance on an existing, trusted institution clearly becomes problematic if it endangers trust in that institution. It is also important for information provision to be agile and fresh.

- It should be *coordinated* but should also, where appropriate, draw in elements of *pluralism*. Coordination is needed to help voters find the information they want and move from one kind of information to another. But plurality is also valuable to foster creativity in how information is presented. Furthermore, reliance on a single information provider would create significant risks if confidence in its impartiality and competence were to diminish.

Contextual Factors

In designing a model for the UK, it is important also to consider the context in which it will operate. We again highlight several key elements:

- In preceding chapters, we have repeatedly emphasised the adversarial character of the UK's political and media culture. The UK is far from unique in having campaigners who are willing to use deceptive or confrontational tactics to advance their cause, nor in having newspapers that sensationalise and take strong positions on issues. Nevertheless, everywhere we have conducted interviews – in Ireland, Germany, the Netherlands, Australia, and New Zealand, as well as in the UK itself – we have heard the view that the UK's political and media culture would pose a challenge to the kinds of strategy we have discussed. The recurring concern is that honest and well-crafted measures designed to improve information and discourse would risk being unfairly trashed by those who find them inconvenient. Any approach that is taken in the UK needs to address this.

- Perhaps because of the UK's adversarial culture, many existing institutions – including the Electoral Commission, the Advertising Standards Authority, and the BBC – are wary of taking on a greater role than at present in fostering quality information and discussion. That does not apply to all institutions: the UK Statistics Authority, for example, has expressed enthusiasm for playing a stronger part in upholding the honest use of official statistics. It is, however, important to take the concerns of these bodies seriously.

- There are different starting points for any future model in the UK depending on which of the strategies listed above we focus on. As we noted, existing practice is most developed in the case of policy analysis, where the IFS already does effective work. There are also positive foundations to build on in the cases of fact-checking, transparency, and VAAs. In other areas, there is some existing experience, but this is more limited. Any future model needs to harness existing work while also building further and filling gaps.

- Time constitutes a final important consideration, more in the case of elections than of referendums. Timeliness, as we noted above, is one of the requisites of any system for enhancing information and discourse. But it takes significant time to develop resources such as VAAs or policy analyses. In the countries where these work best – as in Germany and the Netherlands – elections typically take place at the end of the parliamentary term: early elections are rare. In the UK, that applies to elections for the devolved legislatures. The Fixed-term Parliaments Act 2011 makes it now more likely for Westminster elections too. As the 2017 general election showed, however, it is far from guaranteed.

A Model for the UK

Building on our chapter conclusions and the points set out in the preceding section, we now elaborate our optimal model for how to improve information and discourse in UK election and referendum campaigns.

Our model is ambitious. It takes seriously the idea that democracy is about empowering voters to make their own choices. That can happen only if voters can find accurate and accessible answers to their questions and can take part in open discussion. Citizens are under no obligation to access any particular information, but they should be able to do so if they want.

This model has six core elements:

Spanning the Information Ladder

First, we recommend that information should be available, in both elections and referendums, spanning all six of the rungs of our information ladder:

1. Basic *procedural* information on when, where, and how to vote, and what to expect at the polling station, is already available in the UK. This should be provided, amongst other channels, in one easy-to-use, widely advertised website.

2. *Factual* information on election candidates should be much more readily available than at present. In Chapter 5, we set out two approaches to doing this: either candidates themselves could provide information (a statement subject to specified constraints, or a series of answers to specific questions), or the information publisher could generate information such as biographies or summaries of past records itself. We propose that at least the first of these approaches should be taken: candidates should provide together with their nomination forms a short statement and answers to a small number of questions, which would then be published online. It would be open for other organisations to provide further impartial information. In referendums, factual information on what the options mean and what the legal effects of choosing one or other of them would be, should also be provided.

3. *Positional* information that helps voters find and compare parties' and/or candidates' policies on specific issues without having to wade through multiple manifestos can be made available in a variety of ways. VAAs typically provide some such information. An advanced VAA would enable users to click through to further layers of information as they

wish, leading them through eventually to manifestos, speeches, and other such materials if they want to dig that deep.

4. VAAs also provide *comparative* information, allowing voters to see how parties, candidates, or referendum options compare with their own preferences. An advanced VAA would allow voters to choose how much depth they want to go into and what weight they want to attach to different policy areas. It would also allow them to explore non-policy aspects of their decision, such as their perceptions of different leaders and the state of party competition in their own constituency.

5. *Analytical* information assesses the likely impact of different options – whether these are manifesto proposals in an election or options on the ballot paper in a referendum. In the optimal model, proposals are assessed on the basis not just of a narrow range of criteria, such as fiscal impact, but on the full range of criteria that are relevant to voters.

6. Finally, *evaluative* information helps voters think through their own priorities. In the optimal model, this is related closely to information on the fifth rung: a wide range of criteria that voters might like to use in evaluating the options before them are included, and voters can consider which of these matter more or less to them; the analytical information at the fifth rung then allows voters to explore how the options measure up against these criteria.

An Information Hub

Second, as we have alluded to in several of the preceding chapters, we recommend that an information hub should be created to give voters ready access to these many different resources. This information hub should be flexible in its structure, so that voters can find their way into and through it in different ways:

- Some voters will navigate to an online portal page, where they can see a menu of different information resources that they can explore.

- Others might come across an advertisement to a VAA on social media. As they work through the VAA, they will then see links to further related information. For example, when answering questions about their own policy preferences, they could see an option saying 'I don't know, but I want to find out more', which would take them to analytical information on the effects of different options. And, on receiving conclusions as to how their preferences relate to the positions of the parties, they could see links to further information about those parties.

- Other voters would come across other entry points: via the voter registration website, for example, or through fact-checks on stories that they read. There would again be routes through to different parts of the hub.

This information hub would primarily exist online. It would be backed up by the polling card and at least one leaflet sent to all voters, which would contain some basic information as well as guidance on where to find more. It would also be promoted through a wide range of advertising in different media targeted at different audiences. To assist voters who are not online (ten per cent of UK adults in 2018, mostly among those aged 75 or older – ONS 2018), some materials beyond the basic leaflets should be available on request in other formats.

Materials from Diverse Sources

Third, the materials carried on the information hub should come from diverse sources. Information provision should be coordinated, but not monolithic. Some core information might be generated directly by the body responsible for providing the information hub. Some further information might be commissioned by that body: it might, for example, commission an organisation or consortium to deliver a high-quality VAA. Beyond this, organisations would be able to apply to have their information materials certified by the information hub and therefore included within it. They would have to meet strict tests for neutrality and quality.

This diversity would help to foster innovative approaches to reaching all parts of the electorate with information of types they find useful.

Citizen Deliberation Throughout

Fourth, we strongly recommend that citizen deliberation should be integrated into all aspects of information provision. This is a theme that we have alluded to several times in preceding chapters, and we develop it further here.

We saw in Chapter 9 the very positive role that citizens' assemblies have played in setting the agenda for referendums in Canada and Ireland. Integrating information about such assemblies – their composition, operation, and conclusions – into an information hub would be vital. Similarly, Chapter 10 showed that deliberative citizen panels have been used to good effect in Oregon to provide a statement of what a representative sample of citizens think about the issue in hand in a referendum once they have had the chance to learn, discuss, and think about it in depth. Such material should again be integrated into an information hub. A version could also be extended to elections, perhaps with a series of distinct panels convening to explore a range of key policy issues.

Beyond these practices, citizen deliberation could be used to guide the broader content of the information hub. For example:

- We saw in Chapter 6 that (non-deliberative) citizen panels are already used to shape the content of some VAAs. For Germany's Wahl-O-Mat, a team of young and first-time voters is in charge of selecting and formulating statements, with the assistance of experts. In the UK, Verto – the VAA developed by Bite the Ballot and Demos – held focus groups with young people to inform the design of statements. Such practices could be taken much further. Population-wide deliberative panels could select topics and help formulate statements, ensuring the materials are relevant and accessible to the wider population. Many of our interviewees supported such ideas; none raised significant concerns.

- We proposed above that policy analysis should be available on a wide range of topics. Citizen deliberation could be used to select the topics covered and the criteria against which proposals and options are assessed. Furthermore, this could be dynamic, with panels reviewing information during the campaign and proposing points on which they think more is needed.

- Similarly, citizen panels could be used during campaign periods to guide which claims are subject to fact-checking and how much attention is given to particular fact-checks. We also think there may be a role for citizen panels in assessing whether they are satisfied with the

information provided by fact-checkers or whether they want more detail or clarity on certain points.

- Focus groups and vox pops are already often used by broadcasters and others to provide instant popular responses to leaders' debates and other key campaign moments. These could be replaced or at least supplemented by more deliberative processes, encouraging people to engage thoughtfully with what has been said. As we argued in the introduction to Part 4 when looking at Ackerman and Fishkin's proposal for a 'Deliberation Day' ahead of elections, such interventions could incentivise politicians and other campaigners to be more honest in the claims they make.

Public Funding

Fifth, we recommend that the information hub and associated activities should be publicly funded. The health of democracy is fundamentally important to the health of society as a whole. It is imperative to ensure that it works well. We argue that relatively small investments have the capacity to bring significant positive effects and ought to be made.

There should be no doubt that a model such as the one we are setting out would require considerable financial resources. The information hub would need a sophisticated, integrated website that was designed to be attractive and intuitive for a wide range of different users. Advertising would have to be extensive across all media. Citizens' assemblies and citizen panels would all require to be supported. Teams of experts in policy, facilitation, and communications would need to be recruited.

There are essentially three possible sources for funding: through civil society and charitable means; through marketisation; or through public funding. Marketisation clearly has a role in some parts of the information environment: for example, social media companies are already funding fact-checking on their sites, and they could be required to fund a central repository for political advertising. But market funding of the information hub itself would be highly problematic. It would require funding the hub either through advertising or by selling users' data. Either of these would undermine trust in the hub as an independent, neutral information source; selling (for example) users' answers to VAA questions would be manifestly unethical.

Funding through civil society and charitable means can get us some way. It has already been used to fund VAAs in the UK (see Chapter 6) as well as the basic procedural and factual information provided by Democracy Club (see Chapter 5). But such funding has always been very limited: there is no evidence that sources exist that are willing to finance and sustain over the long term the transformative approach to information and discourse that we set out here. Furthermore, once the sums of money involved begin to rise, concerns that rich individuals or organisations are able to buy undue influence inevitably grow, however unwarranted they may be.

This leaves the third option, of public funding.

We think there may be two principal objections to public funding of democratic information and discourse during election and referendum campaigns: first, that such funding would constitute an unjustified drain on the public purse at a time when many public services are under severe strain; second, that it would endanger the independence of the operation.

We think the first of these objections is not justified. The UK government reported that the 2017 general election cost the public purse £140.8 million in England, Scotland, and Wales. Of that, £98.3 million was spent 'to cover fees and expenses incurred by Returning Officers in running the poll', while £42.5 million was incurred 'to cover primarily the delivery of elections addresses at public expense by the Universal Service Provider (Royal Mail) in accordance with legislation' (Cabinet Office 2017). Such figures were barely detectable in the overall scheme of public finances. Spending the same amount on an information hub and associated deliberative activities as was spent in 2017 on posting candidates' leaflets to voters would allow a major change in information provision. There could also be cost savings if candidates' election addresses were bundled together with other information, as happens in many other democracies.

As we argued above, we should not short-change the democratic process. Strengthening democratic information and discourse could improve how we engage with each other within society and enhance policy outcomes within government.

The second objection is that public funding could harm the independence of information provision. That would clearly be a worry if the information hub were managed directly by government. As we argue below, however, operational independence is essential. Public funding for the activities that we have set out would involve extending existing practice, not the introduction of a new principle. For example, the Electoral Commission already offers basic descriptions of the options available in a referendum. The BBC, which is central to much existing information provision, receives a form of public funding in the television licence fee. A small part of this is now used to pay for 'Local Democracy Partnerships' between the BBC and regional news organisations – a scheme, including 150 'local democracy reporters' throughout the UK, which is explicitly intended to plug existing democratic information gaps (BBC n.d.). The recent Cairncross Review proposes the creation of a publicly funded Institute for Public Interest News to build on these Local Democracy Partnerships with the aim of 'improving the supply of public-interest news' (Cairncross 2019: 90). Public funding for supporting information and discourse is also widespread in other democracies. The schemes we have analysed in detail in Canada, Ireland, Germany, the Netherlands, and New Zealand are all publicly funded. Only in Oregon has that not been the case, and we saw in Chapter 10 that significant problems have arisen as a result.

Public funding would unlock the potential of information provision of the kinds we have set out. Without it, such provision will inevitably remain limited, ad hoc, and uncoordinated.

A New Independent Public Body

Sixth and finally, we recommend that the information hub should be run by a new independent public body.

The alternative to creating a new body is that the hub could be run by an existing organisation. As we noted above, there could be advantages in this approach if the information hub could draw on the trust already invested in that organisation. Two possible candidates for this role would be the Electoral Commission or the BBC. The Electoral Commission is responsible for running or supervising various other aspects of election administration. It provides the 'Your Vote Matters' website, giving practical information on how to vote (see Chapter 5) and also distributes a leaflet during referendum campaigns. We have seen that the Electoral Commissions in New Zealand and South Australia have taken on some of the additional information functions that we have

discussed. The UK Electoral Commission has, however, repeatedly stated its opposition to an expanded remit in this area. We think its position on this is not unreasonable. It is primarily a regulatory body and is required to make often sensitive decisions regarding whether political parties and other organisations have operated within the rules on campaign funding and spending. It would not be best suited to taking on a large, innovative role in information provision. The sensitivity of the work of both the Electoral Commission and the information hub means that either would likely be attacked from time to time as illegitimate or biased; it would be undesirable for trust in one of these functions to be undermined by attacks upon the other.

The BBC, meanwhile, has a vital remit in informing voters during election and referendum campaigns. We have seen that it has expanded its fact-checking operations (Chapter 3), and it partners closely with the IFS in reporting on parties' manifesto proposals (Chapter 7). Australia's ABC provides extensive factual information on candidates and constituencies (Chapter 5), while broadcasters support VAAs in a number of countries (Chapter 6). But most of the information provision that we have discussed is not journalistic in a traditional sense. Indeed, some of the habits of traditional news reporting – seeking bold headlines, engineering contention, dichotomising complex debates – sit uneasily with the approaches to information that we have set out here. The mindset required for an information hub is thus different from that of journalism. Furthermore, the model that we propose would require significant investment in citizen deliberation and other such activities. The BBC could not decide unilaterally to devote large resources to this.

We therefore recommend the creation of a new body. This is similar to the Cairncross Review's proposal to establish an Institute for Public Interest News. Cairncross suggests that the governance of this body 'should be carefully designed to ensure complete freedom from any obligations, political or commercial' (Cairncross 2019: 101). She adds:

> The chair of the new Institute should be appointed in a manner that was indubitably free from government influence. One model for the process might be the approach taken for appointments to the Press Recognition Panel. By the same token, government funding in the form of an endowment may be preferable to grant-in-aid, in light of the need for the Institute to be as independent as possible. (Cairncross 2019: 102)

Similar care would need to be taken in ensuring the independence of the body responsible for the information hub.

This body would need to work closely with other organisations in order to fulfil its functions. It would work closely with the BBC and other broadcasters to integrate its provision into their coverage of elections and referendums. As we have discussed, it would commission work or seek proposals from a wide range of organisations and individuals, including academics with policy expertise, civil society groups with experience of constructing VAAs, and organisations specialising in fact-checking or in facilitating deliberation. It would work with the IFS to find ways of integrating that organisation's work into the hub while maintaining the IFS's independence. It might do the same with the OBR if its remit were expanded into this area.

Getting There

The model that we have just set out is ambitious, involving integrated provision across a range of information strands and incorporating extensive citizen deliberation at every stage. We think this ambition is important: a major change is needed in how we conceive of information and discourse during election and referendum campaigns. The various strategies that we have discussed in previous chapters have all been pursued individually in different countries, and all have had some positive effects. Only by bringing them together and adopting a new approach overall do we think it would be possible to unleash their potential fully.

That said, an ambitious model is also one that may prove difficult to implement. There may be political reluctance to take such a large step in a new direction. Furthermore, the larger and more unfamiliar is the innovation, the more likely it is to provoke hostile reactions. As we have repeatedly suggested in previous chapters, it may be better, therefore, to take a gradualist approach, building up trust and confidence over a number of election cycles. We therefore propose a three-phase approach.

Phase 1: Building on Existing Ad Hoc Arrangements

At the first phase, existing institutions would build on their current practices in ways that we believe would be largely uncontroversial. For example:

- Broadcasters, social media companies, and others should further enhance the status of fact-checking in their operations. Broadcasters often rely on 'he said, she said'-style reporting in order to fulfil their duty to maintain 'due impartiality'. Integrating fact-checking into the heart of their reporting is challenging: it requires that they sometimes say that the claims of certain campaigners are wrong or exaggerated, which leads to inevitable accusations of bias. Ways to overcome this should be actively pursued.

