

UK Electoral Systems

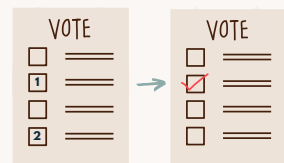
HOW DID THE ELECTIONS ACT (2022) IMPACT THE 2024 PCC AND MAYORAL ELECTIONS?



Summary: On 2nd May 2024, ten mayoral and 37 Police and Crime Commissioner (PCC) elections took place using a reformed voting system. Until now, these elections had used the Supplementary Vote (SV). However, the Elections Act (2022) now requires mayoral and PCC elections to use First Past The Post (FPTP). Analysis by UCL's Constitution Unit found that at least four PCC races, but possibly as many as 12, had a different winner as a result of this switch. This case study is a useful example for questions on electoral reform - while the Government argues that the switch to FPTP strengthens democracy by enhancing electoral accountability, critics argue that SV produced mayors and PCCs that better reflected the preferences of voters.

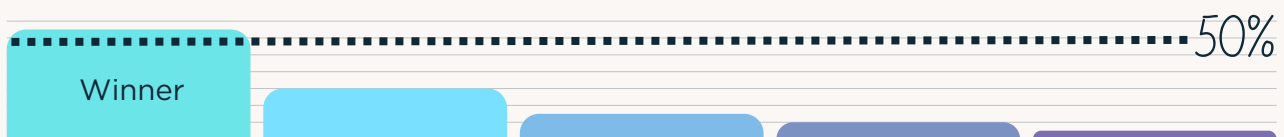
What did the Elections Act (2022) do?

Amongst other reforms, the 2022 Elections Act introduced photo I.D. requirements for in-person voting in UK parliamentary elections, English local elections, and English and Welsh PCC elections. It also required First-Past-The-Post to be used in mayoral and PCC elections in England and Wales.

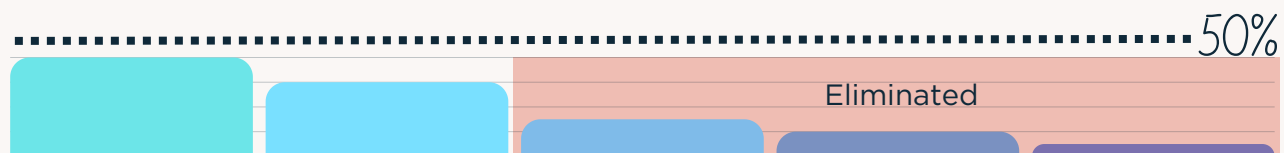


How does the Supplementary Vote system work?

The Supplementary Vote (SV) electoral system allows voters to select a first and second choice candidate. If a candidate receives **over 50% of first preference votes**, they immediately win.



If no candidate wins a majority of first preference votes, then all but the top two candidates are **eliminated**, and the second preferences of voters who backed an eliminated candidate are checked. Any **second preference votes for the top two candidates are added** into the count.



The winner is the remaining candidate with the **most first and second preference votes**. It is not guaranteed that the winner will have a majority, because not all voters will give a second preference, and some will have given their second preference to an eliminated candidate.



How did the switch to FPTP impact the results?



We cannot know for certain how the switch to FPTP affected the outcomes of the 2024 mayoral and PCC elections because we cannot be sure how voters would have behaved had the elections instead used SV. However, UCL's Constitution Unit argues that, by drawing on recent polling data and election results, it is still possible to make a reasonable, educated guess as to how supporters of eliminated candidates would have used their second preference vote, and to predict whether these votes would have changed the final results. Relying on the available evidence, UCL argues that the 2024 mayoral and PCC elections can be divided into three groups.

Group 1: Majority victories

Firstly, there were elections where the winner won by such a large majority, that it is extremely unlikely that second preference SV votes would have even been counted. For example:

2024 Liverpool City Region Mayoral Election		
Winning Party	Second Party	Share of Largest Party
Lab - 183,932 votes	Con - 27,708 votes	68%

Under SV, any candidate that wins over 50% of first preference votes immediately wins - there is no need to consider second preference votes. We cannot be certain that a candidate that won over 50% of FPTP votes in 2024, would have also received over 50% of first preference votes - some voters, who tactically voted for a main party, for fear of wasting their vote under FPTP, might have given their first preference SV vote to a third party candidate, and used their second preference vote more tactically instead. However, it still seems reasonable to assume that, in these cases, tactical second preference votes would have produced the same result.

