

# PARLIAMENTARY DEBATES

HOUSE OF COMMONS  
OFFICIAL REPORT

First Delegated Legislation Committee

DRAFT LOCAL ELECTIONS (NORTHERN  
IRELAND) (AMENDMENT) ORDER 2021

*Monday 5 July 2021*

No proofs can be supplied. Corrections that Members suggest for the final version of the report should be clearly marked in a copy of the report—not telephoned—and must be received in the Editor’s Room, House of Commons,

**not later than**

**Friday 9 July 2021**

© Parliamentary Copyright House of Commons 2021

*This publication may be reproduced under the terms of the Open Parliament licence, which is published at [www.parliament.uk/site-information/copyright/](http://www.parliament.uk/site-information/copyright/).*

**The Committee consisted of the following Members:**

*Chair:* STEWART HOSIE

|  |  |
|--|--|
| Abbott, Ms Diane ( <i>Hackney North and Stoke Newington</i> ) (Lab)            | Mak, Alan ( <i>Lord Commissioner of Her Majesty's Treasury</i> )         |
| Andrew, Stuart ( <i>Treasurer of Her Majesty's Household</i> )                 | † Mann, Scott ( <i>Lord Commissioner of Her Majesty's Treasury</i> )     |
| Beckett, Margaret ( <i>Derby South</i> ) (Lab)                                 | Owatemi, Taiwo ( <i>Coventry North West</i> ) (Lab)                      |
| Betts, Mr Clive ( <i>Sheffield South East</i> ) (Lab)                          | Ribeiro-Addy, Bell ( <i>Streatham</i> ) (Lab)                            |
| Caulfield, Maria ( <i>Lewes</i> ) (Con)  | Sambrook, Gary ( <i>Birmingham, Northfield</i> ) (Con)                   |
| Dines, Miss Sarah ( <i>Derbyshire Dales</i> ) (Con)                            | † Throup, Maggie ( <i>Lord Commissioner of Her Majesty's Treasury</i> )  |
| † Duguid, David ( <i>Parliamentary Under-Secretary of State for Scotland</i> ) | † Walker, Mr Robin ( <i>Minister of State, Northern Ireland Office</i> ) |
| Freer, Mike ( <i>Comptroller of Her Majesty's Household</i> )                  | Kevin Maddison, <i>Committee Clerk</i>                                   |
| † Haigh, Louise ( <i>Sheffield, Heeley</i> ) (Lab)                             |  |
| McCabe, Steve ( <i>Birmingham, Selly Oak</i> ) (Lab)                           | † <b>attended the Committee</b>  |

# First Delegated Legislation Committee

Monday 5 July 2021

[STEWART HOSIE *in the Chair*]

## Draft Local Elections (Northern Ireland) (Amendment) Order 2021

**The Chair:** Before we begin, I remind Members that we have moved to 1 metre social distancing. Members should continue to sit only in places that are clearly marked, and to wear masks when they are not speaking. The *Hansard* reporters would be grateful if Members could send their speaking notes to [hansardnotes@parliament.uk](mailto:hansardnotes@parliament.uk).

**The Minister of State, Northern Ireland Office (Mr Robin Walker):** I beg to move,

That the Committee has considered the draft Local Elections (Northern Ireland) (Amendment) Order 2021.

This statutory instrument is about providing increased transparency in relation to the imprints on printed election campaign material. Imprints are the details that must by law be shown on campaign material at elections to show who is responsible for the production of the material. They help to ensure that there is transparency about who is campaigning—increasing strength and public trust in the democratic process—and that voters are informed about who is behind an electoral campaign. The printed material imprint regime in Northern Ireland is currently slightly different from, and not as comprehensive as, the rules on printed imprints in place in Great Britain.

The order is part of a wider package of measures that will ensure that there is a comprehensive paper imprint regime for candidates and parties in all elections in Northern Ireland. The current imprint regime in Northern Ireland is slightly different from and not quite as comprehensive as that in place in Great Britain, or for referendums across the whole of the UK. We do not believe that people in Northern Ireland deserve any less transparency for elections than those in the rest of the UK.

The order will not deliver the comprehensive cover that we are seeking on its own; it is one of two SIs needed to create a coherent regime. The pair of SIs consist of today's order and a separate commencement order, which will be timed to come into force together. Together they will ensure that the paper imprint regime in Northern Ireland covers parties and candidates in all elections.

This order makes provision in relation to material printed for a specific candidate in local elections. The commencement order will bring into force other measures already on the statute book but not yet commenced for Northern Ireland, which will cover candidates in parliamentary and Assembly elections, and material in relation to parties in all Northern Ireland elections. Those changes will increase transparency and provide greater clarity for voters in relation to who is campaigning

for, and supporting, candidates and parties in elections in Northern Ireland. I am sure that hon. Members will agree how important transparency is for our democratic process.