- The Electoral Commission could expand its existing 'Your Vote Matters' website to provide basic factual information on constituencies and candidates. At minimum, this would provide readily accessible information for all voters across the country on who their candidates are and on the results in their area in previous elections. If possible, it would also include candidate statements issued at the time of nomination. The Commission could also integrate existing information on campaign financing into this.

- Broadcasters should consider partnering with experienced VAA providers to develop a sophisticated VAA that enables voters to navigate their way through different policy options. Charitable trusts and other philanthropic organisations with an interest in promoting democracy might also consider supporting the development work for such a VAA. Care is needed here: any such organisation should be – and should be seen to be – entirely impartial politically.

- Academics and academic funding organisations, following the examples of the IFS and the UK in a Changing Europe, should consider what they can do in the context of election and referendum campaigns to promote better understanding and analysis of the issues at stake. Broadcasters should also consider what they can do to integrate such work into their coverage. Care is again needed here to maintain impartiality, which requires not that

experts desist from stating conclusions, but that all conclusions be based on impartial analysis.

- Broadcasters should experiment with programme formats based on citizen deliberation. During election campaigns, they might, for example, convene citizen panels to explore specific policy issues, leading to assessments of the different parties' policies. During referendum campaigns, depending on the question at stake, they might again form panels to focus on particular issues within that question, or they might convene a panel to look at the question as a whole.

- The model of citizens' assemblies should if possible be piloted initially on topics where difficult decisions need to be made but opinion is not already strongly polarised and entrenched. As discussed in Chapter 10, the issue of social care funding, examined in 2018 by an assembly convened by two House of Commons select committees, was a clear example of such a topic. There are others. It would be desirable for governments at both UK and devolved levels to take the initiative in establishing them.

Phase 2: Establishing the Information Hub

At the second phase, an independent body should be established to draw these various activities together and develop the information hub. This hub could initially be relatively modest in scope: it would integrate the work that was already being done, enabling voters to navigate their way through it more readily. This phase would continue until the reputation of the information hub was established and there was broad (though not necessarily unanimous) agreement on its value.

Phase 3: Increasing Ambition and Innovation

Finally, at the third phase, the information hub and the body responsible for it would gradually become more innovative, exploring new kinds of information or new ways of presenting it, and integrating citizen deliberation ever further into the process of its production.

Shaping the Wider Context

We have focused in this report on ways of changing the conduct specifically of election and referendum campaigns in order to improve the quality of information and discourse. As the preceding sections of this chapter indicate, we think that much can be achieved through ambitious interventions of this kind.

Nevertheless, we have also acknowledged throughout the report that only so much is possible in the few short weeks of a campaign. In elections and many referendums, most voters in fact make their minds up before the campaign period begins, and the terms of debate are strongly shaped by the ways in which the issues have been framed in preceding months and years. How people approach and process information is heavily influenced by their existing beliefs and habitual modes of thinking. Thus, attending to the wider context is also crucial.

Many of the strategies that we have discussed in fact apply equally outside as during campaign periods. Fact-checking can be ever-present. Both citizen deliberation and expert policy analysis can be built into discussions of issues at every stage of the policy process. Thus, we think that one

of the ambitions for the information hub in the third phase of its development should be that it serve as a source of information and discussion throughout the political cycle.

Beyond this, we wish to highlight two further issues in particular. First, questions of media sustainability and appropriate media regulation clearly intersect closely with the matters that we have focused on here. They have been subject to numerous inquiries and reports in recent years, from the Leveson report of 2012 (Leveson 2012), through multiple reports into 'fake news' and the impact of social media – notably, that of the House of Commons Digital, Culture, Media, and Sport Committee (2018, 2019) – through to the recent Cairncross report on sustainable journalism (Cairncross 2019). We do not attempt to open up the large issues raised by these reports. But it is essential to acknowledge the fundamental role played by the media in ensuring a healthy information and discussion environment: we have repeatedly pointed to the constraints imposed by the UK's adversarial political and media culture, and to the challenges posed by the digital communications revolution to public interest journalism at local, regional, and national levels. We hope that the measures that we have proposed here would help to shift this culture, but other actions are needed too.

Second, studies of democratic information and discourse often lead to discussions of education. To engage fully and freely in democratic debate, it is important that citizens can understand the political system and their own active roles within it and that they have the capacity to evaluate the information and arguments that reach them. Education can play an important part in fostering that.

Indeed, political and citizenship education have often been identified as essential tools for citizens to understand and engage with their democracy (e.g., Advisory Group on Citizenship 1998; Brett 2016: 9; House of Lords Select Committee on Citizenship and Civic Engagement 2018; Kerr 2014; Pontes et al. 2017; Scott 2011). A strengthened and improved citizenship education curriculum could have a considerable and long-term impact on the quality of debate. As set out in the 1998 Crick report, which triggered the introduction of citizenship education to the UK national curriculum, improving political education and culture is necessary

> for people to think of themselves as active citizens, willing, able and equipped to have an influence in public life and with the critical capacities to weigh evidence before speaking and acting; to build on and to extend radically to young people the best in existing traditions of community involvement and public service, and to make them individually confident in finding new forms of involvement and action among themselves (Advisory Group on Citizenship 1998: 7–8)

In a recent report, the House of Lords Select Committee on Citizenship and Civic Engagement remarked: 'The Government has allowed citizenship education in England to degrade to a parlous state. The decline of the subject must be addressed in its totality as a matter of urgency' (House of Lords Select Committee on Citizenship and Civic Engagement 2018: 43). The committee made the following recommendation:

> The Government should create a statutory entitlement to citizenship education from primary to the end of secondary education. This should be inspected by Ofsted to ensure the quantity and quality of provision. Ofsted should give consideration to this in deciding whether a school should be rated as Outstanding. (House of Lords Select Committee on Citizenship and Civic Engagement 2018: 34)

One increasingly important aspect of this is digital and media literacy (Polizzi 2017; Southwell et al. 2017; Wardle and Derakhshan 2017: 84). As stated by Ofcom, which has a statutory duty to promote it, media literacy 'enables people to have the skills, knowledge and understanding they need to make full use of the opportunities presented both by traditional and by new communications services' (Ofcom 2017b: 1). Such skills and knowledge should include sensitising people to the possibility of misinformation and teaching them to reflect on and assess critically what they read in print and online. For example, the Children's Commissioner for England has highlighted the importance of 'digital resilience', which must encompass the 'social elements of life online' and thus include how to recognise misinformation (Children's Commissioner for England 2017: 4–5). The Commissioner has recommended that 'a broader digital citizenship programme should be obligatory in every school' (Children's Commissioner for England 2017: 5). The Commons Digital, Culture, Media, and Sport Committee argues (2019: 87) that 'digital literacy should be a fourth pillar of education, alongside reading, writing and maths'. The BBC has already launched a programme to help schoolchildren identify 'fake and false information' (Harding 2017). Media literacy should also extend to adults, journalists and teachers, as highlighted in a recent report by the European Commission Directorate-General for Communication Networks, Content and Technology (2018: 25).

We urge that, alongside the specific interventions that have been our focus in this report, such broader changes to the media environment and the system of education should be pursued too.

Concluding Remarks

This report has focused on the quality of the information available to voters and the quality of the discourse that voters can take part in during election and referendum campaigns. Such information and discourse matters. At present, however, it falls far short in the UK of what it could be. This makes it harder for voters to make free, informed choices and harder for politicians and others to engage in honest, thoughtful policy debate.

Drawing on the analyses throughout the report, we have proposed in this chapter a blueprint for how this situation could be improved. First, we set out building blocks, summarising our conclusions on the various individual strategies that might be employed and the requisites and contextual factors that must be borne in mind when developing an integrated strategy. Second, we put forward an optimal model for the approach to information and discourse that could be developed for elections and referendums in the UK. We acknowledge that this model is ambitious, but we also think it is realistic. Third, we proposed a phased process of reaching that optimal model, accepting that a gradualist approach may have more hope of success than a sudden leap. Finally, we recognised that processes beyond election and referendum campaigns are crucially important too, and we highlighted some of the points on which we think further action is most needed.

If this blueprint is to be pursued further, action will be required from many kinds of people: politicians, officials, regulators, activists, NGOs, broadcasters, academics, and others. We hope the analysis in these pages will help persuade many of these people that action is needed and that something like the approach we have proposed deserves to be pursued. We look forward to working with these people to bring this goal to fruition.

Bibliography

Abrams, Paula (2008). 'The Majority Will: A Case Study of Misinformation, Manipulation, and the Oregon Initiative Process'. *Oregon Law Review* 87, 1025–60.

Ackerman, Bruce, and James S. Fishkin (2004). *Deliberation Day*. New Haven: Yale University Press.

Ad hoc Commission on Referendum Information (1995). *Proposed Constitutional Amendment in relation to Divorce: Report*. Dublin: Ad hoc Commission on Referendum Information.

Ad hoc Commission on Referendum Information (1996). *Referendum on a Proposal to amend the Constitution in relation to Bail: Report*. Dublin: Ad hoc Commission on Referendum Information.

Ad hoc Commission on Referendum Information (1997). *Referendum on a Proposal to amend the Constitution in relation to Cabinet Confidentiality: Report*. Dublin: Ad hoc Commission on Referendum Information.

Advisory Group on Citizenship (1998). *Education for citizenship and the teaching of democracy in schools: Final report of the Advisory Group on Citizenship*, 22 September 1998. Accessed 7 March 2018.

Allen, Kate (2016). 'Conservative party outspent Labour in 2015 general election'. *Financial Times*, 20 January. Accessed 21 February 2018.

All-Party Oireachtas Committee on the Constitution (1997). *First Progress Report*. Dublin: The Stationery Office.

All-Party Oireachtas Committee on the Constitution (2001). *Sixth Progress Report: The Referendum*. Dublin: The Stationery Office.

Alvarez, R. Michael, Ines Levin, Alexander H. Trechsel, and Kristjan Vassil (2014). 'Voting Advice Applications: How Useful and for Whom?'. *Journal of Information Technology & Politics* 11, no. 1, 82–101.

Andreadis, Ioannis, and Matthew Wall (2014). 'The impact of Voting Advice Applications on Vote Choice'. In Diego Garzia and Stefan Marschall (eds.), *Matching voters with parties and candidates: voting advice applications in a comparative perspective*. Colchester: ECPR Press, pp. 115–128.

Anker, Andrew (2017). 'Launching New Trust Indicators From the Trust Project for News on Facebook'. *Facebook Media*, 16 November. Accessed 13 February 2018.

Arseneau, Therese (2017). Interview, Wellington, 24 July.

ASA [Advertising Standards Authority] (1999). *Annual Report 1999*. Accessed 5 March 2018.

ASA [Advertising Standards Authority] (2014a). 'ASA Adjudication on Unchain the Brighton Motorist', 12 November. Accessed 22 August 2018.

ASA [Advertising Standards Authority] (2014b). 'ASA Adjudication on Hacked Off', 31 December. Accessed 22 August 2018.

ASA [Advertising Standards Authority] (2017). 'ASA Ruling on Both Lives Matter', 2 August. Accessed 22 August 2018.

ASA [Advertising Standards Authority] (n.d.). 'What we cover'. Accessed 10 February 2018.

Atkins, Jeanne P. (2016). *Voters' Pamphlet: Oregon General Election November 8, 2016*. Salem: Office of the Secretary of State.

Auckland Council (2018). 'Candidate Statements: Waitākere Ranges Local Board By-Election, 24 May 2018'. Accessed 24 October 2018.

Australian Broadcasting Company [ABC] (2013). 'Vote Compass: The most important issues to voters'. *Abc News*, 9 August. Accessed 20 October 2018.

Australian Broadcasting Corporation (2016a). 'Federal Election 2016: Election Guide'. Accessed 24 October 2018.

Australian Broadcasting Company [ABC] (2016b). *From the Everyday to the Extraordinary: Annual Report 2016*. Accessed 20 October 2018.

Australian Election Study (2016). Australian Election Study 2016. Accessed 2 March 2018.

Australian Electoral Commission (2018). 'Electoral Backgrounder: Electoral communications and authorisation requirements'. *Australian Electoral Commission*, 4 July. Accessed 12 October 2018.

Ball, James (2017). *Post-Truth: How Bullshit Conquered the World*. London: Biteback.

Ballotpedia (2018a). 'About Ballotpedia'. Accessed 24 October 2018.

Ballotpedia (2018b). 'California Attorney General election, 2018'. Accessed 24 October 2018.

Balls, Ed (2013). Letter from Ed Balls MP, Shadow Chancellor of the Exchequer, to Robert Chote, chairman of the Office for Budget Responsibility, 14 October. Accessed 1 March 2018.

Balls, Ed (2018). Interview, London, 5 February.

Banning, Cees (2006). 'De meetlat is voor elke partij gelijk'. *NRC Handelsblad*, 26 October.

Barnett, Tim (2017). Interview, Wellington, 28 July.

Barthel, Michael, Amy Mitchell, and Jesse Holcomb (2016). 'Many Americans Believe Fake News Is Sowing Confusion'. *Pew Research Center Journalism & Media*, 15 December. Accessed 13 February 2018.

Bassett, Claire (2017). Letter from Claire Bassett, Chief Executive of the Electoral Commission, to Chris Skidmore MP, Minister for the Constitution, 8 September. Accessed 25 April 2018.

BBC (n.d.). 'Local News Partnerships'. BBC website. Accessed 15 February 2019.

BCCA (British Columbia Citizens' Assembly on Electoral Reform) (2004a). *Making Every Vote Count: The Case for Electoral Reform in British Columbia: Technical Report*. Vancouver: Citizens' Assembly on Electoral Reform. Accessed 5 November 2018.

BCCA (British Columbia Citizens' Assembly on Electoral Reform) (2004b). *Making Every Vote Count: The Case for Electoral Reform in British Columbia: Final Report*. Vancouver: Citizens' Assembly on Electoral Reform. Accessed 5 November 2018.

Bego, Katja, Charlotte Goujon, and Jack Pilkington (2017). 'Open data set: Who are the 2017 General Elections candidates?' Nesta blog, 2 June. Accessed 26 October 2018.

Behaviour & Attitudes (2012). 'Constitutional Convention – Members of the Public Recruitment Process'. Accessed 9 November 2018.

Behaviour & Attitudes (2018). 'Thirty-sixth Amendment to the Constitution Exit Poll, 25th May, 2018: RTÉ & Behaviour & Attitudes Exit Poll', prepared by Ian McShane. Accessed 20 October 2018.

Belgische Kamer van Volksvertegenwoordigers (1998). *1720/1: Wetsvoorstel betreffende de berekening van de financiële impact van de aan de kiezer voorgestelde partijprogramma's*.Accessed 1 March 2018.

Belgische Kamer van Volksvertegenwoordigers (2014a). DOC 53 0576/006: Wetsvoorstel betreffende de doorlichting door het Rekenhof van de budgettaire en macro-economische gevolgen van de verkiezingsprogramma's van de politieke partijen bij verkiezingen voor de Kamer, de Senaat en het Parlement van de Duitstalige Gemeenschap. Accessed 22 April 2018.

Belgische Kamer van Volksvertegenwoordigers (2014b). DOC 53 0576/007: Wetsvoorstel betreffende de doorlichting door het Rekenhof van de budgettaire en macro-economische gevolgen van de verkiezingsprogramma's van de politieke partijen bij verkiezingen voor de Kamer, de Senaat en het Parlement van de Duitstalige Gemeenschap. Accessed 1 March 2018.

Berentsen, Laurens (2010). 'VVD creërt de meeste banen'. *Het Financieele Dagblad*, 20 May.

Berentsen, Laurens (2012). 'Ontbreken van moraal is oorzaak van crisis'. *Het Financieele Dagblad*, 10 September.

Berger, Armin (2018). Interview, Berlin, 19 January.

Berger, Vicki (2012). 'Salem legislator: Oregon's public unions balk at true democracy'. *Statesman Journal*, 7 August.

Binnie, Ian (2012). 'Voter and Non-Voter Survey Report'. Prepared for the New Zealand Electoral Commission. Auckland: Colmar Brunton Social Research Agency.

Bite the Ballot (2016). *Evaluating Verto: Bite the Ballot's Youth Voter Advice App for the 2015 General Election*. London: Bite the Ballot. Accessed 1 March 2018.

Bogdanor, Vernon (2009). *The New British Constitution*. Oxford: Hart.

Bohman, James (1998). 'Survey Article: The Coming of Age of Deliberative Democracy'. *Journal of Political Philosophy* 6, no. 4, 400–25.

Bolhuis, Wimar (2017a). *De Rekenmeesters van de Politiek: De dorrekening van de verkiezingsprogramma's door het CPB*. Amsterdam: Van Gennep.

Bolhuis, Wimar (2017b). Interview, The Hague, 4 September.

Borel, Brooke (2017). 'Fact-Checking Won't Save Us From Fake News'. *FiveThirtyEight*, 4
January. Accessed 13 February 2018.