Group 2: Secure victories below 50%

Secondly, there were several elections in which it is likely that second preference votes would have been counted, but would have still produced the same result as under FPTP. For example, in the Cheshire PCC election, Labour won with a simple plurality (48.1%), rather than a majority of the vote (over 50%). Had Labour only won 48.1% of first preference votes under SV, the Liberal Democrat candidate would have been eliminated, and the second preferences of their 27,342 supporters would have been checked. However, the Conservatives would have needed nearly 75% of these second preference votes to move from second into first place. As recent surveys and election results suggest that Liberal Democrat voters are considerably more likely to favour Labour, Green, and Plaid Cymru candidates over Conservative candidates, it seems extremely unlikely that second preference votes would have changed the final result.

2024 Cheshire PCC Election		
Winning Party	Second Party	Third Party
Lab - 86,279 votes	Con - 65,836 votes	Lib Dem - 27,342

Group 3: Potential switches

Lastly, there were around 19 PCC elections in which the winner won by a small enough margin that the inclusion of second preference SV votes could have resulted in a different winner.

For example, in the Warwickshire PCC election, the Conservatives beat Labour by just 261 votes (out of 115,882), while the Liberal Democrats came third with 24,867 votes. Under SV, the second preferences of these Liberal Democrat voters would have been added into the count, and Labour would have only needed just over half of them (50.7%) to change the result. As past elections suggest that a greater proportion of Liberal Democrat voters would give their second preference to Labour over the Conservatives, this outcome seems likely.

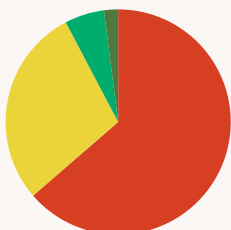
2024 Warwickshire PCC Election			
Winning Party	Second Party	Third Party	Minimum share of 2nd preference votes needed to change the result
Con - 45,638	Lab - 45,377	Lib Dem - 24,867	50.7%

Predicting the outcome in other PCC elections, where the winning margin was slightly larger, depends on which past elections we use to predict the second preferences of Liberal Democrat voters. For example, in the 2021 Humberside PCC election, which used SV, Liberal Democrats who expressed a second preference for the remaining candidates favoured Labour over the Conservatives by a ratio of 55 to 45. Had this ratio been replicated in 2024, Labour could have won an additional four PCC elections under SV, such as Wiltshire (below). However, the 2021 London Mayoral Election saw Lib Dems favour Labour over the Conservatives by 2 to 1. Had this ratio been replicated in 2024, Labour could have won up to nine additional PCC elections.

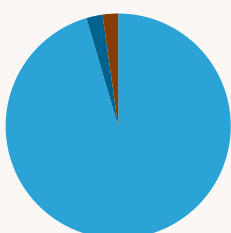
2024 Wiltshire PCC Election			
Winning Party	Second Party	Third Party	Minimum share of 2nd preference votes needed to change the result
Con - 38,578	Lab - 36,345	Lib Dem - 20,485	56.8%

Why did the switch to FPTP help the Conservatives?

UCL's Constitution Unit argues that the switch from SV to FPTP helped the Conservatives largely because "the left in British politics is currently more fragmented than the right".



In the 2024 PCC elections, Labour, Liberal Democrat, Green and Plaid Cymru candidates won a combined 4.5 million votes, and 18 elections (Labour won 17 PCC elections and Plaid Cymru won 1). In contrast, while the Conservative, Reform UK and English Democrat candidates only won a combined 2.9 million votes, the Conservative Party was able to win 19 PCC elections - two more than Labour, and with almost 160,000 fewer votes.



Under SV, it is likely that the larger, but more divided left-wing vote (shown in the top pie chart) would have given enough second preferences to Labour, for the party to win several additional elections. However, under FPTP, the smaller, but more concentrated right-wing vote (shown in the bottom pie chart), which was divided between fewer, much smaller, third-parties, was sufficient for the Conservatives to win with a simple plurality.

Exam focus: Has the switch to FPTP enhanced representative democracy?

EDEXCEL: ELECTORAL SYSTEMS - 3.3.3 ELECTORAL SYSTEMS ANALYSIS
AQA 3.1.2.2 ELECTIONS AND REFERENDUMS

1) The Government argues that FPTP enhances representative democracy by simplifying voting & strengthening accountability.

