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ODPM: Housing, Planning,
Local Government and the
Regions Committees

Electoral Registration

First Joint Report of Session 2004–05

Sixth Report from the Constitutional Affairs Committee of Session 2004-05

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The Constitutional Affairs and the ODPM: Housing, Planning, Local Government and the Regions Committees

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Summary

The aims of an electoral registration system should be to ensure that the register of electors is accurate and comprehensive, that it should be easy for eligible electors to register to vote and that it should be secure against fraud. Measured against these aims, the current electoral system used in Great Britain could be improved, particularly in view of the increased demand for postal votes and other likely moves towards modernisation of the electoral process.

The case in principle for individual registration, which had been widely thought to be compelling, has been seriously challenged by the Northern Ireland experience of a serious fall in registration. The evidence we have received is that in other parts of the country there has already been a significant fall under the current system and that a further fall would be likely if individual registration were to be introduced in Great Britain without a wide range of other measures to increase registration, as recommended in this Report.

There are four choices for a way forward. First, to design a new system of electoral registration based around the principle of individuals taking responsibility for registering themselves. Given the necessary legislation and some new resources, we understand from electoral administrators that this could be done with a lead-in time of two years. Second, to accept the principle of individual registration without setting a date for implementation. Third, to adapt the existing system of household registration by requiring individual signatures on the registration form. Fourth, to let the system evolve as it has done over recent years.

We examine the principles behind registration: that it should be easy for all those entitled to vote to register, that the system should be politically neutral and that it should not allow those not entitled to vote to appear on the register.

We set out the problems with the existing system and the case for change; ways of ensuring the security of the system; strategies for encouraging registration; our concern about progress on the Central On-line Register of Electors (CORE) project for a national register; and the role of the Government and the Electoral Commission. We have also looked at the use of the electoral register for other purposes, only in so far as such use may discourage registration.

We have deliberately not looked at the question of who has and who should have the right to vote.

1 Introduction

Electoral registration in the United Kingdom

1. Electoral registration in the United Kingdom has been historically conducted on a household basis. Under this system, one person in each household, traditionally known as the “Head of Household” but now officially “the occupier”, is required to complete an annual form, listing all those eligible, and those soon to become eligible, to vote at that address as at 15 October that year. Since the introduction of “rolling” registration in 2001, electors residing in England, Wales and Scotland have had the opportunity to add their own individual names to the register at other times. This is particularly relevant to those moving house mid-year but is also useful for those who have been missed off the annual autumn canvass of electors. Great Britain currently operates a dual system of household and individual registration for electoral purposes.

2. In 2002 Northern Ireland made the change to a single system of individual registration. The impetus behind this move was the need to combat the perceived problem of electoral fraud in Northern Ireland. Under individual registration, it is possible to have greater confidence in the security and accuracy of the register as each elector is required to provide proof of his identity, permitting checks on his eligibility to be conducted more easily. Since the purpose of the change was to cleanse the register, inevitably the number on the electoral register fell in the first year following the introduction of individual registration to Northern Ireland. The numbers have continued to decline in each year since, with the result that in December 2004 there were 144,000 fewer electors on the register than on the final register under the old system on 31 August 2002, a fall of over 12 per cent.¹

3. In May 2003 the Electoral Commission, an independent body set up in November 2000 with a statutory duty to keep under review a range of electoral and political matters, published a report on *The electoral registration process*. One of its key recommendations was that individual registration should be introduced to England, Wales and Scotland. This was repeated as the very first recommendation in the Commission’s subsequent report, *Voting for change: An electoral law modernisation programme* (June 2003). The Electoral Commission has ever since remained a vocal champion of individual registration.