Bos, Frits, and Coen Teulings (2011). 'Evaluating election platforms: a task for fiscal councils?
Scope and rules of the game in view of 25 years of Dutch practice'. Accessed 1 March
2018.

Bos, Frits, and Coen Teulings (2012). *The World's Oldest Fiscal Watchdog: CPB's Analyses Foster
Consensus on Economic Policy*. Accessed 10 February 2018.

Boswell, John (2016). 'Deliberating Downstream: Countering Democratic Distortions in the
Policy Process'. *Perspectives on Politics* 14, no. 3, 724–37.

Bouman, Mathijs (2012). 'Wilders schijnbeweging'. *Het Financieele Dagblad*, 29 August.

Bowen, Phil (2014). 'PBO Guidance 02/2014'. *Parliament of Australia*, 15 July. Accessed 9
October 2017.

Bowen, Phil (2016a). 'PBO Guidance 01/2016'. *Parliament of Australia*, 21 April. Accessed 9
October 2017.

Bowen, Phil (2016b). 'PBO Guidance 02/2016'. *Parliament of Australia*, 20 June. Accessed 9
October 2017.

BPB [Bundeszentrale für politische Bildung] (2005). *Wahl-O-Mat Bundestagswahlen 2005: Ergebnisse
der Online-Befragung*. Accessed 19 April 2018.

BPB [Bundeszentrale für politische Bildung] (2009). *Wahl-O-Mat Bundestagswahl 2009: Ergebnisse
der Online-Befragung*. Accessed 19 April 2018.

BPB [Bundeszentrale für politische Bildung] (2017). 'Die Entstehung eines Wahl-O-Mat'.
Bundeszentrale für politische Bildung website, 27 July. Accessed 12 September 2017.

BPB [Bundeszentrale für politische Bildung] (n.d.). 'Archiv'. Accessed 10 February 2018.

Brandom, Russell (2018). 'We still have no idea what really happens on Facebook'. *The Verge*, 15
March. Accessed 24 April 2018.

Brett, Will (2016). *It's Good to Talk: Doing Referendums Differently after the EU Vote*. London:
Electoral Reform Society. Accessed 10 February 2018.

Brooks, Sally (2014). 'Candidate says ALP campaign flyer is "racist"'. *The Advertiser*, 13 March.

Brown, Gordon (2019). 'A citizens' assembly is now the only way to break the Brexit deadlock'.
The Guardian, 20 January. Accessed 28 January 2019.

Brown, Kate (2010). *Voters' Pamphlet: Oregon General Election November 2, 2010*. Salem: Office of
the Secretary of State. Accessed 5 February 2019.

Brown, Kate (2012). *Voters' Pamphlet: Oregon General Election November 6, 2012*. Salem: Office of
the Secretary of State. Accessed 5 February 2019.

Brown, Kate (2014). *Voters' Pamphlet: Oregon General Election November 4, 2014*. Salem: Office of the Secretary of State. Accessed 5 February 2019.

Butler, David, and Uwe Kitzinger (1976). *The 1975 Referendum*. London: Macmillan.

Cabinet Office (2000). *Directory of Civil Service Guidance*. Accessed 22 April 2018.

Cabinet Office (2011). *The Cabinet Manual: A guide to laws, conventions and rules on the operation of government*, 1st edition October 2011. Accessed 22 April 2018.

Cabinet Office (2016). www.choosemypcc.org.uk [website]. Accessed 26 October 2018.

Cabinet Office (2017). 'Cabinet Office Consolidated Fund Standing Service: Written statement – HCWS130'. Written statement to the House of Commons made by Chris Skidmore, 13 September. Accessed 15 February 2019.

Cabinet Office and Chloe Smith (2018). 'Government launches consultation to protect political debate'. Accessed 12 October 2018.

Cairncross, Frances (2019). *The Cairncross Review: A Sustainable Future for Journalism*. HM Government, Department for Digital, Culture, Media, and Sport, 12 February. Accessed 15 February.

California Secretary of State (2018). *California General Election, Tuesday November 6, 2018: Official Voter Information Guide*. Accessed 24 October 2018.

Cameron, David (2013). 'David Cameron's speech on the EU: full text'. *New Statesman*, 23 January. Accessed 28 February 2017.

Cameron, David (2016). 'Ministerial Correction: Written statement – HCWS580'. Accessed 9 March 2018.

CAP News (2016a). 'Political advertising and the CAP code'. *ASA website*, 30 June. Accessed 5 March 2018.

CAP News (2016b). 'A quick guide to remit'. *ASA website*, 17 November. Accessed 28 March 2018.

Carolan, Eoin (2015). 'Ireland's Constitutional Convention: Behind the Hype about Citizen-Led Constitutional Change'. *International Journal of Constitutional Law* 13, no. 3, 733–48.

Carr, Mary (2018). 'Citizens' Assembly has proven a success – but it must not be a mud-guard for elected decision makers'. *Irish Daily Mail*, 28 May.

CBC News (2015). 'Liberals plan repeal of PC laws aimed at fiscal constraint'. *CBC News*, 24 February. Accessed 29 September 2017.

Cellan-Jones, Rory (2018). 'Facebook tool makes UK political ads "transparent"'. *BBC News* 16 October. Accessed 17 October 2018.

Center for Responsive Politics (2018). Open Secrets [website]. Accessed 24 October 2018.

Chakrabarti, Samidh (2018). 'Hard Questions: What Effect Does Social Media Have on Democracy?'. *Facebook Newsroom*, 22 January. Accessed 2 February 2018.

Chang, Jeff (2017). '[Identifying credible content online, with help from the Trust Project](#)'. *The Keyword*, 16 November. Accessed 13 February 2018.

Chapman, Vickie (2017). Interview, Adelaide, 3 August.

Children's Commissioner for England (2017). *[Growing Up Digital: A report of the Growing Up Digital Taskforce](#)*, January 2017. Accessed 28 March 2018.

Chocqueel-Mangan, Matt (2016). '[Election Response – What's Next for Digital Democracy?](#)'. *HuffPost UK Blog*, 8 May. Accessed 18 April 2018.

Chocqueel-Mangan, Matt (2018). Interview, London, 6 February.

Chohan, Usman W. (2017). '[What is a Charter of Budget Honesty? The Case of Australia](#)'. *Canadian Parliamentary Review* Spring, 11–15. Accessed 1 March 2018.

Chote, Robert (2014). [Letter from Robert Chote, chairman of the Office for Budget Responsibility, to Andrew Tyrie MP, chairman of the Treasury Select Committee](#), 15 January. Accessed 4 July 2017.

Chote, Robert (2018). Interview, London, 15 February.

Chowdhury, Areeq (2018). Interview, London, 20 February.

Citizens' Assembly for Northern Ireland (2019). [Citizens' Assembly for Northern Ireland](#) [website]. Accessed 9 January 2019.

Citizens' Assembly on Social Care (2018). *[Citizens' Assembly on Social Care: Recommendations for Funding Adult Social Care](#)*. London: Involve and House of Commons.

Citizens' Initiative Review Commission (2013). *[Report on the 2012 Citizens' Initiative Review](#)*. Accessed 30 November 2017.

Citizens' Initiative Review Commission (2014). *[Panelist Report to the Oregon Citizens' Initiative Review Commission](#)*. Accessed 30 November 2017.

Cohen, Joshua (1989). 'Deliberation and Democratic Legitimacy'. In Alan Hamlin and Philip Pettit (eds), *The Good Polity: Normative Analysis of the State*. Oxford: Basil Blackwell, 17–34.

Collins, Damian (2018). '[We must better police how our data is gathered and used](#)'. *The Times*, 28 February. Accessed 28 March 2018.

Collins, Stephen (2018). 'Credit for the landslide should go to Varadkar: Abortion result strengthens Taoiseach's hand before an election'. *Irish Times*, 31 May.

Comprova (n.d.). [Comprova website](#). Accessed 22 September 2018.

Constitution Review Group (1996). *[Report of the Constitution Review Group](#)*. Accessed 26 January 2019.

Conway, Ed (2016). 'We'll all pay dearly for EU referendum lies: whatever the result on June 23, public trust in the facts has been irreparably damaged'. *The Times*, 10 June.

Coughlan, Anthony (2017). '[Referendum Practice](#)'. *Village Magazine*, 27 November. Accessed 17 April 2018.

Council of Europe Committee of experts on Media Pluralism and Transparency of Media Ownership (2017). *Feasibility study on the use of Internet in elections, MSI-MED 3rd Meeting, 29–30 March 2017*. Accessed 12 October 2018.

Cowley, Philip, and Mark Stuart (2012). 'The Cambusters: The Conservative European Union Referendum Rebellion of October 2011'. *Political Quarterly* 83, no. 2 (April–June), 402–6.

CPB [Centraal Planbureau] (2002). *Keuzes in Kaart 2003–2006*. Accessed 10 July 2017.

CPB [Centraal Planbureau] (2006). *Keuzes in Kaart 2008–2011*. Accessed 10 July 2017.

CPB [Centraal Planbureau] (2010). *Keuzes in Kaart 2011–2015*. Accessed 10 July 2017.

CPB [Centraal Planbureau] (2012). *Keuzes in Kaart 2013–2017*. Accessed 10 July 2017.

CPB [Centraal Planbureau] (2017a). *Keuzes in Kaart 2018–2021*. Accessed 10 July 2017.

CPB [Centraal Planbureau] (2017b). 'Presentatie: Keuzes in Kaart 2018–2021'. *CPB*, 16 February. 2018.

CPB [Centraal Planbureau] (n.d. (a)). 'Over het CPB'. Accessed 22 April 2018.

CPB [Centraal Planbureau] (n.d.(b)). 'Wat doet het CPB?'. Accessed 7 July 2017.

CSPL [Committee on Standards in Public Life] (1998). *The Funding of Political Parties in the United Kingdom*. Accessed 28 March 2018.

CSPL [Committee on Standards in Public Life] (2016). 'Committee Publishes Transcript of Seminar on Referendums'. GOV.UK, 12 December. Accessed 12 March 2018.

CSPL [Committee on Standards in Public Life] (2017). *Intimidation in Public Life: A Review by the Committee on Standards in Public Life*. Accessed 5 March 2018.

Cummings, Dominic (2017a). 'On the referendum #21: Branching histories of the 2016 referendum and "the frogs before the storm"'. *Dominic Cummings's Blog*, 9 January. Accessed 12 October 2018.

Cummings, Dominic (2017b). 'On the referendum #22: Some basic numbers for the Vote Leave campaign'. *Dominic Cummings's Blog*, 30 January. Accessed 12 October 2018.

Cutler, Fred, Richard Johnston, R. Kenneth Carty, André Blais, and Patrick Fournier (2008). 'Deliberation, Information, and Trust: The British Columbia Citizens' Assembly as Agenda Setter'. In Mark E. Warren and Hilary Pearse (eds.), *Designing Deliberative Democracy: The British Columbia Citizens' Assembly*. Cambridge: Cambridge University Press, pp. 166–91.

Dahl, Robert (1956). *A Preface to Democratic Theory*. Chicago: University of Chicago Press.

Dáil Éireann Deb (1997), vol. 373, 17 June.

Dáil Éireann Deb (1998), vol. 486, no. 3, 3 February.

Dáil Éireann Deb (2001), vol. 546, no. 6, 14 December.

Daily Gleaner, The (2017). '[New platform costing legislation? introduced](#)' [sic]. *The Daily Gleaner*, 18 March. Accessed through Nexis UK, 22 April 2018.

Dalton, Russell J. (2012). 'Apartisans and the changing German electorate'. *Electoral Studies* 31, no. 1, 35–45.

Dalton, Russell J., and Mark Gray (2003). 'Expanding the Electoral Marketplace'. In Bruce E. Cain, Russell J. Dalton, and Susan Scarrow (eds.), *Democracy Transformed? Expanding Political Opportunities in Advanced Industrial Democracies*. Oxford: Oxford University Press, pp. 23–43.

Dalton, Russell J., and Wilhelm Bürklin (2003). 'Wahler als Wandervogel: Dealignment and the German Voter'. *German Politics and Society* 66, no. 21, 57–75.

D'Ancona, Matthew (2017). *Post Truth: The New War on Truth and How to Fight Back*. London: Ebury Press.

Davidson, Stewart, and Stephen Elstub (2014). 'Deliberative and Participatory Democracy in the UK'. *British Journal of Politics and International Relations* 16, 367–85.

Davies, Celia, Margaret Wetherell, and Elizabeth Barnett (2006). *Citizens at the Centre: Deliberative Participation in Healthcare Decisions*. Bristol: Policy Press.

Davis, Evan (2017). *Post-Truth: Why We Have Reached Peak Bullshit and What We Can Do About It*. London: Little, Brown.

DDC [Digital Democracy Commission] (2015). *[Open Up! Report of the Speaker's Commission on Digital Democracy](#)*. London: Digital Democracy Commission. Accessed 10 February 2018.

Deans, Jason (2005). '[C4 site subjects politicians to truth test](#)'. *The Guardian*, 30 March. Accessed 13 February 2018.

De Bortoli, Marius Enrico (2018). Interview, Berlin, 19 January.

Delafortrie, Sarah, and Christophe Springael (2016). '[Doorrekening verkiezingsprogramma's van de politieke partijen door het Federaal Planbureau](#)'. *Presscenter.org*, 27 May. Accessed 22 April 2018.

Delap, Clare (2001). '[Citizens' Juries: Reflections on the UK Experience](#)'. *PLA Notes 40*, 39–42.

De Lobel, Peter (2018). '[Fake news is niet goed, fake programma's evenmin](#)' *De Standaard*, 17 July. Accessed 17 Octobre 2018.

Democracy Club (n.d.). '[Who Can I Vote For?](#)' [website]. Accessed 24 October 2018.

Demos (2015). '[Written evidence submitted by Demos to the Political and Constitutional Reform Committee (PVE 101)](#)'. Accessed 30 August 2017.

Der Tagesspiegel (2017). 'Matthies meint'. *Der Tagesspiegel*, 12 September.

De Telegraaf (2017a). ''t Spinnen kan beginnen'. *De Telegraaf*, 17 February.

De Telegraaf (2017b). 'Recordaantal bezoekers voor StemWijzer'. *De Telegraaf*, 16 March.

De Volkskrant (2010). 'Nieuw Paars'. *De Volkskrant*, 20 May.

Die Tageszeitung (2002). 'Fragen Sie Dr. Semler!' *Die Tageszeitung*, 7 September.

Die Tageszeitung (2005). 'Der Wahl-O-Mat'. *Die Tageszeitung*, 26 August.

Dominion Post (2008). 'PM's press barb misguided'. *Dominion Post*, 2 January.

Doorduyn, Yvonne (2006). 'Eindelijk cijfers bij politieke keuzes'. *De Volkskrant*, 27 October.

Dribbusch, Barbara, and Ulrike Winkelmann (2009). 'Wer Bin Ich?' *Die Tageszeitung*, 21 September.

Dryzek, John S. (1990). *Discursive Democracy: Politics, Policy, and Political Science*. Cambridge: Cambridge University Press.

Dryzek, John S. (2000). *Deliberative Democracy and Beyond: Liberals, Critics, Contestations*. Oxford: Oxford University Press.

Duke Reporters' Lab (n.d.). 'Fact-checking'. Accessed 22 September 2018.

Eachus, Ron (2010a). 'Measure 73 and 57 may look nice, but are sucker bets'. *Statesman Journal*, 12 October.

Eachus, Ron (2010b). 'Knowledge is defense against political ad barrage'. *Statesman Journal*, 2 November.

Early day motion 278 (2016). 'Office of Electoral Integrity, tabled 4 July 2016'. Accessed 10 February 2018.

Eaton, Kappy (2010). 'Citizens' Initiative Review gets to the heart of the issues'. *The Register-Guard*, 23 October.

Edgeler, Graeme (2017). Interview, Wellington, 25 July.

Electoral Commission of South Australia (2009). *Election Report: Frome By-Election, 17 January 2009*. Adelaide.

Electoral Commission of South Australia (2010). *Election Report: State Election 2010*. Adelaide.

Electoral Commission of South Australia (2014). *Election Report: State Election 2014*. Adelaide.

Electoral Reform Society (2016). 'A Better Referendum' [website]. Accessed 27 October 2018.

Electoral Reform Society (2018). 'Seven things you need to know about the local elections', Electoral Reform Society blog, 16 April. Accessed 26 October 2018.

Elkink, Johan A., David M. Farrell, Theresa Reidy, and Jane Suiter (2017). 'Understanding the 2015 Marriage Referendum in Ireland: Context, Campaign, and Conservative Ireland'. *Irish Political Studies* 32, no. 3, 361–81.

Emmerson, Carl (2018). Interview, London, 16 January.

Engelen, Ewald (2017). 'CPB rekent de politiek door: trap er niet in'. *NRC Handelsblad*, 16 February.

Epstein, Ethan (2016). 'Clinton and Trump Micro-Target the Electorate'. *The Weekly Standard*, 20 September. Accessed 21 February 2018.

