

*Alliance EPP for 4 Freedoms*

25 February 2015

The Chair

Electoral Commission

KSparrow@electoralcommission.org.uk

Dear Madam,

**23 JUNE REFERENDUM: BALLOT PAPER**

This follows recent correspondence in which, for example, you seem neither to know nor to care:-

who supervises s.3A Commissioners as described by the Speaker;

why you and the Speaker appear to diverge on supervision of you personally; and

who within the Commission determines notoriety under your current unlawful policy on acronyms and/or what tests they apply.

This letter pursues in more detail - as we are advised that parliamentarians have been given an account that discounts our own correspondence - the appearance of the ballot paper in the forthcoming referendum. As you know, I first raised this matter when asking whether analysis of eye movements had been undertaken of the prospective referendum ballot paper on a basis analogous to that you undertook when unlawfully planning to censor Europe's leading political brand - ours - from all British ballot papers. You confirmed that no such research had been undertaken.

At least you and we perhaps agree that any referendum in any democracy must avoid the many solecisms in this photograph from 1938 offering voters "helpful" verbal and visual hints (*"Do you agree with the reunification of Austria with the German Reich that was enacted on 13 March 1938, and do you vote for the party of our leader Adolf Hitler?"*):-

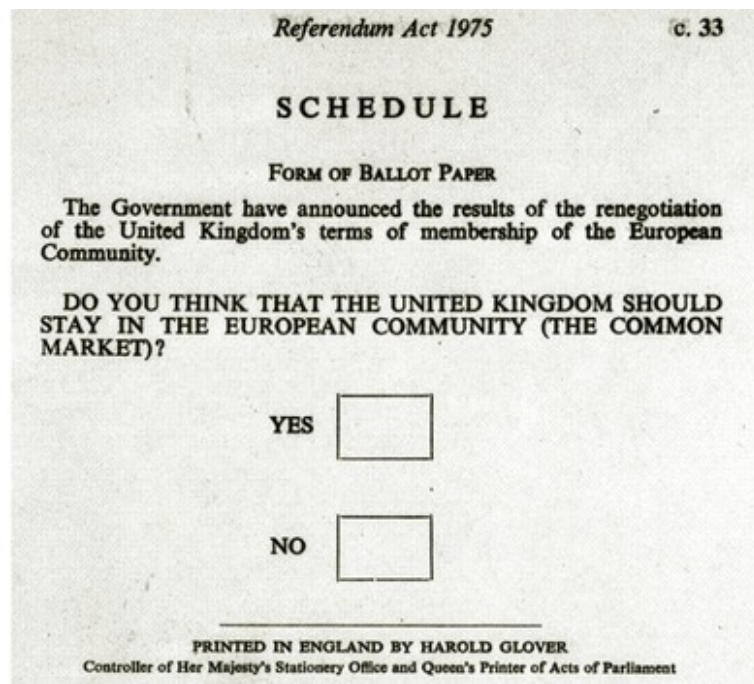


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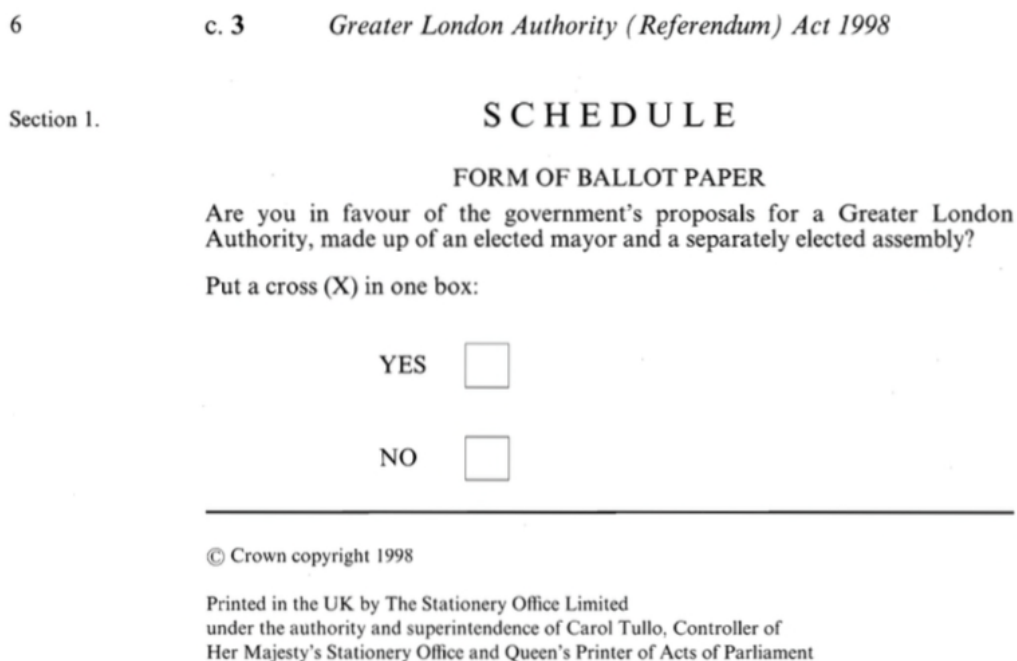
[www.4freedomsparty.eu](http://www.4freedomsparty.eu) / [www.epp.eu](http://www.epp.eu)