4. The issue also proved central to the ODPM Committee’s inquiry into *Postal Voting*, held in Spring 2004. The evidence received led the Committee to conclude that individual registration was critical to the extension of all-postal voting and to recommend that the Government seek to introduce a bill at the earliest opportunity to secure the necessary legislation for the introduction of individual registration.² The Office of the Deputy Prime Minister in its response accepted that this should be the basis for consultation.³ No such consultation has yet been announced. The experience of the fall in the numbers on the register in Northern Ireland has clearly caused the Government to temper its enthusiasm

¹ *Electoral Registration in Northern Ireland*, First Report from the Northern Ireland Affairs Committee, Session 2004-05, HC131, page 10, figure 1

² *Postal Voting*, Seventh Report from the ODPM: Housing, Planning, Local Government and the Regions Committee, Session 2003-04, HC400-I, para 50

³ First Special Report from the ODPM Committee, Session 2003-04, HC973, response to recommendation 4

for the change. It has been supported in this by a recent report from the Northern Ireland Affairs Select Committee which concludes by “strongly” recommending that the Government extend individual registration to Great Britain “only once satisfactory strategies have been put in place in Northern Ireland for alleviating the problems of under-registration among particular population groups”.⁴

5. The ODPM Committee decided that it would be timely to re-examine the issue of individual registration, independent of the context of postal voting. In view of the overlap in responsibilities for electoral matters with the Department of Constitutional Affairs,⁵ it was agreed that this should be a joint inquiry conducted by the ODPM Committee and the Constitutional Affairs Committee meeting concurrently. The terms of reference were to examine:

- Advantages of individual registration compared with the existing system of household registration
- Strategies for encouraging registration, in particular among young voters, and tackling resistance to registration; and examination of the advantages and disadvantages of compulsory registration
- Issues of geographic and ethnic variations in levels of voter registration
- Advantages or disadvantages of electronic rather than paper-based registration systems
- Difficulties for the disabled and others unable to complete forms
- Availability and confidentiality of the register
- Basis for individual registration e.g. address-based or on personal criteria such as NI number or birth date
- The desirability of a national electoral register
- Means of ensuring the security of the register: PIN numbers, electoral voting cards, signatures

6. A press notice was issued on 7 December 2004, calling for evidence. In response we received 46 written submissions from a wide range of organisations. We held three evidence sessions on 25 January, 1 February and 7 February 2005, taking oral evidence from the Electoral Commission, the Office of the Information Commissioner, representatives of political parties, representatives of special interest groups, electoral practitioners and the Rt Hon Nick Raynsford MP, Minister of State for Local and Regional Government and Fire, Office of the Deputy Prime Minister, accompanied by an official, and Chris Leslie MP, Parliamentary Under-Secretary, Department for Constitutional Affairs. We are grateful to all who contributed to this inquiry through the provision of

⁴ *Electoral Registration in Northern Ireland*, First Report from the Northern Ireland Affairs Committee, Session 2004-05, HC 131, para 82

⁵ Paragraph 131 below sets out the division in electoral responsibility between the Department for Constitutional Affairs and ODPM

evidence in either way. We thank our specialist advisers, David Godfrey and Professor Colin Rallings, for all their expert assistance with this inquiry.

2 Individual Registration

Principles of electoral registration systems

7. The importance of an effective electoral registration system in a democracy cannot be overstated. The Electoral Commission has consistently stated its view that it “considers electoral registration to be the lynchpin of the electoral system”.⁶ In order for an election adequately to reflect the views of those eligible to vote and hence command public confidence in the result, as many electors as possible must be registered. The system must reduce to the minimum the opportunities for fraud. The criteria against which the effectiveness of any country’s electoral registration system should be judged can usefully be summarised, in rough order of precedence, as:

- Completeness
- Accuracy
- Convenience to electors
- Ease of compilation
- Usefulness
- Security
- Cost

These criteria reflect international guidelines and best practice, such as those issued by the Organisation for Security and Co-operation in Europe, the international body charged with observing elections in member countries. Its objective for examiners looking at voter registration and registers states that “The legal framework should require that voter registers be maintained in a manner that is transparent, accurate, protects the right of citizens of legal age to register, and prevents the unlawful or fraudulent registration of persons.”⁷