Espiner, Colin (2002). 'TV3: corngate inquiry open to compromise'. *Sunday Star-Times*, 20 October.

Espiner, Colin (2003a). 'Labour rewards political pals'. *The Press*, 2 June.

Espiner, Colin (2003b). 'BSA decision leaves PM mute'. *The Press*, 7 July.

European Commission Directorate-General for Communication Networks, Content and Technology (2018). *A multi-dimensional approach to disinformation: Report of the independent High level Group on fake news and online disinformation*. Accessed 27 April 2018.

Evans, Jeremy (2017). 'Join our mission to build the world's best voter advice tool'. *Medium*, 20 June. Accessed 12 September 2017.

Evans, Jeremy (2018). Interview, London, 5 February.

Evans, Philip (2016). 'Create an independent regulator to ensure truth in political advertising'. Accessed 6 March 2018.

Facebook Business (n.d.(a)). 'The Conservative Party'. *Facebook Business*. Accessed 21 February 2018.

Facebook Business (n.d.(b)). 'How do I create an unpublished Page post?'. *Facebook Business*. Accessed 9 March 2018.

Facebook Newsroom (2018). 'Seeing the Truth'. *Facebook Newsroom*, 13 September. Accessed 23 January 2019.

Falck, Bruce (2018). 'Providing more transparency around advertising on Twitter'. Twitter blog, 28 June. Accessed 12 October 2018.

Fandos, Nicholas, Cecilia Kang, and Mike Isaac (2017). 'House Intelligence Committee Releases Incendiary Russian Social Media Ads'. *The New York Times*, 1 November. Accessed 24 April 2018.

Farrar, David (2017). Interview, Wellington, 28 July.

Farrell, David M. (2001). *Electoral Systems: A Comparative Introduction*. Basingstoke: Palgrave.

Farrell, David M. (2018). 'What happens after a Citizens' Assembly?' Accessed 10 November 2018.

Farrell, David M., Eoin O'Malley, and Jane Suiter (2013). 'Deliberative Democracy in Action Irish-Style: The 2011 We the Citizens Pilot Citizens' Assembly'. *Irish Political Studies* 28, no. 1, 99–113.

Farrell, David M., Jane Suiter, and Clodagh Harris (2018). '"Systematizing" Constitutional Deliberation: The 2016–18 Citizens' Assembly in Ireland'. *Irish Political Studies*, early view, 1 November.

Federale Overheidsdienst Economie, K.M.O., Middenstand en Energie (2014). *Wet betreffende de doorrekening door het Federaal Planbureau van de verkiezingsprogramma's van de politieke partijen bij de verkiezing voor de Kamer van volksvertegenwoordigers*. C − 2014/11396. Belgische Staatsblad, 22 July 2014. Accessed 1 March 2018.

Federal Returning Officer (2018). 'Bundestag election'. Accessed 28 March 2018.

Federal Statistical Office (2018a). 'Educational attainment'. Accessed 28 March 2018.

Federal Statistical Office (2018b). 'Population'. Accessed 28 March 2018.

Federal Statistical Office (2018c). 'Population based on the 2011 Census'. Accessed 28 March 2018.

Feldman, Brian (2016). 'Here's a Chrome Extension That Will Flag Fake-News Sites for You'. *New York Magazine*, 15 November. Accessed 13 February 2018.

Fine Gael (2010). *New Politics*. Accessed 20 July 2011 (no longer available).

Fisher, Stephen D., and Alan Renwick (2018). 'The UK's Referendum on EU Membership of June 2016: How Expectations of Brexit's Impact Affected the Outcome'. *Acta Politica* 53, no. 4 (October), 590–611.

Fishkin, James S. (1991). *Democracy and Deliberation: New Directions for Democratic Reform*. New Haven: Yale University Press.

Fishkin, James S. (2009). *When the People Speak: Deliberative Democracy and Public Consultation*. Oxford: Oxford University Press.

Fivaz, Jan, and Giorgio Nadig (2010). 'Impact of Voting Advice Applications (VAAs) on Voter Turnout and Their Potential Use for Civic Education'. *Policy & Internet* 2, no. 4, 167–200.

Flinders, Matthew, Katie Ghose, Will Jennings, Edward Molloy, Brenton Prosser, Alan Renwick, Graham Smith, and Paolo Spada (2016). *Democracy Matters: Lessons from the 2015 Citizens' Assemblies on English Devolution*. Accessed 28 March 2018.

Folb, Luke (2017). 'Fact Checking Is Now More Important Than Ever'. *Huffington Post South Africa Blog*, 27 March. Accessed 9 March 2018.

Fournier, Patrick, Henk van der Kolk, R. Kenneth Carty, André Blais, and Jonathan Rose (2011). *When Citizens Decide: Lessons from Citizens Assemblies on Electoral Reform*. Oxford: Oxford University Press.

Frank, Arno (2013). 'Der Egomat'. *Die Tageszeitung*, 5 September.

Frankenberg, Pia (2013). 'Tagebuch Einer Hundehalterin: Navis Machen Hungrig'. *Die Tageszeitung*, 12 September.

Fridkin, Kim, Patrick J. Kenney, and Amanda Wintersieck (2015). 'Liar, Liar, Pants on Fire: How Fact-Checking Influences Citizens' Reactions to Negative Advertising'. *Political Communication* 32, no. 1, 127–151. Accessed 1 March 2018.

Frohnmayer, Dave, and Phil Keisling (2012). 'Citizens' Initiative Review: Problems show improving democracy takes work'. *The Oregonian*, 7 August.

Fuji Johnson, Genevieve, Laura W. Black, and Katherine R. Knobloch (2017). 'Citizens' Initiative Review process: mediating emotions, promoting productive deliberation'. *Policy & Politics* 45, no. 3, 431–47.

Full Fact (2018). *Tackling misinformation in an open society: How to respond to misinformation and disinformation when the cure risks being worse than the disease*. Accessed 12 October 2018.

Full Fact (2016a) 'Teacher shortages, school places and childcare: factchecking Prime Minister's Questions'. Full Fact, 2 March. Accessed 9 January 2019.

Full Fact (2016b). 'Introducing the Need to Know Project'. Full Fact blog, 18 September. Accessed 9 March 2018.

Full Fact (2019). 'Full Fact to start checking Facebook content as third-party factchecking initiative reaches the UK'. Full Fact blog, 11 January. Accessed 18 February 2019.

Full Fact (n.d.). 'Effectiveness'. Accessed 14 February 2018.

Fung, Archon (2015). 'Putting the Public Back into Governance: The Challenges of Citizen Participation and Its Future'. *Public Administration Review* 75, no. 4, 513–22.

Gadde, Vijaya and Bruce Falck (2018). 'Increasing Transparency for Political Campaigning Ads on Twitter'. Twitter blog, 24 May. Accessed 12 October 2018.

Gallagher, Michael (1988). 'The Single European Act Referendum'. *Irish Political Studies* 3, no. 1, 77–82.

Garzia, Diego (2010). 'The Effects of VAAs on Users' Voting Behaviour: An Overview'. In Lorella Cedroni and Diego Garzia (eds.), *Voting Advice Applications in Europe: The State of the Art*. Naples: Scriptaweb, pp.13–33.

Garzia, Diego, and Stefan Marschall (2012). 'Voting Advice Applications under review: the state of research'. *International Journal of Electronic Governance* 5, no. 3/4, 203–22.

Garzia, Diego, and Stefan Marschall (2016). 'Research on Voting Advice Applications: State of the Art and Future Directions'. *Policy and Internet* 8, no. 4, 376–90.

Garzia, Diego, Alexander H. Trechsel, and Andrea De Angelis (2017). 'Voting Advice Applications and Electoral Participation: A Multi-Method Study'. *Political Communication* 34, no. 3, 1–20.

Gastil, John (2000). *By Popular Demand: Revitalizing Representative Democracy Through Deliberative Elections*. Berkeley: University of California Press.

Gastil, John, Justin Reedy, and Chris Wells (2007). 'When Good Voters Make Bad Policies: Assessing and Improving the Deliberative Quality of Initiative Elections'. *University of Colorado Law Review* 78, 1435–88.

Gastil, John, and Katie Knobloch (2010). *Evaluation Report to the Oregon State Legislature on the 2010 Oregon Citizens' Initiative Review*. Accessed 12 April 2018.

Gastil, John, and Robert Richards (2013). 'Making Direct Democracy Deliberative through Random Assemblies'. *Politics & Society* 41, no. 2, 253–81.

Gastil, John (2014). 'Beyond Endorsements and Partisan Cues: Giving Voters Viable Alternatives to Unreliable Cognitive Shortcuts'. *The Good Society* 23, no. 2, 145–59.

Gastil, John, Robert Richards, and Katherine Knobloch (2014). 'Vicarious Deliberation: How the Oregon Citizens' Initiative Review Influenced Deliberation in Mass Elections'. *International Journal of Communication* 8, 62–89.

Gastil, John, Katherine R. Knobloch and, Robert Richards (2015). *Building a More Informed Electorate: Analysis of the Citizens' Initiative Review, 2010–2014*. State College, PA: Pennsylvania State University.

Gastil, John, Elizabeth Rosenzweig, Katherine R. Knobloch, and David Brinker (2016). 'Does the public want mini-publics? Voter responses to the Citizens' Initiative Review'. *Communication and the Public* 1, no. 2, 174–92.

Gastil, John (2017a). 'How a Citizens' Initiative Review Can Improve Elections where Voters Directly Decide on Policy Issues'. *Scholars Strategy Network*, 5 April. Accessed 17 April 2018.

Gastil, John (2017b). 'Evidence from Oregon shows that Citizens' Initiative Reviews can improve voters' decision-making about ballot measures'. LSE US Centre blog, 13 December. Accessed 27 April 2018.

Gastil, John, Genevieve Fuji Johnson, Soo-Hye Han, and John Rountree (2017). *Assessment of the 2016 Oregon Citizens' Initiative Review on Measure 97*. State College, PA: Pennsylvania State University.

Gesenhues, Amy (2018). 'Google's political ad transparency report & library offers more accountability around election ads'. *Search Engine Land*, 15 August. Accessed 12 October 2018.

Gibbons, John (2018). 'We must listen to Citizens' Assembly on climate change: Most people would pay more tax on carbon-intensive activities'. *Irish Times*, 1 June.

Gibbs, Samuel (2016). 'Google alters search autocomplete to remove 'are Jews evil' suggestion'. *The Guardian*, 5 December. Accessed 13 February 2018.

Girvin, Brian (1996). 'The Irish Divorce Referendum, November 1995'. *Irish Political Studies* 11, no. 1, 174–81.

Globescan (2017). 'Fake Internet Content a High Concern, but Appetite for Regulation Weakens'. *Globescan*, 21 September. Accessed 13 February 2018.

Goldman, Rob (2017). 'Update on Our Advertising Transparency and Authenticity Efforts'. *Facebook Newsroom*, 27 October. Accessed 10 February 2018.

Gomes, Ben (2017). 'Our latest quality improvements for Search'. *The Keyword*, 25 April. Accessed 10 February 2018.

Goodin, Robert E. (2008). Innovating Democracy: Democratic Theory and Practice After the Deliberative Turn. Oxford: Oxford University Press.

Goodin, Robert E., and John S. Dryzek (2006). 'Deliberative Impacts: The Macro-Political Uptake of Mini-Publics'. *Politics & Society* 34, no. 2, 219–44.

Goodman, Emma, Sharif Labo, Martin Moore, and Damian Tambini (2017). *The New Political Campaigning: Media Policy Brief 19*. London: Media Policy Project, London School of Economics and Political Science.

Google (2018). 'Political advertising on Google'. *Transparency Report*. Accessed 12 October 2018.

Google (n.d.). 'Political content'. Accessed 12 October 2018.

Government of New Brunswick (2017). 'New act claims to clarify costs of election commitments'. *Government of New Brunswick*, 27 October. Accessed 27 April 2018.

Graham, Douglas (1991). Letter to Mr J. Robertson, 29 November 1991. Archives New Zealand. File: ERP – Electoral Referendum Panel – Panel Minutes/Agendas/Correspondence, 1991–2.

Graham, Sir Douglas (2017). Interview, Auckland, 21 July.

Greenblatt, Alan (2017). 'The Future of Fact-Checking: Moving Ahead in Political Accountability Journalism'. *American Press Institute*, 4 April. Accessed 9 March 2018.

Green Party (2014). 'Reasons to Vote Green on May 22nd'. Accessed 18 April 2018.

Green Party (2015). 'The British people have suffered enough – There is a better way'. Accessed 18 April 2018.

Grey, Sandra (2017). Interview, Wellington, 28 July.

Griffith, Rachel (2018). Interview, London, 16 January.

Guardian (2019). 'The Guardian view on Brexit: the government has failed – it's time to go back to the people'. *The Guardian*, 9 January. Accessed 9 January 2019.

Gully, David (2017). Interview, Adelaide, 2 and 3 August.

Guson, Alan (2010). 'Measure 73 criticized as "unfunded mandate"'. *Statesman Journal*, 5 October.

Haag, Johanna (2017). 'Schönn gewinnt'. *Zeit Online*, 19 September.

Hammond, Betsy (2008). 'Citizen panel: Reject limit on bilingual education'. *The Oregonian*, 27 September.

Hancock, Matt (2018). Oral statement to Parliament: Leveson Consultation Response, 1 March. Accessed 6 March 2018.

Harding, James (2017). 'Reality Check: BBC journalists enable young people to tell the difference between real and fake news'. *BBC Blog*, 6 December. Accessed 13 February 2018.

Harris, Clodagh, David M. Farrell, Jane Suiter, and Kevin Cunningham (2018). 'Measuring Deliberative Quality in a Real World Setting: Ireland's 2012–14 Convention on the Constitution'. Paper prepared for presentation at the international conference of the Participatory and Deliberative Democracy Specialist Group of the Political Studies Association, University of Westminster, London, September 2018.

Hazell, Robert, Turan Hursit, Harmish Mehta, and Peter Waller (2017). *Improving Parliamentary Scrutiny of Public Appointments*. London: Constitution Unit.

HC Deb (2014). Vol. 583, col. 380–435 (25 June). Accessed 10 February 2018.

HC Deb (2018a). Vol. 634, col. 950 (17 January). Accessed 10 February 2018.

HC Deb (2018b). Vol. 645, col. 216WH (24 July). Accessed 10 February 2018.

Healthy Democracy (2017). 'About'. Accessed 15 December 2017.

Healthy Democracy (2018). 'CIR in Oregon'. Accessed 2 February 2019.

Healthy Democracy (n.d.). 'Citizens Initiative Review'. Accessed 2 February 2019.

Henn, Matt, and Nick Foard (2012). 'Young People, Political Participation and Trust in Britain'. *Parliamentary Affairs* 65, no. 1, 47–67.

Het Financieele Dagblad (2017). 'Discipline van CPB geen harde tucht'. *Het Financieele Dagblad*, 17 February.

Hilbers, Hans (2017). Interview, The Hague, 4 September.

Hinrichs, Jule (2017). Interview, Leiden, 5 September.

HM Treasury (2015). *HM Treasury Review of the Office for Budget Responsibility*. London: HM Treasury. Accessed 1 March 2018.

HM Treasury (2016a). *HM Treasury Analysis: The Long-Term Economic Impact of EU Membership and the Alternatives*, Cm 9250, April 2016. Accessed 27 April 2018.

HM Treasury (2016b). *HM Treasury Analysis: The Immediate Economic Impact of Leaving the EU*, Cm 9292, May 2016. Accessed 27 April 2018.

Hobolt, Sara B. (2010). 'Campaign Financing in Danish Referendums'. In Karin G. Lutz and Simon Hug (eds.), *Financing Referendum Campaigns*. Basingstoke: Palgrave Macmillan, pp. 62–80.

Hodgson, Lord, of Astley Abbotts CBE (2016). *Third Party Election Campaigning – Getting the Balance Right: Review of the operation of the third party campaigning rules at the 2015 General Election*, March 2016. Accessed 25 April 2018.

Hoesly, Cody (2005). 'Reforming Direct Democracy: Lessons from Oregon'. *California Law Review* 93, no. 4, 1191–48.

Holderhead, Sheradyn (2015). 'Matter of the truth'. *The Advertiser*, 31 July.

Holmes, Sir John (2017). 'Britain's elections: fit for purpose in the 21st century?'. *Speech to the Institute for Government*, 6 December. Accessed 22 April 2018.

Holmes, Michael (1993). 'The Maastricht Treaty Referendum of June 1992'. *Irish Political Studies* 8, no. 1, 105–10.

House Committee on Rules (2009). 'Public Hearing and Possible Work Session HB 2895'. *Oregon State Legislature*. Accessed 5 January 2018.

House Committee on Rules (2011). 'Public Hearing HB 2634'. *Oregon State Legislature*. Accessed 5 January 2018.

House of Assembly (South Australia) Deb (2014a), 20 May.

House of Assembly (South Australia) Deb (2014b), 3 June.