Let me explain why we are taking these steps now. The existing imprint regime in Northern Ireland has never been problematic, and I understand anecdotally that it is already common practice for this information to be included on Northern Ireland material. However, in recent years the Electoral Commission has highlighted the discrepancy between the legal regimes in Northern Ireland and Great Britain. We undertook to introduce the change when the legislative timetable allowed. It is important to understand that the principle underpinning the measure is ensuring greater transparency for voters. We accept that the Northern Ireland regime should be no less comprehensive than that of Great Britain. All voters, whether in Great Britain or Northern Ireland, should know the origin of election campaign material, who is printing it and on behalf of whom they are doing so.

I will therefore explain what we are changing. The existing regime for Northern Ireland provides that only the name and address of the printer must be included on Northern Ireland election material for candidates. That differs from the regime for Great Britain, which covers material for candidates and parties, and specifies that in addition to the name and address of the printer it must also include the name and address of the promoter of the material and the name and address of any person on behalf of whom the material is being published and who is not the promoter.

The promoter of the material is whoever caused the material to be published. That may be the candidate themselves, their agent or, in the case of a party, the party treasurer, another officer of the party or the party itself, as outlined in the Electoral Commission's guidance on imprints. The format that imprints should take across the UK is subject to Electoral Commission guidelines. Although the commission does not take a view on the font of the imprint, that essential information should be clear and legible, so that it can be seen by potential voters. Although the commission provides guidance on those matters, it does not enforce the rules. Any concerns about non-compliance with the imprint regime should, as is the case currently, be reported to the police. I should mention that the penalties for non-compliance will not change, and the offender is liable on summary conviction for a fine of up to £5,000.

Members may have concerns that the addition of an address to election material could lead to the intimidation of a candidate, printer or promoter. It is, of course, vital for our democracy that individuals are able to engage in campaigning and elections without fear of intimidation. I want to be clear that a candidate, for example, is under no obligation to print their home address on any election material. The Electoral Commission provides guidance that the address provided does not need to be a home address. It may be a business address or even a PO box. The changes will therefore not risk intimidation for any candidate, and the existing law provides that printers must also include the details on election material that they produce.

Transparency and clarity are vital for our democratic system, and it is paramount that voters understand who is responsible for the production of electoral material

for individuals and parties. I am happy to tell the Committee that the proposal to close the gap between the Northern Ireland and Great Britain paper imprints regimes is fully supported and welcomed by the Electoral Commission. I should also say that, as the measures in some respects relate to the publication of personal data, we have, as Members would expect, consulted the Information Commissioner's Office, which has approved the draft order.

Members may be aware that when the order was debated in the Lords Committee last week there was universal agreement on the matter, and a strong feeling that these are important changes for ensuring that the people of Northern Ireland have the same level of transparency and clarity in elections as people in the rest of the UK.

Finally, it is of course the case that much of the election material now seen by voters does not take the slightly old-fashioned form of printed material. We will rightly be asked how the order addresses the transparency of the sources of political campaigning online and through digital media. The short answer is that it does not, and it was not intended to. The Government have consulted on digital imprints and have made clear our intention to introduce UK-wide legislation to address that issue. The SI is a measure to bring the Northern Ireland paper imprints regime into line with that of Great Britain. Digital imprints are a separate issue and will be subject to separate legislation contained in the Elections Bill, which I am pleased to confirm has been introduced to Parliament today.

As I have said, in order to provide a coherent regime for all Northern Ireland elections, changes to the paper imprint regime in Northern Ireland will be implemented by the order, which makes provision for election material for candidates in local elections. A separate commencement order will bring into force the rest of the provisions. We intend that the commencement order will be timed so that it comes into force on the same day as this SI. I hope that Members on both sides will agree that bringing the paper imprint regime in Northern Ireland into line with the more comprehensive one in Great Britain is a sensible and important step towards modernising elections in Northern Ireland, and I hope that they will support the order, which I commend to the Committee.

4.36 pm

**Louise Haigh** (Sheffield, Heeley) (Lab): We are very happy to support the SI, on the basis that, as the Minister outlined, it will bring greater transparency in relation to election material in Northern Ireland, and bring the regime into alignment with the rest of the UK. Given the assurances that he made on digital literature, I am happy to leave it there and offer our full support.

4.37 pm

**Mr Walker:** This has been a short debate, but one that reflects the unanimity of opinion on this issue and the fact that we all want to increase transparency.

*Question put and agreed to.*

4.37 pm

*Committee rose.*