8. Some of these criteria are in conflict. A register which places security issues before convenience to electors, for example, would have far fewer entries than one which places lighter burdens on electors and had lower standards for checking eligibility. As our witnesses accepted, a balance has to be struck between accessibility and security.⁸ Whilst aiming at the highest possible degree of completeness and of accuracy, there will always be tension between ensuring that everyone who is eligible to vote is on the register and ensuring that no one who is ineligible is included. The Parliamentary Under-Secretary, Department for Constitutional Affairs, expressed the hope that completeness and accuracy “are not mutually exclusive”.⁹ In a perfect world this may be the case but it may be necessary to give priority to one factor over another in order to devise an electoral

⁶ Ev 6, para 3.2, HC243-II [Electoral Commission]

⁷ OSCE, *Guidelines for reviewing a Legal Framework for Elections* (2001), page 13

⁸ Eg Association of Electoral Administrators, Ev 31; Local Government Association, Ev .49, HC243-II; Labour party, Q119

⁹ Q272 [Mr Leslie]

registration system which is practical, not prohibitively expensive to run, and not too burdensome to any would-be elector, including those with special needs. The Minister for Local and Regional Government and Fire, ODPM, argued that “there is a greater risk of reduced numbers of people registering for a variety of reasons than there is of increased inaccuracy in the register”.¹⁰ We agree that **the most important feature of an electoral registration system is that it should offer the greatest number of eligible people the opportunity to vote.** We have borne this, as well as the other criteria listed above, in mind in weighing the merits of any proposed changes to the system currently used in Great Britain.

Individual registration and household registration

9. The key difference between individual registration and household registration is that the former requires each eligible voter to take responsibility for ensuring that he or she is included in the electoral register. Household registration instead places the responsibility for registering on one member of the household.

10. In Great Britain at present we have a mixture of the two systems. Households are canvassed once a year as of 15 October by means of a form sent by the local Electoral Registration Officer (ERO) which asks for details of all those residing at that address who are eligible to vote (Form A). There is considerable local discretion in how the local authority chooses to gather this information beyond this central obligation. For example, the form may be blank or pre-filled with the names of those previously registered as residing at that address, and provision may be made for the “occupier” to confirm “no change” returns by telephone, rather than by completing the form. Practice also varies widely as to how non-returns are followed up by the ERO: in most cases, reminders are sent; in many areas, canvassers deliver Form A in person or visit to chase up where the form has not been returned. This is not true of all areas, particularly the inner cities, where personal canvassing may be perceived to be too great a risk to personal security, or rural areas, where it would not be cost-effective to travel the long distances necessary to recruit single households. Once they have been collected, the completed Form As are used to compile first a working register which can be inspected to uncover errors and then as of 1 December a published register which remains in force until 30 November the following year.

11. Individual registration is allowed in Great Britain during the nine months of the year (December to August) outside the period of the annual household canvass. Under this system of rolling registration, introduced in 2001, eligible electors may add their names to the register at any point by notifying their local ERO of their wish to do so. Many who register in this way will be among the significant proportion of the population who move house in any given year. In other cases, they may have been missed off the register by accident or may have decided that they now wish to take up their right to register for a variety of reasons, including to meet the needs of credit-checkers. It is important to note that whilst it is compulsory to return Form A under the annual canvass, there is no similar compulsion to notify the ERO of any change in circumstances under rolling registration.

¹⁰ Q269 [Mr Raynsford]

Individual involvement is also required for postal voting, where a further form is sent to individuals listed on Form A as wishing to vote by this method.

Individual registration in other countries

12. Individual registration has been introduced as the single method of being entered on the register in several countries which have similar electoral systems and traditions to Great Britain. In Appendix One to this report we outline briefly the experience of Canada, Australia, New Zealand and California. We examine below the more recent example of Northern Ireland which is close to our own situation.