House of Assembly (South Australia) Deb (2014c), 5 June.

House of Commons DCMS [Digital, Culture, Media and Sport] Committee (2018). *Disinformation and 'Fake News': Interim Report*. Fifth Report of Session 2017–19. HC 363, 29 July. Accessed 20 February 2019.

House of Commons DCMS [Digital, Culture, Media and Sport] Committee (2019). *Disinformation and 'Fake News': Final Report*. Eighth Report of Session 2017–19. HC 1791, 18 February. Accessed 20 February 2019.

House of Commons Health and Social Care and Housing, Communities and Local Government Committees (2018). *Long-Term Funding of Adult Social Care*. First Joint Report of the Health and Social Care and Housing, Communities and Local Government Committees of Session 2017–19; Ninth Report of the Health and Social Care Committee; Seventh Report of the Housing, Communities and Local Government Committee. HC 768, 27 June. Accessed 28 January 2019.

House of Commons Treasury Committee (2014). *Oral Evidence: The Costing of Pre-Election Policy Proposals*. HC 1151, 12 March. Accessed 1 March 2018.

House of Commons Treasury Committee (2016a). *Reviewing the Office for Budget Responsibility*. Seventh Report of Session 2015–16, HC 514, 22 February.

House of Commons Treasury Committee (2016b). *The Economic and Financial Costs and Benefits of the UK's EU Membership*. First Report of Session 2016–17, HC 122, 27 May.

House of Lords Select Committee on Citizenship and Civic Engagement (2018). *The Ties that Bind: Citizenship and Civic Engagement in the 21st Century*. Report of the Session 2017–19, HL Paper 118, 18 April.

House of Representatives (New Zealand) Deb (2010a). Electoral Referendum Bill 2010, First Reading, 22 April (vol. 662). Accessed 29 April 2017.

House of Representatives (New Zealand) Deb (2010b). Electoral Referendum Bill 2010, Second Reading, 7 December (vol. 669). Accessed 29 April 2017.

Howard, Philip, and Bence Kollanyi (2017). 'Social media companies must respond to the sinister reality behind fake news'. *The Observer*, 1 October. Accessed 24 April 2018.

Howe Verhovek, Sam (2000). 'Oregon Ballot Full of Voter Initiatives Becomes Issue Itself'. *The New York Times*, 25 October. Accessed 27 April 2018.

Howlin, Brendan (2018). 'This fight was decades-long and produced many heroes along the way'. *Irish Times*, 28 May.

Hubbard, Saul (2011). 'Independent review of state ballot measures clears hurdle'. *The Register-Guard*, 24 May.

Hubbard, Saul (2012). 'Panel supports 'kicker' change'. *The Register-Guard*, 11 August.

Hughes, Colin (1991). Draft material for public education campaign on the electoral referendum. Archives New Zealand. File: ERP – Electoral Referendum Panel – Panel Minutes/Agendas/Correspondence, 1991–2.

Hughes, Tim (2018). 'Citizens' Assembly for Northern Ireland Meets for the First Time to Discuss Social Care for Older People'. Involve blog, 29 October. Accessed 29 October 2018.

IFS [Institute for Fiscal Studies] (2017). 'IFS analysis for the 2017 general election'. Accessed 22 April 2018.

IFS [Institute for Fiscal Studies] (n.d.). 'Elections'. Accessed 1 November 2017.

Ilves, Toomas Hendrik (2018). 'Guest Post: Is Social Media Good or Bad For Democracy'. *Facebook Newsroom*, 25 January. Accessed 9 March 2018.

Impey, Brent (2004). 'Courts undermine freedom of the media'. *National Business Review*, 8 April.

Independent Commission on Referendums (2018). *Report of the Independent Commission on Referendums*. London: Constitution Unit. Accessed 12 October 2018.

Information Commissioner's Office (2018). *Democracy Disrupted? Personal Information and Political Influence*. Accessed 12 October 2018.

Institute on Governance (2007). *Citizen Deliberative Decision-Making: Evaluation of the Ontario Citizens' Assembly on Electoral Reform*, 28 May. Ottawa: Institute on Governance. Accessed 15 January 2019.

Involve (2018). 'How can we find a sustainable solution to funding adult social care? Citizens' Assembly on Social Care'. Involve website. Accessed 28 January 2019.

IPA [Institute of Practitioners in Advertising] (2018). 'Written evidence submitted by the Institute of Practitioners in Advertising (IPA) to the Digital, Culture, Media and Sport Committee Fake News Inquiry'. Accessed 12 October 2018.

IPSO [Independent Press Standards Organisation] (2018). 'Editors' Code of Practice'. Accessed 20 August 2018.

Ipsos Synovate (2012). *Rapport: Bekendheid- en imago-onderzoek CPB*. Accessed 10 July 2017.

Ipsos Synovate (2015). *Rapport: Bekendheid- en reputatieonderzoek Centraal Planbureau (CPB)*. Accessed 10 July 2017.

Irish Citizens' Assembly (2017). *First Report and Recommendations of the Citizens' Assembly: The Eighth Amendment of the Constitution*, 29 June. Accessed 9 November 2018.

Irish Citizens' Assembly (2018). *Report and Recommendations of the Citizens' Assembly on the Fourth and Fifth Topics: The Manner in which Referenda Are Held and Fixed Term Parliaments*, 21 June. Accessed 9 November 2018.

Irish Citizens' Assembly (n.d.) Website of the Citizens' Assembly. Accessed 9 November 2018.

Irish Comptroller and Auditor General (2014). *Appropriation Accounts 2013*. Dublin: Comptroller and Auditor General. Accessed 28 January 2019.

Irish Comptroller and Auditor General (2015). *Appropriation Accounts 2014*. Dublin: Comptroller and Auditor General. Accessed 28 January 2019.

Irish Comptroller and Auditor General (2018). *Appropriation Accounts 2017*. Dublin: Comptroller and Auditor General. Accessed 28 January 2019.

Irish Convention on the Constitution (n.d.(a)). 'Reports and Recommendations' [web portal page]. Accessed 9 November 2018.

Irish Convention on the Constitution (n.d.(b)). Website of the Convention on the Constitution. Accessed 9 November 2018.

Irish Examiner (2008). 'Libertas questions commission's impartiality over FF link in law firm'. *Irish Examiner*, 10 June. Accessed 26 January 2019.

Irish Examiner (2015). 'Referendum Commission chief: Surrogacy won't change'. *Irish Examiner*, 13 May.

Jackson, Jasper (2017a). 'BBC sets up team to debunk fake news'. *The Guardian*, 12 January. Accessed 24 April 2018.

Jackson, Jasper (2017b). 'Channel 4 to run week of programmes on fake news'. *The Guardian*, 19 January. Accessed 13 February 2018.

Jackson, Keith, and Alan McRobie (1998). *New Zealand Adopts Proportional Representation: Accident? Design? Evolution?* Aldershot: Ashgate.

Jackson, Michael (2018). 'Lessons from an emphatic Yes in referendum'. *Irish Times*, 30 May.

Jaensch, Dean (2004). 'Democracy hinges on truth in politics'. *The Advertiser*, 19 August.

Jaensch, Dean (2010). 'How-to-vote trick debases democracy'. *The Advertiser*, 25 March.

Jaensch, Dean (2012). *Issues for Electoral Regulators*. Electoral Regulation Research Network/Democratic Audit of Australia Joint Working Paper Series, no. 3 (October). Accessed 1 March 2018.

Jaensch, Dean (2017). 'Some of Australia's politicians can't handle the truth'. *The Advertiser*, 25 April.

James, Michael Rabinder (2008). 'Descriptive Representation in the British Columbia Citizens' Assembly'. In Mark E. Warren and Hilary Pearse (eds), *Designing Deliberative Democracy: The British Columbia Citizens' Assembly*. Cambridge: Cambridge University Press, pp. 106–26.

Jerde, Sara (2018). 'Facebook, New York Times Execs Get Into Heated Debate Over Ad Policy'. Adweek, 14 June. Accessed 12 October 2018.

Joint Oireachtas Committee on the Eighth Amendment of the Constitution (2017). *Report of the Joint Committee on the Eighth Amendment of the Constitution*, December.

Joint SubCommittee on General Government (2011). 'Public Hearing and Work Session HB 2634 A'. *Oregon State Legislature*. Accessed 5 January 2018.

Jones, Craig (2018). Interview, London, 12 January.

Kahn, Beverly K., Diane M. Strong, and Richard Y. Wang (2002). 'Information quality benchmarks: product and service performance'. *Communications of the ACM* 45, no. 4 (April), 184–92.

Kalse, Egbert (2002). 'Graaien in de CPB-snoepwinkel'. *NRC Handelsblad*, 28 March.

Kantar Public (2017). 'Meeste kiezers gaan voor inhoud, kieswijzers beperkte invloed'. *Kantar Public*, 3 March. Accessed 8 September 2017.

Kantrowitz, Alex (2018). 'More than 50,000 Russia-linked bots tweeted about the election during the 2016 campaign'. *Buzzfeed*, 19 January. Accessed 28 March 2018.

Kaplan, Joel (2017). 'Improving Enforcement and Transparency of Ads on Facebook'. *Facebook Newsroom*, 2 October. Accessed 9 March 2018.

Keep, Matthew (2017). *Office for Budget Responsibility and Charter for Budget Responsibility*. Briefing Paper Number CBP 5657, 1 December 2017. London: House of Commons Library.

Kelly, Richard, and Sarah Priddy (2015). *E-Petitions*. House of Commons Library Briefing Paper no. 06450, 20 October. Accessed 17 November 2018.

Kerr, David (2014). 'We need renewed political commitment to citizenship education and ongoing monitoring of its provision in schools'. *Democratic Audit UK*, 19 June. Accessed 7 March 2018.

Kildea, Paul (2016). 'Improving the conduct of referendums: there are better options than a "truth commission"'. Constitution Unit blog, 15 November. Accessed 10 February 2018.

King v. Electoral Commissioner 1998, SASC 6557

Kleinnijenhuis, Jan, and Otto Scholten (2007). *Nederland vijfstromenland: De rol van media en stemwijzers bij de verkiezingen van 2005*. Amsterdam: Uitgeverij Bert Bakker.

Knobloch, Katherine R., John Gastil, and Traci Feller (2013). *Evaluation Report on the 2012 Citizens' Initiative Reviews for the Oregon CIR Commission*. State College, PA: Pennsylvania State University.

Knobloch, Katherine, John Gastil, and Tyrone Reitman (forthcoming). 'Connecting micro-deliberation to electoral decision making: Institutionalizing the Oregon CIR'. In Anna Przybylska (ed.), *Deliberation: Values, Processes, Institutions*. New York: Peter Lang. Accessed 17 April 2018.

Kok, Laurens (2017). 'Uitgeven die pot met goud'. *Algemeen Dagblad*, 17 February.

Kosslyn, Justin, and Cong Yu (2017). 'Fact Check now available in Google Search and News around the world'. *The Keyword*, 7 April. Accessed 13 February 2018.

Kost, Ryan (2012). 'Politics'. *The Oregonian*, 11 August.

Kraft, Daniel (2018). Skype interview, Bonn, 18 January.

Kranenburg, Mark (2002). 'Moord op de politiek'. *NRC Handelsblad*, 29 March.

Labour Party (2010). *The Labour Party Manifesto 2010: A Future Fair for All*. London: Labour Party.

Labour Party (2015). *Britain can be better: The Labour Party Manifesto 2015*. London: Labour Party. Accessed 1 March 2018.

Ladner, Andreas, Jan Fivaz, and Joëlle Pianzola (2010). 'Impact of Voting Advice Applications on Voters' Decision-Making'. Paper to be presented at the Conference 'Internet, Politics, Policy 2010: An Impact Assessment', September 16–17 at the Oxford Internet Institute (OII), University of Oxford. Accessed 1 March 2018.

Ladner, Andreas, and Joëlle Pianzola (2010). 'Do Voting Advice Applications Have an Effect on Electoral Participation and Voter Turnout? Evidence from the 2007 Swiss Federal Elections'. In Efthimios Tambouris, Ann Macintosh, and Olivier Glassey (eds.), *Electronic Participation: Second IFIP WG 8.5 International Conference, ePart 2010 Lausanne, Switzerland, August 29 – September 2, 2010 Proceedings*. Berlin: Springer, pp. 211–24.

Lang, Amy (2007). 'But Is It for Real? The British Columbia Citizens' Assembly as a Model of State-Sponsored Citizen Empowerment'. *Politics & Society* 35, no. 1 (March), 35–69.

Lang, Amy (2008). 'Agenda-Setting in Deliberative Forums: Expert Influence and Citizen Autonomy in the British Columbia Citizens' Assembly'. In Mark E. Warren and Hilary Pearse (eds), *Designing Deliberative Democracy: The British Columbia Citizens' Assembly*. Cambridge: Cambridge University Press, pp. 85–105.

Langer, Armin (2017). 'Scheinheilige Freunde der Juden'. *Die Tageszeitung*, 5 September.

Lapowsky, Issie and Louise Matsakis (2018). 'You can now see all the ads Facebook is running globally'. *Wired*, 28 June. Accessed 12 October 2018.

Law Commission (2016). *Electoral Law: A Joint Interim Report*, 4 February 2016. Accessed 25 April 2018.

Lecher, Colin (2016). 'Trump campaign using targeted Facebook posts to discourage black Americans from voting'. *The Verge*, 27 October. Accessed 9 March 2018.

LeDuc, Lawrence (2009). 'The Failure of Electoral Reform Proposals in Canada'. *Political Science* 61, no. 2 (December), 21–40.

LeDuc, Lawrence, Heather Bastedo, and Catherine Baquero (2008). 'The Quiet Referendum: Why Electoral Reform Failed in Ontario'. Paper prepared for presentation at the Annual Meeting of the Canadian Political Science Association, University of British Columbia, Vancouver, 4–6 June.

Leetaru, Kalev (2017). 'The Backfire Effect And Why Facebook's 'Fake News' Warning Gets It All Wrong'. *Forbes*, 23 March. Accessed 13 February 2018.

Leijten, Renske (2017). Telephone interview, London, 7 September.

Legislative Assembly (British Columbia) Deb (2002). *Vol. 8, no. 12, 7 October*.

Legislative Assembly (British Columbia) Deb (2003a). Vol. 14, no. 12, 30 April.

Legislative Assembly (British Columbia) Deb (2003b). Vol. 16, no. 2, 26 May.

Legislative Assembly of Queensland Legal, Constitutional, and Administrative Review Committee (1996). *Truth in Political Advertising*. Report no. 4 (December). Accessed 1 March 2018.

Legislative Assembly (Ontario) Deb (2005). Vol. 38, no. 1, 5 May.

Legislative Assembly (Ontario) Deb (2007a). Vol. 38, no. 2, 16 April.

Legislative Assembly (Ontario) Deb (2007b). Vol. 38, no. 2, 15 May.

Legislative Committee Services (2012). *Background brief on: Initiative, Referral and Referendum Process*. Accessed 11 April 2018.

Legislative Council (South Australia) Deb (1997a), 13 February.

Legislative Council (South Australia) Deb (1997b), 26 February.

Legislative Council (South Australia) Deb (1997c), 4 March.

Leston-Bandeira, Cristina (2017). 'Here we go again, the parliamentary petitions site has re-opened – what roles can it play?'. Constitution Unit blog, 26 September. Accessed 17 November 2018.

Leveson, Lord Justice (2012). *An Inquiry into the Culture, Practices and Ethics of the Press: Report*. London: The Stationery Office, HC 780-I, 29 November. Accessed 15 February 2019.

Levin, Sam (2017). 'Facebook promised to tackle fake news. But the evidence shows it's not working'. *The Guardian*, 16 May. Accessed 13 February 2018.

Levine, Peter (2013). 'Guest Post: The Oregon Citizens' Initiative Review'. *Democracy Fund*, 10 July. Accessed 15 November 2017.

Liberal Party of South Australia (2014). 'Submission by the Liberal Party of Australia (SA Division) to the Legislative Council of South Australia Select Committee on Electoral Matters in South Australia'. Select Committee on Electoral Matters in South Australia, accessed 26 January 2019.

Lucas, Caroline (2015). Caroline Lucas Facebook Status, 5 May. Accessed 18 April 2018.

Lyons, Tessa (2017). 'News Feed FYI: Replacing Disputed Flags with Related Articles'. *Facebook Newsroom*, 20 December. Accessed 13 February 2018.

Mac Cormaic, Ruadhán (2015). 'It's about who may marry, who may not marry'. *Irish Times*, 15 May.

McCully, Murray (2004). 'NZ media needs to gain its balance'. *The Press*, 26 July.

McGoogan, Cara (2017). 'This tool shows the political parties targeting you on Facebook'. *The Telegraph*, 3 May. Accessed 9 March 2018.

McGreevy, Ronan (2012). 'Citizens in Convention need "strong backing": Warning politicians could manipulate proceedings'. *Irish Times*, 3 November.