In 2022, the Government argued that adopting FPTP for PCC and mayoral elections would enhance UK democracy for three reasons:

Firstly, it argued that SV is too complex, leading confused voters to incorrectly complete their ballots. Around 2.7% of ballots were spoiled in the 2021 PCC elections, but this dropped to 1.6% in the 2024 PCC elections that used FPTP. The Government argues that because FPTP is easier to use, it improves accountability by making it easier for the electorate to vote out failing politicians.

Secondly, ministers argued that SV is undemocratic because it allows 'losers' to win. The Government quoted Winston Churchill, who, in 1931, criticised SV for allowing the final result to be determined by the "worthless", unenthusiastic, second preferences of voters who had supported "worthless" eliminated candidates.

Finally, ministers argued that the change would enhance democracy, by respecting the fact that voters rejected majoritarian electoral systems in 2011, when 68% voted against adopting the Alternative Vote for UK General Elections.



2) However, critics argue that the switch to FPTP undermines democracy by allowing narrow victories, and weaker mandates.

Critics challenge the Government's arguments. They argue that SV can be easy to use as long as ballot papers are clearly designed. They argue that SV only allows 'losers' to win if you accept FPTP's definition of 'winner' as the candidate with the most first preference votes. Finally, they challenge the claim that the 2011 AV referendum can be interpreted as public opposition to *all* electoral reform. After all, the Conservative-Lib Dem Coalition adopted SV for PCC elections months *after* the 2011 referendum.

Critics argue that SV was a more democratic electoral system because it resulted in mayors and PCCs who better reflected the preferences of voters. They argue that 'second preferences' can be just as strongly held as first preferences, and that a candidate who receives over 50% of first and second preference votes under SV has a stronger mandate than a candidate who narrowly wins a simple plurality of votes under FPTP. In 2024, four PCC candidates won their elections with less than a third of the total vote.





Synoptic Links - How can we link this case study to other parts of the specification?

UK Constitution - Is the UK's uncodified constitution too flexible?

Electoral reform can often be more challenging in other countries, because electoral systems are usually entrenched in a codified constitution that can only be amended with a supermajority vote, requiring any changes to have cross-party support. In the UK, the Scotland Act (2016) and Wales Act (2017) similarly state that the Scottish Parliament and Welsh Parliament can only change the electoral system used for devolved elections with a two-thirds, supermajority vote.

However, the UK's uncodified constitution allowed the UK Government to use its majority to introduce FPTP for English and Welsh mayoral and PCC elections - a reform it has quickly benefited from - with an ordinary Act of Parliament that lacked opposition support.



UK Democracy and Participation - Is there a need to improve democracy and participation in the UK?

In addition to introducing FPTP for mayoral and PCC elections, the Elections Act (2022) also requires voters to bring photo ID when voting in many UK elections. The UK Government argued that this would enhance democracy by eliminating fraud and increasing public confidence in the integrity of UK elections. It argued that participation rates need not be impacted, because free forms of ID would be available to those who needed it.

However, critics argue that the requirements place a disproportionate burden on marginalised groups who are less likely to possess valid forms of photo ID. They argue that the introduction of this unnecessary obstacle has already impacted participation rates, and risks undermining the principles of democracy and equality.





Class debate: Do the UK's new photo ID rules have a **positive** or **negative** impact on UK democracy?



Enhances Electoral Integrity: Photo ID requirements strengthen the integrity of elections by preventing voter fraud and ensuring that each vote cast is legitimate, thereby maintaining public confidence in the democratic process.

Aligns with Global Standards: The UK's new photo ID rules bring it in line with requirements that have long existed in many other western democracies. E.g. Photo ID has long been a normal requirement in nearly all EU member states.

Free ID Provision: The Government's provision of free voter ID effectively addresses concerns about the disenfranchisement of eligible voters. Anyone can participate without financial barriers, as long as they apply for free identification.

Disenfranchisement Risk: The new photo ID requirements disproportionately affect marginalised groups who are less likely to already possess valid forms of photo ID. This may harm participation rates and undermine democratic inclusivity.

Partisan Bias Concerns: The accepted forms of photo ID could be manipulated to benefit the governing party - forms of ID commonly held by supporters of opposition parties could be deemed invalid as a means to suppress opposition votes.

Low Fraud Rates: Given the historically low incidence of recorded voter impersonation fraud in the UK, the new photo ID requirements are an overreaction that may cause more harm than good to the democratic process.

