



Our Ref: MFC/2487

Nicholas Paines QC
Law Commission
1st Floor, Tower,
52 Queen Anne's Gate,
London
SW1H 9AG

17 July 2019

Dear Nicholas,

I am writing further to recent meetings on the way forward with the Law Commissions' project to look at electoral law which was initiated in the Law Commission for England and Wales' Eleventh Programme of Law Reform published on 19 July 2011. In conjunction with the Scottish Law Commission and the Northern Ireland Law Commission, work was undertaken to produce the interim report in early February 2016. That report and input from the Law Commissions has been considered extensively in work such as the review of electoral fraud led by Lord Pickles and has proved helpful in formulating thinking since its publication.

You will know that since the referendum on membership of the European Union and the subsequent result, there has been a reduced scope for other work in Parliament. I am aware in response to this you have sought to identify other ways to propose change in the past couple of years, significantly through looking at possibilities within secondary legislation. That was a positive initiative and has brought forward a number of points for future consideration, but we are now also keen to have the final report and to consider the proposals you will bring forward.

in that context, it seems sensible now to move towards the Law Commissions completing the final report so we have the distillation of the extensive research and consultation that has been undertaken and the recommendations available to be utilised for future change. Whilst an extensive Bill to revise the law on elections is not on the horizon in the short term, there are positive changes that can be effected in both primary and secondary legislation of a more targeted nature – as has been the case with removing the requirement for candidates to include their addresses on ballot papers. Going forward, measures based on certain recommendations can be included in Bills which are relevant and so achieve change in any event.

I understand there are still some policy issues to be considered. We will ensure resource is provided for regular meetings to enable issues to be resolved and for current policy thinking to be taken into account in the final report.

I am also mindful of the Convention any substantive changes to electoral law affecting political parties should be accompanied by appropriate engagement and discussion with political parties.

I will be grateful to hear back from you with your thoughts on this approach and with a timescale for when the final report may be produced. In the interim, we will remain committed to working with you to get the best possible outputs from the very positive work that has been undertaken during the course of the project.

Best Wishes,

A handwritten signature in black ink, appearing to read 'Kevin Foster', with a long horizontal flourish extending to the right.

Kevin Foster MP