McGreevy, Ronan (2018). 'Assembly a canny move on road to repeal: Members had an "almost uniquely comprehensive understanding" by the end'. *Irish Times*, 28 May.

McKenna v. An Taoiseach (No. 2) 1995.

McKenna, Patricia (2017). 'The People's Right to a Fair and Impartial Source of Information'. Submissions to the Citizens' Assembly on 'The Manner in which Referenda Are Held', 22 December. Accessed 26 January 2019.

Macpherson, Nicholas (2018). Interview, London, 5 March.

McRobie, Alan (1993). 'Educating the Public'. In Alan McRobie (ed.), *Taking It to the People? The New Zealand Electoral Referendum Debate*. Christchurch: Hazard Press, pp. 41–51.

McRobie, Alan (2012). 'Inquiry into the 2011 General Election: Submission to the Justice and Electoral Select Committee'. New Zealand House of Representatives Justice and Electoral Committee, Inquiry into the 2011 General Election: Submissions and Advice. Accessed 15 January 2019.

Mallon, John (2008). 'Our power of veto will fade away under the treaty'. *Irish Examiner*, 27 May. Accessed 26 January 2019.

Marschall, Stefan (2008). 'The Online Making of Citizens: Wahl-O-Mat'. In Viola B. Georgi (ed.), *The Making of Citizens in Europe: New Perspectives on Citizenship Education*. Bonn: Bundeszentrale fur politische Bildung, pp. 137–41.

Marschall, Stefan (2009). 'Der Wahl-O-Mat als Instrumen der Gesellschaftsberatung – Potenziale und Grenzen'. *Zeitschrift fur Politikberatung* 2, 485–92.

Marschall, Stefan (2011). 'Wahlen, Wahler, Wahl-O-Mat'. *Aus Politik und Zeitgeschichte* 4, 40–6. Accessed 1 March 2018.

Marschall, Stefan (2018). Interview, Düsseldorf, 18 January.

Marschall, Stefan, and Diego Garzia (2014). 'Voting Advice Applications in a Comparative Perspective: An Introduction'. In Diego Garzia and Stefan Marschall (eds.), *Matching voters with parties and candidates : voting advice applications in a comparative perspective*. Colchester: ECPR Press, pp. 1–10.

Marschall, Stefan, and Christian K. Schmidt (2010). 'The Impact of Voting Indicators: The Case of the German Wahl-O-Mat'. In Lorella Cedroni and Diego Garzia (eds.), *Voting Advice Applications in Europe: The State of the Art*. Naples: Scriptaweb, pp. 65–90.

Marschall, Stefan, and Martin Schultze (2015). 'German E-Campaigning and the Emergence of a 'Digital Voter'? An Analysis of the Users of the Wahl-O-Mat'. *German Politics* 24, no. 4, 525–41.

Martin, Reggie (2017). Interview, Adelaide, 3 August.

Massachusetts Initiative Review Pilot Project (n.d.). 'Explanatory Note'. Accessed 17 April 2018.

Maxeiner, Dirk, and Michael Miersch (2009). 'Guter Rat vom Wahl-O-Mat'. *Die Welt*, 11 September.

Meldrum, Sascha (2017). Interview, Adelaide, 4 August.

Melton, Kimberly (2010a). 'Citizens panel will weigh in on ballot measures'. *The Oregonian*, 10 August.

Melton, Kimberly (2010b). 'Group helps explain ballot item'. *The Oregonian*, 14 August.

Melton, Kimberly (2011). 'Bill passes to allow residents to review ballot initiatives'. *The Oregonian*, 2 June.

Miller, Holmes (1996). 'The Multiple Dimensions of Information Quality'. *Information Systems Management* 13, no. 2, 79–82.

Mills, Pete (2014). 'Voting advice applications promote political engagement and an informed electorate'. *LSE British Politics and Policy*, 20 May. Accessed 30 August 2017.

Ministerie van Algemene Zaken (2012). *Aanwijzingen voor de Planbureaus*. Den Haag: Ministerie van Algemene Zaken. Accessed 1 March 2018.

Mitchell, George J. (1999). *Making Peace*. Berkeley: University of California Press.

Moore, Martin (2016). 'Facebook, the Conservatives and the Risk to Fair and Open Elections in the UK'. *Political Quarterly* 87, no. 3, 424–30.

Moore, Scott (2012). 'Voters need information, not a panel'. *Statesman Journal*, 12 August.

Mosseri, Adam (2016). 'News Feed FYI: Addressing Hoaxes and Fake News'. *Facebook Newsroom*, 15 December. Accessed 13 February 2018.

Mosseri, Adam (2018). 'News Feed FYI: Helping Ensure News on Facebook Is From Trusted Sources'. *Facebook Newsroom*, 19 January. Accessed 13 February 2018.

Mousley, Kay (2010). Letter from Kay Mousley, Electoral Commissioner of South Australia, to Mr Justin Courtney, Kain C&C Lawyers (lawyer to the Australian Labor Party), 15 April 2010, reprinted in *Interim Report of the Select Committee on Matters Related to the General Election of 20 March 2010* (Parliament of South Australia, 5 May 2011), Appendix 3.

Mulgan, Richard (2014). 'Parliamentary Budget Office: shining a little more light on public finances'. *The Sydney Morning Herald*, 1 July. Accessed 22 April 2018.

Munro, Robyn, and Akash Paun (2014). *The Irish Facility for Party Policy Costings*. London: Institute for Government. Accessed 1 March 2018.

Nandy, Lisa, and Stella Creasy (2019). 'MPs alone won't solve the Brexit deadlock. We need a citizens' assembly'. *The Guardian*, 16 January. Accessed 28 January 2019.

Narayanan, Vidya, Philip N. Howard, Bence Kollanyi, and Mona Eslwah (2017). 'Russian Involvement and Junk News during Brexit'. Comprop Data Memo 2017.10/December 19th 2017. Accessed 24 April 2018.

National Business Review (2003). 'SOM Kleenexes up'. National Business Review, 3 October.

News Media Association (n.d.). 'Free the Press – Submissions'. Accessed 27 April 2018.

News Media Canada (n.d.). '2008 Daily Newspaper Circulation Report'. Accessed 6 November 2018.

Newton, Casey (2018). 'Facebook disclosure requirements for political ads take effect in the United States today'. *The Verge*, 24 May. Accessed 12 October 2018.

New Zealand Advertising Standards Authority (2014). Decision 14/516, 18 September. Accessed 24 February 2018.

New Zealand Advertising Standards Authority (2016a). *Rules of the Advertising Standards Authority Inc*. July. Accessed 24 February 2018.

New Zealand Advertising Standards Authority (2016b). *Annual Report 2016*. Accessed 24 February 2018.

New Zealand Advertising Standards Authority (2017a). Decision 17/318, 12 September. Accessed 24 February 2018.

New Zealand Advertising Standards Authority (2017b). Decision 17/338, 10 October. Accessed 24 February 2018.

New Zealand Advertising Standards Authority (2017c). Decision 17/327, 18 September. Accessed 24 February 2018.

New Zealand Advertising Standards Authority (2017d). Decision 17/377, 18 September. Accessed 17 November 2018.

New Zealand Advertising Standards Authority (n.d.). 'Advertising Code of Ethics'. Accessed 24 February 2018.

New Zealand Broadcasting Standards Authority (1990). 'Flook (on behalf of the New Zealand National Party) and Radio New Zealand Ltd – 1990-019'. Accessed 24 February 2018.

New Zealand Broadcasting Standards Authority (1996). 'Green Society and MAI FM Limited – 1996-129'. Accessed 24 February 2018.

New Zealand Broadcasting Standards Authority (2005). 'The Māori Party and Raukawa FM – 2005-103'. Accessed 24 February 2018.

New Zealand Broadcasting Standards Authority (2016). *Broadcasting Standards Authority in New Zealand: Codebook for Radio, Free-to-Air-Television & Pay Television*. 1 April. Accessed 24 February 2018.

New Zealand Electoral Commission (2011a). '2011 Referendum on the Voting System'. Archive of materials provided by the Electoral Commission during the 2011 referendum campaign. Accessed 19 May 2018.

New Zealand Electoral Commission (2011b). 'Referendum Interactive Toolkit'. Accessed 19 May 2018.

New Zealand Electoral Commission (2011c). 'Accurate information about referendum vital, says Electoral Commission'. Accessed 29 April 2017.

New Zealand Electoral Commission (2011d). 'Voting in the 2011 General Election and Referendum the Easy Way' [leaflet]. Wellington: Electoral Commission.

New Zealand Electoral Commission (2011e). 'Here's You Guide to Voting in the Referendum' [leaflet]. Wellington: Electoral Commission.

New Zealand Electoral Commission (2012a). 'Information for the inquiry [of the Justice and Electoral Committee] into the 2011 General Election and Referendum'. New Zealand House of Representatives Justice and Electoral Committee, Inquiry into the 2011 General Election: Submissions and Advice. Accessed 15 January 2019.

New Zealand Electoral Commission (2012b). 2011 Referendum on the Voting System: Communication and Education Programme: Post Campaign Review, March. Mimeo.

New Zealand Electoral Commission (2012c). *Report of the Electoral Commission on the 2011 General Election and Referendum*. Accessed 19 January 2019.

New Zealand Electoral Commission (2014). *Report of the Electoral Commission on the 2014 General Election*. Accessed 23 February 2018.

New Zealand Electoral Commission (2017a). *Third Party Handbook: General Election*. Wellington: Electoral Commission. Accessed 10 February 2018.

New Zealand Electoral Commission (2017b). 'Overall Results – 2011 Referendum on the Voting System'. Accessed 15 January 2019.

New Zealand Electoral Commission (2018a). 'Use of social media by voters'. Accessed 9 March 2018.

New Zealand Electoral Commission (2018b). *Report of the Electoral Commission on the 2017 General Election*. Accessed 20 October 2018.

New Zealand Electoral Referendum Panel (1992a). 'Brief for Tenders by Agencies and Consultants for the Campaign of Public Education to Be Conducted Prior to the 1992 Referendum on the Electoral Process'. Archives New Zealand. File: ERP – Electoral Referendum Panel – Panel Minutes/Agendas/Correspondence, 1991–2.

New Zealand Electoral Referendum Panel (1992b). 'Minutes of the Second Meeting, 16th and 17th March 1992.' Archives New Zealand. File: ERP – Electoral Referendum Panel – Panel Minutes/Agendas/Correspondence, 1991–2.

New Zealand Electoral Referendum Panel (1992c). 'We're Taking It to the People: The Electoral Referendum, 19 September 1992' [leaflet]. Wellington: Electoral Referendum Panel.

New Zealand Electoral Referendum Panel (1992d). *The Guide to the Electoral Referendum* [booklet]. Wellington: Electoral Referendum Panel.

New Zealand Electoral Referendum Panel (1993a). Letter accompanying leaflet, 'Referendum '93: What's It Going to Be?'. Wellington: Electoral Referendum Panel.

New Zealand Electoral Referendum Panel (1993b). Report of the Electoral Referendum Panel on the Public Information Campaign Organised in Conjunction with the Electoral

Referendum Held on 6 November 1993. Presented to the House of Representatives, December.

New Zealand Electoral Referendum Panel (1993c). *The Referendum. The Guide. Referendum '93: What's It Going to Be?* Wellington: Electoral Referendum Panel.

New Zealand Executive Council Chambers (2016). Memo from Michael Webster to Andrew Kibblewhite: 'Flag Consideration Project Budget Update (provisional)', 1 June. Accessed 29 March 2018.

New Zealand Flag Consideration Panel (2015a). 'Proposed public engagement process for the Flag Consideration Project' (report from the Panel Chair to the Deputy Prime Minister, 7 April). Accessed 28 March 2018.

New Zealand Flag Consideration Panel (2015b). 'Report on 1st flag Referendum Process' (report from the Panel Chair to the Deputy Prime Minister, 9 December. Accessed 28 March 2018.

New Zealand House of Representatives Justice and Electoral Committee (2001). *Inquiry into the 1999 General Election*, December.

New Zealand House of Representatives Justice and Electoral Committee (2013a). *Inquiry into the 2011 General Election: Report of the Justice and Electoral Committee*, Fiftieth Parliament, April. Accessed 16 June 2018.

New Zealand House of Representatives Justice and Electoral Committee (2013b). Inquiry into the 2011 General Election: Submissions and Advice. Accessed 15 January 2019.

New Zealand Ministry of Justice (2016). 'Electoral Amendment Bill – Initial Briefing' (letter to Jacqui Dean, Chairperson, Justice and Electoral Committee, 1 November). Accessed 26 January 2019.

New Zealand ODPM [Office of the Deputy Prime Minister] (2014). 'Process to Consider Changing the New Zealand Flag' (Cabinet paper CAB (14) 541, presented 28 October). Accessed 29 March 2018.

Nielsen, Susan (2010). 'Ballot Watchdogs: Welcome to Oregon's new political force'. *The Oregonian*, 22 August.

Novak, Lauren (2014a). 'Egg on Premier's face, say Greens'. *The Advertiser*, 14 March.

Novak, Lauren (2014b). 'Independent advice: trust no one, and wait a while'. *The Advertiser*, 18 March.

Novak, Lauren, and Sheradyn Holderhead (2014). 'Family complains over abuse advert'. *The Advertiser*, 7 March.

Novak, Lauren, and Greg Kelton (2010). 'Game of dirty tricks'. *The Advertiser*, 25 March.

NRC Handelsblad (2002). 'Rekenschap'. *NRC Handelsblad*, 28 March.

NRC Handelsblad (2006). 'De smaak van het CPB'. *NRC Handelsblad*, 27 October.

NRC Handelsblad (2017). 'Reacties Partijen ... maar de keuze gaat tussen meer dan cijfers alleen'. *NRC Handelsblad*, 17 February.

Nunez, Michael (2016). 'Former Facebook Workers: We Routinely Suppressed Conservative News'. *Gizmodo*, 9 May. Accessed 9 March 2018.

Nyhan, Brendan, and Jason Reifler (2010). 'When Corrections Fail: The Persistence of Political Misperceptions'. *Political Behavior* 32, no. 2, 303–30. Accessed 1 March 2018.

OCA [Ontario Citizens' Assembly on Electoral Reform] (2007a). *Democracy at Work: The Ontario Citizens' Assembly on Electoral Reform: A Record of Ontario's First Citizens' Assembly Process*. Toronto: Ontario Citizens' Assembly Secretariat. Accessed 5 November 2018.

OCA [Ontario Citizens' Assembly on Electoral Reform] (2007b). *One Ballot, Two Votes: A New Way to Vote in Ontario: Recommendation of the Ontario Citizens' Assembly on Electoral Reform*. Toronto: Citizens' Assembly on Electoral Reform. Accessed 5 November 2018.

O'Connell, Donncha (2012). 'Too much compromise in planned constitutional convention'. *Irish Times*, 13 August.

Ofcom (2017). *The Ofcom Broadcasting Code (with the Cross-promotion Code and the On Demand Programme Service Rules), April 2017*. Accessed 28 March 2018.

Office for Budget Responsibility (n.d.). 'What we do'. Accessed 22 April 2018.

Office of John McDonnell MP (2017). Personal communication by email, 4 July.

Oireachtas (2012). Resolution of the Houses of the Oireachtas Approving Establishment of the Convention on the Constitution. Accessed 9 November 2018.

Oireachtas (2016). Resolution of the Oireachtas Approving Establishment of the Citizens' Assembly, July. Accessed 9 November 2018.

Oireachtas (2018). Thirty-sixth Amendment of the Constitution Act 2018: Debates. Accessed 18 February 2019.

Olmstead, Kenneth, and Michael Barthel (2015). 'The challenges of using Facebook for research'. *Pew Research Center*, 26 March. Accessed 24 April 2018.

O'Mahony, Conor (2012). 'This so-called constitutional convention is a charade'. *Irish Times*, 7 June.

ONS [Office for National Statistics] (2018). 'Internet Users, UK: 2018'. Accessed 15 February 2019.

Omtzigt, Pieter (2017). Interview, The Hague, 4 September.

Oregonian, The (2010). 'Don't lock up more tax dollars'. *The Oregonian*, 29 October.

Oregonian, The (2011). 'Oregon's road to clarity only awaits Senate approval'. *The Oregonian*, 26 May.

Oregonian, The (2012a). 'Bad omen for review panels'. *The Oregonian*, 2 August.

Oregonian, The (2012b). 'Initiative panels' quest for relevance'. *The Oregonian*, 29 November.

Oregonian, The (2016). 'Citizens' Initiative Review simplifies ballot language'. *The Oregonian*, 10 August.

Oregonian, The (2019). OregonLive [website]. Accessed 3 February 2019.

Oregon Revised Statutes (2015). Chapter 250 – Initiative and Referendum. Accessed 12 April 2018.

Oregon Revised Statute 260.532 2015. False publication relating to candidate or measure. Accessed 10 February 2018.

Oregon Secretary of State (n.d.). 'Election History'. Accessed 2 December 2017.

Oregon State Legislature (n.d.). '2009 Regular Session: HB 2895 Enrolled'. Accessed 12 April 2018.