In contrast, this was the ballot paper from the 1975 Referendum Act:-



In this case, there is apparent neutrality between the two choices and the words “Yes” and “No” are aligned to the left.

The same formula was adopted in the 1998 London referendum:-



While the format of the 2011 AV referendum ballot paper changed, “Yes” and “No” appear to be centred to each other (with the left of the “Y” slightly to the left of the “N” and right of the “S” slightly to the right of the “O”). Again, the broad impression is of neutrality between the two:-

## FORM 1 - FORM OF BALLOT PAPER

**Front of ballot paper**

<b>Referendum on the voting system for United Kingdom parliamentary elections</b>	
At present, the UK uses the “first past the post” system to elect MPs to the House of Commons. Should the “alternative vote” system be used instead?	
Vote (X) in one box only	
<b>YES</b>	
<b>NO</b>	

This format was replicated in the Scottish referendum of 2014:-

SCHEDULE 1  
*(introduced by section 1(3))*

## FORM OF BALLOT PAPER

**Front of ballot paper**

<b>BALLOT PAPER</b>	<i>[Official mark]</i>
<b>Vote (X) ONLY ONCE</b>	
Should Scotland be an independent country?	
<b>YES</b>	<input style="width: 60px; height: 40px;" type="checkbox"/>
<b>NO</b>	<input style="width: 60px; height: 40px;" type="checkbox"/>

We now come to your extraordinary oeuvre for the 2016 European referendum. On your website (<http://www.electoralcommission.org.uk/find-information-by-subject/elections-and-referendums/upcoming-elections-and-referendums/eu-referendum/eu-referendum-question-assessment>) and at para 5.22 of your assessment ([http://www.electoralcommission.org.uk/\\_data/assets/pdf\\_file/0006/192075/EU-referendum-question-assessment-report.pdf](http://www.electoralcommission.org.uk/_data/assets/pdf_file/0006/192075/EU-referendum-question-assessment-report.pdf)) you revert to the 1998 and earlier justifying of all text on the choices to the left and we would agree that this appears to be broadly neutral although the two questions being of different lengths and the alphabetical order being reversed might normally be expected to have received deeper analysis:-

## Our advice on the proposed EU referendum question

We recommended that the referendum question be amended to:

<p><b>Should the United Kingdom remain a member of the European Union or leave the European Union?</b></p> <p>Remain a member of the European Union Leave the European Union</p>
--

However, by para 5.41 there is an undisclosed change - conduct all too familiar to us! - which we have already told you we believe amounts to a biased visual invitation to vote leave:

## Ballot paper format

5.41 Our recommended redraft of the question, in ballot paper format, is:

<b>Referendum on the United Kingdom's membership of the European Union</b>	
<b>Vote only once</b> by putting a cross [X] in the box next to your choice	
Should the United Kingdom remain a member of the European Union or leave the European Union?	
<b>Remain a member of the European Union</b>	<input type="checkbox"/>
<b>Leave the European Union</b>	<input type="checkbox"/>

This unprecedented justification to the right of the choices (but retaining left justified for the text above) appears to be undisclosed in your report. What is your exact and evidenced justification of this proposed change?

As a political party, we of course know the Commission under your leadership routinely acts towards us in a biased, dilatory, dissembling and unlawful manner and we can only assume that you feel you have political cover to do this.

However, as regards the referendum, we are advised that the legislation relevant to the ballot paper has not quite finished its passage through Parliament: perhaps, therefore, you could urgently clarify the Commission's position - rather more fully than you have so far troubled to do with us - before it does?

Yours faithfully,

A handwritten signature in cursive script that reads "Dirk Hazell".

**Dirk Hazell**  
**Leader**