O'Toole, Fintan (2012). 'We ourselves are fit to make a new republic'. *Irish Times*, 11 September.

O'Toole, Fintan (2018). 'If only Brexit had been run like Ireland's referendum'. *The Guardian*, 29 May. Accessed 20 October 2018.

PACE [Parliamentary Assembly of the Council of Europe] (2019). *Updating Guidelines to Ensure Fair Referendums in Council of Europe Member States*. Doc 14791, 7 January. Accessed 11 February 2019.

Page, Kevin (2014). *External review of the Office for Budget Responsibility*. Accessed 1 March 2018.

Palese, Michela (2018). 'Digital Communication and Elections: Online targeting of voters on social media'. Constitution Unit blog, 22 March. Accessed 24 April 2018.

Parker, Guy (2016). 'The ASA can't regulate political advertisements. Here's why'. *The Guardian*, 6 July. Accessed 10 February 2018.

Parkinson, John, and Jane Mansbridge, eds. (2012). *Deliberative Systems: Deliberative Democracy at the Large Scale*. Cambridge: Cambridge University Press.

Parlement & Politiek (n.d.). 'Tweede Kamerverkiezingen 2017'. Accessed 21 March 2018.

Participedia (2010). 'Healthy Democracy'. Accessed 15 December 2017.

Participedia (2018). '2005 BC Citizens' Assembly on Electoral Reform'. Accessed 30 January 2019.

PCRC [House of Commons Political and Constitutional Reform Committee] (2014). *Voter engagement in the UK: Fourth Report of Session 2014–2015*. London: House of Commons. Accessed 10 February 2018.

Pearse, Hilary (2008). 'Institutional Design and Citizen Deliberation'. In Mark E. Warren and Hilary Pearse (eds), *Designing Deliberative Democracy: The British Columbia Citizens' Assembly*. Cambridge: Cambridge University Press, pp. 70–84.

Peden, Robert (2017). Interview, Wellington, 24 July.

Pennycook, Gordon, and David G. Rand (2017). 'The Implied Truth Effect: Attaching Warnings to a Subset of Fake News Stories Increases Perceived Accuracy of Stories Without Warnings'. Accessed 10 February 2018.

Peters v. Electoral Commission (2016). Judgment of the High Court of New Zealand, 9 March. Accessed 26 January 2019.

Phelps, Edward (2012). 'Understanding Electoral Turnout Among British Young People: A Review of the Literature'. *Parliamentary Affairs* 65, no. 1 (January), 281–99.

Politics1 (2018). Politics1 website. Accessed 24 October 2018.

Politifact (n.d.). Politifact website. Accessed 22 September 2018.

Polizzi, Gianfranco (2017). 'Tackling fake news: towards a new approach to digital literacy'. LSE Media Policy Project blog, 22 May. Accessed 28 March 2018.

Pontes, Ana Isabel, Matt Henn, and Mark D. Griffiths (2017). 'Youth political (dis)engagement and the need for citizenship education: Encouraging young people's civic and political participation through the curriculum'. *Education, Citizenship and Social Justice*, 1–19. Accessed 7 March 2018.

Powell, Jonathan (2008). *Great Hatred, Little Room: Making Peace in Northern Ireland.* London: Bodley Head.

Preston, David A. (1997). 'The Compulsory Retirement Savings Scheme Referendum of 1997'. *Social Policy Journal of New Zealand*, issue 9 (November). Accessed 29 March 2018.

ProDemos (n.d.). 'Over StemWijzer'. Accessed 20 April 2018.

Ratner, R. S. (2008). 'Communicative Rationality in the Citizens' Assembly and Referendum Processes'. In Mark E. Warren and Hilary Pearse (eds), *Designing Deliberative Democracy: The British Columbia Citizens' Assembly.* Cambridge: Cambridge University Press, pp. 145–65.

Rau, John (2017). Interview, Adelaide, 3 August.

Read, Liz (2017). Interview, Wellington, 28 July.

RED C Research and Marketing (2016). 'Recruitment of the 99 Citizen Members and Substitutes of the Citizens' Assembly: Note on Methodology'. Accessed 9 November 2018.

RED C Research and Marketing (2018). 'Presidential Election & Blasphemy Referendum Exit Poll', 26 October. Accessed 10 November 2018.

Referendum Commissie (n.d.). 'Verdeling subsidie'. Accessed 10 February 2018.

Referendum Commission (1998). *Reports of the Referendum Commission: Report on the Referendum on the Eighteenth Amendment of the Constitution – Consequential on the Amsterdam Treaty; Report on the Referendum on the Nineteenth Amendment of the Constitution – Consequential on the Northern Ireland Agreements.* Dublin: Referendum Commission.

Referendum Commission (1999). *Report of the Referendum Commission: Report on the Twentieth Amendment of the Constitution (Recognition of Local Government).* Dublin: Referendum Commission.

Referendum Commission (2001a). 'Arguments For & Against the Treaty of Nice' [leaflet]. Dublin: Referendum Commission.

Referendum Commission (2001b). *Reports of the Referendum Commission on the: Twenty-First Amendment of the Constitution (Abolition of the Death Penalty); Twenty-Third Amendment of the Constitution (Acceptance of the Jurisdiction of the International Criminal Court); Twenty-Fourth Amendment of the Constitution (The Treaty of Nice)*. Dublin: Referendum Commission.

Referendum Commission (2004). *Report of the Referendum Commission on the Twenty-seventh Amendment of the Constitution Bill 2004 (Irish Citizenship)*. Dublin: Referendum Commission.

Referendum Commission (2008). *The Lisbon Treaty: Report of the Referendum Commission on the Referendum on the Twenty-eighth Amendment of the Constitution Bill 2008*. Dublin: Referendum Commission.

Referendum Commission (2013). *Report on the Referendums on the Thirty-second Amendment of the Constitution (Abolition of Seanad Éireann) Bill 2013 and Thirty-third Amendment of the Constitution (Court of Appeal) Bill 2013*. Dublin: Referendum Commission. Accessed 19 January 2019.

Referendum Commission (2015). *Report on the Referendums on Marriage and on the Age of Presidential Candidates*. Dublin: Referendum Commission.

Register-Guard, The (2010). 'A microscope for initiatives'. *The Register-Guard*, 31 July.

Register-Guard, The (2011). 'Initiative reviews useful'. *The Register-Guard*, 25 May.

Register-Guard, The (2012). 'Keeping voters informed'. *The Register-Guard*, 3 August.

Reid, Alastair (2016). 'Hundreds of journalists teamed up to report on the US Election with social media'. *First Draft*, 10 November. Accessed 13 February 2018.

Reitman, Tyrone, and Elliot Shuford (2010). 'Panel provides voice of reason on measures'. *Statesman Journal*, 24 October.

Renwick, Alan (2007). 'Why Did National Promise a Referendum on Electoral Reform in 1990?'. *Political Science* 59, no. 1 (June), 7–22.

Renwick, Alan (2010). *The Politics of Electoral Reform: Changing the Rules of Democracy*. Cambridge: Cambridge University Press.

Renwick, Alan (2014). *After the Referendum: Options for a Constitutional Convention*. London: Constitution Society.

Renwick, Alan (2017). 'Referendums'. In Kai Arzheimer, Jocelyn Evans and Michael S. Lewis-Beck (eds.), *The SAGE Handbook of Electoral Behaviour*. London: Sage Publications Ltd, pp. 433–58.

Renwick, Alan (2019). 'Could a citizens' assembly help the Brexit process?' Constitution Unit blog, 24 January. Accessed 24 January.

Renwick, Alan, Sarah Allan, Will Jennings, Rebecca McKee, Meg Russell, and Graham Smith (2017). *A Considered Public Voice on Brexit: The Report of the Citizens' Assembly on Brexit*. London: Constitution Unit. Accessed 6 March 2018.

Renwick, Alan, and Robert Hazell (2017). *Blueprint for a UK Constitutional Convention*. London: Constitution Unit. Accessed 10 February 2018.

Renwick, Alan, Michela Palese, and Jess Sargeant (2018). 'Discussing Brexit – Could We Do Better?' *Political Quarterly* 89, no. 4 (October–December), 545–52.

Renwick, Alan, and Jack Vowles (2019). 'Tales of Two Referendums: Comparing Debate Quality between the UK and New Zealand Voting System Referendums of 2011'. Unpublished manuscript.

Richards, Robert (2012). 'Oregon Citizens' Initiative Review'. Participedia, 29 May. Accessed 16 November 2017.

Richardson, Tom (2017). Interview, Adelaide, 4 August.

Rijlaarsdam, Barbara, and Herman Staal (2010). '"Nederland heeft een ADHD-democratie"'. *NRC Handelsblad*, 4 June.

Roberts, Jeff John (2016). 'A Top Google Result for the Holocaust Is Now a White Supremacist Site'. *Fortune*, 12 December. Accessed 13 February 2018.

Roberts, Nigel (2017). Interview, Wellington, 23–24 July.

Robertson, John (1991). Letter to Hon Douglas Graham, 11 December. Archives New Zealand. File: ERP – Electoral Referendum Panel – Panel Minutes/Agendas/Correspondence, 1991–2.

Robertson, John (1992). Letter to Electoral Referendum Panel members, 17 February. Archives New Zealand. File: ERP – Electoral Referendum Panel – Panel Minutes/Agendas/Correspondence, 1991–2.

Roerink, Ria (2006). 'CPB wil geen scheidsrechter zijn'. *Het Financieele Dagblad*, 26 October.

Rosema, Martin (2007). 'Stem nog wijzer'. *Studievereniging Sirius*, 78–80. Accessed 3 August 2017.

Rosema, Martin, Joel Anderson, and Stefaan Walgrave (2014). 'The Design, Purpose, and Effects of Voting Advice Applications'. *Electoral Studies* 36, December, 240–43.

Royal Commission on the Electoral System (1986). *Report of the Royal Commission on the Electoral System: Towards a Better Democracy*. Wellington: Government Printer.

Royal Mail (2017). 'Candidate Mail: Your Guide to Successful Election Communication at Parliamentary and Assembly Elections', 2017 edition. Accessed 26 October 2018.

Runswick, Alexandra (2018). Interview, London, 12 January.

Ruusuvirta, Oti (2010). 'Much Ado About Nothing? Online Voting Advice Applications in Finland'. In Lorella Cedroni and Diego Garzia (eds.), *Voting Advice Applications in Europe: The State of the Art*. Naples: Scriptaweb, pp. 47–63.

Sani, Michael (2018). Interview, London, 12 January.

Schema.org (n.d.). 'About Schema.org'. Accessed 14 February 2018.

Schmidt, Ana Lucía, Fabiano Zollo, Michela Del Vicario, Alessandro Bessi, Antonio Scala, Guido Caldarelli, H. Eugene Stanley, and Walter Quattrociocchi (2017). 'Anatomy of News Consumption on Facebook'. *Proceedings of the National Academy of Sciences of the United States of America* 114, no. 12, 3035–3039.

Schumpeter, Joseph A. (1994 [1942]). *Capitalism, Socialism and Democracy*. London: Routledge.

Schuster, Jacques (2017). 'Lob des Wahl-O-Mat'. *Die Welt*, 31 August.

Schuszler, Peter, Jochum de Graaf, and Paul Lucardie (2003). 'Zin en onzin over de StemWijzer 2002: een reactie'. *Beleid en Maatschappij* 30, no. 3, 194–200.

Schwartz, Jason (2017a). 'Facebook undermines its own effort to fight fake news'. *Politico*, 7 September. Accessed 13 February 2018.

Schwartz, Jason (2017b). 'Tagging fake news on Facebook doesn't work, study says'. *Politico*, 11 September. Accessed 13 February 2018.

Scott, Millicent (2011). 'In UK Parliament Week: the case for citizenship education'. *The Guardian*, 1 November. Accessed 7 March 2018.

Scottish Government (2013). *Scotland's Future: Your Guide to an Independent Scotland*. Edinburgh: Scottish Government.

SCP [Sociaal en Cultureel Planbureau] (2017). *Kwesties voor het kiezen*. Accessed 22 April 2018.

Scully, Roger, and Richard Wyn Jones (2012). *Wales Says Yes: Devolution and the 2011 Welsh Referendum*. Cardiff: University of Wales Press.

Secretaries to the Treasury and the Department of Finance (2016). 'Charter of Budget Honesty Policy Guidelines: Issued Jointly by the Secretaries to the Treasury and the Department of Finance under part 8 of the Charter of Budget Honesty Act 1998'. Accessed 9 October 2017.

Select Committee on Electoral Matters in South Australia (2015). Transcript of oral evidence session with Geoffrey Greene, Kris Hanna, and Matthew Rowe, 20 February. Legislative Council. Select Committee on Electoral Matters in South Australia, accessed 26 January 2019.

Select Committee on Matters Related to the General Election of 20 March 2010 (2011). *Interim Report of the Select Committee on Matters Related to the General Election of 20 March 2010*. Parliament of South Australia, 5 May.

Senate Committee on Rules (2009). 'Public Hearing and Work Session HB 2895'. *Oregon State Legislature*. Accessed 28 April 2018.

Sharockman, Aaron (2017). 'The power of fact-checking in today's world'. *Politifact*, 13 June. Accessed 9 March 2018.

Sheahan, Fionnan (2013). 'Concern as couple and set of neighbours are 'randomly selected' for constitutional body'. *Irish Independent*, 16 February. Accessed 9 November 2018.

Sherman, Jill, and Sam Coates (2012). 'Whitehall looks to Labour as coalition tensions grow'. *The Times*, 20 August. Accessed 22 April 2018.

Shin, Jieun, and Kjerstin Thorson (2017). 'Partisan Selective Sharing: The Biased Diffusion of Fact-Checking Messages on Social Media'. *Journal of Communication* 67, 233–55. Accessed 1 March 2018.

Shiner, Bethany (2018). 'Just the Politics of Persuasion: Are Gaps in Regulation Affecting Political Campaigning Methods?'. UK Constitutional Law Association blog, 1 March. Accessed 28 March 2018.

Shukla, Satwik, and Tessa Lyons (2017). 'Blocking Ads from Pages that Repeatedly Share False News'. *Facebook Newsroom*, 28 August. Accessed 13 February 2018.

Smith, Dorothy, and Austin O'Carroll (2018). 'Homes and hotels' [letters section]. *Irish Times*, 31 May.

Smith, Graham (2009). *Democratic Innovations: Designing Institutions for Citizen Participation*. Cambridge: Cambridge University Press.

Smith, Jeff, Grace Jackson, and Seetha Raj (2017). 'Designing Against Misinformation'. *Medium*, 20 December. Accessed 13 February 2018.

Smith, Mike (2017). Interview, Wellington, 28 July.

Smith, Michee (2018). 'Introducing a new transparency report for political ads'. *The Keyword*, 15 August. Accessed 12 October 2018.

Smyth, Patrick (2012). 'Convention is a toothless piece of consultation'. *Irish Times*, 18 August.

Snap Inc (n.d.). 'Snapchat Political Advertising Guidelines'. Accessed 13 February 2018.

Sood, Amrita and Polly Hollings (2018). *Political Finance Regulation and Digital Campaigning: A Public Perspective*. Accessed 17 October 2018.

Souter, Hilary (2017). Interview, Wellington, 27 July.

South Australia State Electoral Office (1994). *Election Report: General Elections, 11 December 1993*. Adelaide.

South Australia State Electoral Office (1997). *Election Report: General Elections, 11 October 1997*. Adelaide.

South Australia State Electoral Office (2002). Election Report for the South Australian Elections 9 February 2002. Adelaide.

South Australia State Electoral Office (2006). *Election Report: South Australian Election 18 March 2006*. Adelaide.

Southwell, Brian G., and Emily A. Thorson (2015). 'The Prevalence, Consequence, and Remedy of Misinformation in Mass Media Systems'. *Journal of Communication* 65, 589–95.

Southwell, Brian G., Emily A. Thorson, and Laura Sheble (2017). 'The Persistence and Peril of Misinformation'. *American Scientist* 105, no. 6, 372–75.

Stamos, Alex (2017). 'An Update On Information Operations On Facebook'. *Facebook Newsroom*, 6 September. Accessed 9 March 2018.

Statesman Journal (2008). 'Group focuses on bill to limit bilingual ed'. *Statesman Journal*, 20 September.

Statesman Journal (2009). 'Pilot project could improve state elections'. *Statesman Journal*, 17 June.

Statesman Journal (2012). 'Our Oregon shirking duties'. *Statesman Journal*, 8 August.

Steiner, Jürg, André Bächtiger, Markus Spörndli, and Marco R. Steenbergen (2004). *Deliberative Politics in Action: Analysing Parliamentary Discourse*. Cambridge: Cambridge University Press.

StemWijzer (2018) Accessed at https://stemwijzer.nl/, but no longer available.

Stencel, Mark (2017). 'International fact-checking gains ground, Duke census finds'. *Duke Reporters's Lab*, 28 February. Accessed 14 February 2018.

Stencel, Mark, and Riley Griffin (2018). 'Fact-checking triples over four years'. *Duke Reporters's Lab*, 22 February. Accessed 9 March 2018.

Steves, David (2008). 'Pair propose "juries" to aid voters'. *The Register-Guard*, 13 June.

Steves, David (2010). 'Voter panels weigh ballot measures'. *The Register-Guard*, 14 August.

Stutchbury, Michael (2010). 'Honest broker to hold budget politics to account'. *The Australian*, 17 August.

Suiter, Jane (2018a). 'Lessons from Ireland's Recent Referendums: How Deliberation Helps Inform Voters'. LSE British Politics and Policy blog, 10 September.

Suiter, Jane (2018b). 'Deliberation in Action – Ireland's Abortion Referendum' *Political Insight* 9, no. 3 (September), 30–2.

Suiter, Jane, and David M. Farrell (2011). 'The Parties' Manifestos'. In Michael Gallagher and Michael Marsh (eds.), *How Ireland Voted 2011: The Full Story of Ireland's Earthquake Election*. London: Palgrave Macmillan, pp. 29–46.

Suiter, Jane, David M. Farrell, and Clodagh Harris (2016). 'The Irish Constitutional Convention: A Case of "High Legitimacy"?' In Min Reuchamps and Jane Suiter (eds.), *Constitutional Deliberative Democracy in Europe*. Colchester: ECPR Press, pp. 33–51.

Sullivan, Felicia (2013). 'Citizens' Initiative Review Replication and Outreach Efforts: State Thought Leader Decision Processes Regarding Adoption'. *The Center for Information & Research on Civic Learning & Engagement*, 29 July. Accessed 24 April 2018.

Sunstein, Cass R. (2002). 'The Law of Group Polarization'. *Journal of Political Philosophy* 10, no. 2 (June), 175–95.

Sunstein, Cass R. (2018). 'Is Social Media Good or Bad for Democracy?'. *Facebook Newsroom*, 22 January. Accessed 2 February 2018.

Suyker, Wim (2017). Interview, The Hague, 4 September.

Tambini, Damian (2018). 'Social Media Power and Election Legitimacy'. In Martin Moore and Damian Tambini (eds.), *Digital Dominance: The Power of Google, Amazon, Facebook, and Apple*. Oxford: Oxford University Press, pp. 265–93.

Taylor, Phil (2002). 'TV police in dock over corngate'. *Sunday Star-Times*, 1 December.

Texas Secretary of State (2018). VoteTexas.gov [website]. Accessed 24 October 2018.

Tholl, Max (2017). 'Einer, der nach Inhalten fragt Der Wahl-O-Mat'. *Der Tagesspiegel*, 31 August.

Thompson, Dennis F. (2008). 'Who Should Govern Who Governs? The Role of Citizens in Reforming the Electoral System'. In Mark E. Warren and Hilary Pearse (eds), *Designing Deliberative Democracy: The British Columbia Citizens' Assembly*. Cambridge: Cambridge University Press, pp. 20–49.

Thorson, Emily (2016). 'Belief Echoes: The Persistent Effects of Corrected Misinformation'. *Political Communication* 33, no. 3, 460–80. Accessed 1 March 2018.

Tidey, Jimmy (n.d.). '10,000 users signed one day till polling day'. Accessed 9 March 2018.

Transparency Report (n.d.). 'Explore political ads'. Accessed 12 October 2018.

Trust Project (n.d.). Trust Project website. Accessed 23 January 2019.

Twitter (n.d.). 'Promoted-only Tweets'. Accessed 24 April 2018.

UK Electoral Commission (2011). *Referendum on the Voting System for UK Parliamentary Elections: Report on the May 2011 Referendum*. London: Electoral Commission, October.

UK Electoral Commission (2014). *Scottish Independence Referendum: Report on the Referendum Held on 18 September 2014.* Accessed 9 March 2018.

UK Electoral Commission (2015). 'Response to the Political and Constitutional Reform Committee Fourth Report – Voter engagement in the UK'. Accessed 30 August 2017.

UK Electoral Commission (2016a). *UK Parliamentary General Election 2015: Campaign Spending Report*. Accessed 24 April 2018.

UK Electoral Commission (2016b). *The 2016 EU Referendum: Report on the 23 June 2016 Referendum on the UK's Membership of the European Union*. London: Electoral Commission. Accessed 10 February 2018.

UK Electoral Commission (2017a). *The 2016 EU Referendum: Report on the Regulation of Campaigners at the Referendum on the UK's Membership of the European Union Held on 23 June 2016*. London: Electoral Commission. Accessed 10 February 2018.

UK Electoral Commission (2017b). 'May 2017 polls: publication of candidates' details on Your Vote Matters'. *Electoral Administration Bulletin, no. 181* (England), 19 April.

UK Electoral Commission (2018). *Digital Campaigning: Increasing Transaprency for Voters*. London: Electoral Commission. Accessed 12 October 2018.

UK Electoral Commission (n.d.(a)). 'Donations and loans to political parties'. Accessed 24 April 2018.

UK Electoral Commission (n.d.(b)). 'Your Vote Matters' [website]. Accessed 24 October 2018.

UK Government and Parliament Petitions (2016). 'Make it illegal for any UK political figure to knowingly lie or mislead'. Accessed 6 March 2018.

UK Parliament (2017). *Elections and Referendums (Advertising) Bill, HL Bill 50*. Accessed 6 March 2018.

Unlock Democracy (2015). 'Vote Match 2015 is live'. Vote Match blog, 26 March. Accessed 28 March 2018.

Uren, David (2016). 'Keeping the bastards honest'. *The Australian*, 18 May.

VAA Research Network (2016). 'VAA Global Census 2016'. Accessed 28 March 2018.

VAA Research Network (n.d). 'VAA History'. Accessed 28 March 2018.

Vaidhyanathan, Siva (2017). 'Facebook Wins, Democracy Loses'. *The New York Times*, 8 September. Accessed 9 March 2018.

Van Biesen, Luk (2017a). 'Politici Kunnen Ongestraft Loze Beloftes Blijven Doen'. Luk van Biesen blog, 7 May. Accessed 5 October 2017.

Van Biesen, Luk (2017b). 'Blog: Doorrekening Partijprogramma's? Hoegenaamd Geen Loze Belofte'. Luk van Biesen blog, 11 May. Accessed 5 October 2017.

Van Camp, Kirsten, Jonas Lefevere, and Stefaan Walgrave (2014). 'The Content and Formulation of Statements in Voting Advice Applications: A Comparative Analysis of 26 VAAs'. In Diego Garzia and Stefan Marschall (eds.), *Matching Voters with Parties and Candidates*. Colchester: ECPR Press, pp. 11–31.

Van Cann, Giselle, and Ed Groot (2002). 'Politiek en CPB'. *Het Financieele Dagblad*, 29 March.

Van Soest, Hans, and Axel Veldhuizen (2010). 'CPB toont keerzijde verkiezingsbeloften'. *Algemeen Dagblad*, 21 May.

Vassil, Kristjan (2011). 'Voting Smarter? The impact of voting advice applications on political behavior'. PhD thesis. Department of Political and Social Sciences, European University Institute. Accessed 26 February 2018.

Venice Commission [European Commission for Democracy through Law] (2007). *Code of Good Practice on Referendums*, adopted by the Council for Democratic Elections at its 19th meeting (Venice, 16 December 2006) and the Venice Commission at its 70th plenary session (Venice, 16–17 March 2007). Accessed 28 January 2019.

Von Trapp, Lisa (2015). 'Principles for Independent Fiscal Institutions and Country Notes – Draft for discussion'. *7th Annual Meeting of OECD Parliamentary Budget Officials and Independent Fiscal Institutions*, Austrian Parliament, Vienna, 16–17 April 2015. Accessed 27 March 2018.

Vote for Policies (n.d.). 'FAQ'. Accessed 18 April 2018.

Vote Match (2014). 'Frequently Asked Questions'. Accessed 30 August 2017.

Vote Match (n.d.). 'Past Vote Matches'. Accessed 18 April 2018.

Vote Smart (2018). 'Elections 2018'. Accessed 24 October 2018.

Wahl-O-Mat Research (2013). *Wahl-O-Mat Bundestagswahl 2013: Erste Ergebnisse der Online-Befragung*. Accessed 19 April 2018.

Wahl-O-Mat Research (2017). *Wahl-O-Mat Bundestagswahl 2017: Erste Ergebnisse der Online-Befragung*. Accessed 19 April 2018.

Walker, Kent (n.d.). 'Responses to Questions for the Record for Mr. Kent Walker, Senior Vice President and General Counsel, Google'. *Senate Select Committee on Intelligence hearing on Social Media Influence in the 2016 U.S. Elections*. Accessed 9 March 2018.

Ward, Ian (2008). 'An Experiment in Political Communication: The British Columbia Citizens' Assembly on Electoral Reform'. *Australian Journal of Political Science* 43, no. 2 (June), 301–15.

Wardle, Claire (2017). '#WahlCheck17: Monitoring the German election'. *First Draft*, 1 September. Accessed 13 February 2018.

Wardle, Claire, and Hossein Derakhshan (2017). *Information Disorder: Toward an Interdisciplinary Framework for Research and Policy Making*. Council of Europe report DGI(2017)09. Accessed 10 February 2018.

Warren, Mark E., and John Gastil (2015). 'Can Deliberative Minipublics Address the Cognitive Challenges of Democratic Citizenship?'. *Journal of Politics* 77, no. 2, 562–74.

Warren, Mark E., and Hilary Pearse (2008). 'Introduction: Democratic Renewal and Deliberative Democracy'. In Mark E. Warren and Hilary Pearse (eds), *Designing Deliberative Democracy: The British Columbia Citizens' Assembly*. Cambridge: Cambridge University Press, pp. 1–19.

Watt, Nicholas (2013). 'Andrew Tyrie confirms support of Ed Balls' plan for monitoring spending'. *The Guardian*, 15 October. Accessed 22 April 2018.

WebRoots Democracy (2017). *Democracy 2.0: Hitting refresh on the Digital Democracy Commission*. Accessed 10 February 2018.

Weckler, Adrian (2018). 'Facebook promises to cut fake abortion referendum ads by fast-tracking transparency tool'. *Irish Independent*, 17 April. Accessed 24 April 2018.

Welt Online (2017). 'Wahl-O-Mat: Welche Partei zur Bundestagswahl zu Ihnen passen würde'. *Welt Online*, 29 August.

What UK Thinks (2016). 'Are politicians from both the Leave and Remain campaign mostly telling truth or lies?'. Accessed 8 March 2018.

Whelan, Noel (2012). 'Constitutional convention will have its remit severely pruned'. *Irish Times*, 25 February.

WhichCandidate (n.d.). WhichCandidate website. Accessed 24 October 2018.

White, Anthony QC (2018). Written evidence submitted by News Media Association (DPB24) Submission to Data Protection [Lords] Bill, including the Opinion of Antony White QC, 26 January. Accessed 27 April 2018.

Who Should You Vote For? (n.d.). 'Frequently asked questions'. Accessed 28 March 2018.

Who Targets Me? (n.d.). 'About'. Accessed 9 March 2018.

Williams, Allison (2018). Interview, Berlin, 19 January.

Williams, John (2017). Interview, Adelaide, 4 August.

Williams, Jordan (2012). '2011 General Election and Electoral Referendum: Submission to the Justice and Electoral Select Committee from Jordan Williams'. New Zealand House of Representatives Justice and Electoral Committee, Inquiry into the 2011 General Election: Submissions and Advice. Accessed 15 January 2019.

Williams, Jordan (2017). Interview, Wellington, 25 July.

Wills, David (2015). 'Complaint over "racist" Labor election flyer goes to Australian Human Rights Commission'. *The Advertiser*, 15 March.

Wintour, Patrick, and Nicholas Watt (2013). 'Ed Balls to ask watchdog to vet Labour's 2015 spending plans'. *The Guardian*, 22 September. Accessed 31 October 2017.

Wolfkamp, Frans (2012). 'Brief van de dag "Kiezers hebben recht op duidelijkheid"'. *De Volkskrant*, 6 September.

Womack, Amelia (2018). Telephone interview, London, 8 February.

Wong, Peter (2010a). 'Panelists reach conclusions on Measure 73'. *Statesman Journal*, 14 August.

Wong, Peter (2010b). 'Panel backs dispensaries'. *Statesman Journal*, 21 August.

Wong, Peter (2012). 'Citizen reviews of initiatives questioned'. *Statesman Journal*, 6 August.

Wong, Raymond (2017). 'Google's taking another big step to stop the spread of fake news'. *Mashable UK*, 17 December. Accessed 13 February 2018.

Wood, Thomas, and Ethan Porter (2018). 'The Elusive Backfire Effect: Mass Attitudes' Steadfast Factual Adherence'. *Political Behavior*. Accessed 16 February 2018.

Woodford, Antonia (2018). 'Expanding Fact-Checking to Photos and Videos'. *Facebook Newsroom*, 13 September. Accessed 23 January 2019.

Young, Audrey (2017). Interview, Wellington, 28 July.

Young, Cathy (2016). 'Who will check Facebook's "fact checkers"?'. *The Hill*, 16 December. Accessed 13 February 2018.

Zuckerberg, Mark (2016). Mark Zuckerberg Facebook status, 19 November. Accessed 13 February 2018.

Zuckerberg, Mark (2018). Mark Zuckerberg Facebook status, 19 January. Accessed 9 March 2018.

List of Laws Cited

Country	Law
Australia	Charter of Budget Honesty Act 1998, (C2014C00438). Canberra: Australian Treasury. Accessed 1 March 2018.
	Parliamentary Service Act 1999 (C2016C00405). Canberra: Australian Treasury. Accessed 1 March 2018.
(South Australia)	Electoral Act 1985 revised 12 December 2017. Accessed 10 February 2018.
Belgium	Law concerning the assessment of political parties' manifestos by the Federal Planning Bureau for the elections to the House of Representatives (2014) C – 2014/11396. Belgische Staatsblad, 22 July. Accessed 1 March 2018.
Canada (British Columbia)	British Columbia Electoral Reform Referendum Act 2004
Canada (New Brunswick)	Fiscal Transparency and Accountability Act Chapter 2014, c.63, repealed 2015, c.6, s.2. Accessed 1 March 2018.
	Bill 61 – Transparency in Election Commitments Act. 3rd Session, 58th Legislature New Brunswick 65-66 Elizabeth II, 2016-2017. Accessed 1 March 2018.
Germany	Federal Ministry of Justice and Consumer Protection (2017). Act to Improve Enforcement of the Law in Social Networks (Network Enforcement Act). Accessed 10 February 2018.
Ireland	Referendum Act 1998
	Referendum Act 2001. Accessed 10 February 2018.
	Thirty-sixth Amendment of the Constitution Act 2018. Accessed 14 Nov. 2018.
New Zealand	Broadcasting Act 1993, as amended.
	Electoral Act 1993 reprint as at 1 September 2017. Accessed 10 February 2018.
	Electoral Amendment Act 2002
	Electoral Amendment Act 2017
	Local Electoral Act 2001
Switzerland	Federal Act on Political Rights (PRA) of 17 December 1976, (Status as of 1 November 2015). Accessed 10 February 2018.
UK	Budget Responsibility and National Audit Act 2011.
	Crime and Courts Act 2013.
	European Union Referendum Act 2015
	Parliamentary Voting System and Constituencies Act 2011
	Police and Crime Commissioner Elections Order 2012
	Political Parties, Elections and Referendums Act (PPERA) 2000
	Representation of the People Act 1983. Accessed 10 February 2018.
USA	Honest Ads Act 2017–18 (bill)
(Oregon)	Enrolled House Bill 2895. 75th Oregon Legislative Assembly – 2009 Regular Session.
	House Bill 2634. 76th Oregon Legislative Assembly – 2011 Regular Session.

Concerns are widespread that the quality of information and discourse during election and referendum campaigns in the UK and around the democratic world is too low. This report asks what can be done to address that. It argues that great potential exists to strengthen our democratic practice.

The report examines nine distinct strategies for improving information and discourse, encompassing approaches that seek to confront misinformation, to promote high-quality information, and to foster high-quality discussion. By examining evidence from the UK and detailed international case studies, it argues that most of these strategies could and should be developed further in the UK.

The report concludes by proposing a new, integrated model for improving information and discourse through a new information hub. This should gather materials that are diverse in their content, style, and sources. It should place citizen deliberations at the heart of its work. It should be publicly funded to ensure it can fulfil its potential and should be run by an independent public body. Reaching this goal will not be straightforward. Nevertheless, with engagement from a range of actors – including politicians, officials, regulators, activists, NGOs, broadcasters, academics, and others – it can be achieved.

About the Constitution Unit

The Constitution Unit is a research centre based in the UCL Department of Political Science. We conduct timely, rigorous, independent research into constitutional change and the reform of political institutions. Since our foundation in 1995, the Unit's research has had significant real-world impact, informing policy-makers engaged in such changes – both in the United Kingdom and around the world.

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