Northern Ireland

13. Individual registration has been used in Northern Ireland since the passing of the Electoral Fraud (Northern Ireland) Act 2002. As the title of the legislation implies, the change was designed to combat the widespread perception of significant levels of fraud in Northern Ireland elections. In its current form, each individual is required to complete an annual registration form, supplying personal details including a National Insurance number. Further security measures involve the production of a form of photographic identification at the polling station in order to be allowed to vote. There is no data-sharing to allow the Electoral Office for Northern Ireland to identify non-registrants from other sources.

14. The Northern Ireland electoral registration system was comprehensively examined by the Northern Ireland Affairs Select Committee in a report published on 15 December 2004.¹¹ The Committee concluded that the measures taken had been “successful in reducing both the perception among the electorate of the prevalence of fraud and the actual level of electoral fraud, as far as it can be measured”.¹² Nevertheless, the Committee’s concerns about the experience of individual registration in Northern Ireland were such that it recommended that, until the problems identified in their Report had been alleviated, the Government should hold back from introducing individual registration to the rest of the UK.¹³ These concerns centred around the significant decline in the numbers registered. The first register under the new system contained about ten per cent fewer names than the previous household-based register, which was to be expected under a change designed to weed out fraudulent entries. The decline continued under subsequent rounds of canvassing. This led the Northern Ireland Affairs Committee to conclude that there is “emerging evidence of a continuous structural process of decline in the electoral system”.¹⁴

15. Comparison of the turnout figures for the Assembly elections of 1998 and 2003 supports this analysis that individual registration has led directly to the loss of many potential electors from the register (see Table 1). Although the electorate, number of votes cast and turnout all declined between the two elections, the estimated participation among the voting age population fell more dramatically than could be accounted for by the decline

¹¹ First Report of Session 2004-05, HC131.

¹² *Ibid*, paragraph 10

¹³ *Ibid*, paragraph 21

¹⁴ *Ibid*, paragraph 2

in turnout alone. Evidence presented to the Northern Ireland Affairs Committee suggested that this decline in registration, and hence participation in the electoral process as a whole, was particularly marked amongst young people, less advantaged social groups and people with disabilities.¹⁵ To combat these trends, the Committee called for the reinstatement of some form of the carry-forward mechanism, whereby those on the register one year are not automatically excluded from the next register if they fail to return their form, and for greater emphasis on educative campaigns to promote awareness of the electoral and registration systems, aimed both at the general public and at specific groups, such as young people.¹⁶ The Government has responded by re-introducing the carry-forward process under the provisions of the Electoral Registration (Northern Ireland) Act 2005.

Table 1: Turnout at Northern Ireland Assembly elections, 1998 and 2003

	Electorate	Total Votes	Total Valid votes	% Turnout *	% Turnout as prop. of voting age population
1998	1,178,556	824,391	810,245	69.9	67.9
2003	1,097,526	702,249	692,028	64.0	56.2
Diff.	-81,030	-122,142	-118,217	-5.9	-11.7

*Turnout is calculated by reference to all votes cast whether valid or not

Source: The Northern Ireland Assembly Elections 2003, *The Electoral Commission (2004)*

Lessons to be learnt from other countries

16. Although none of the examples can be cited as a direct analogy to the position in Great Britain, given that the switch to individual registration in Northern Ireland was based on pre-existing circumstances which do not prevail in the rest of the UK, there are still lessons that could be learnt from the experiences of other countries with the introduction of individual registration. The most pressing of these is the tendency of individual registration to result in a less inclusive register than under household registration, with a disproportionate effect upon those groups already perceived as being less likely to participate in the electoral process (see the Northern Ireland and Canadian examples). In order to meet the tests of an electoral system which we set out at the start of this section of the Report, there is a clear need to ensure that individual registration does not sacrifice comprehensiveness and ease of enrolment for accuracy and security.

17. The experiences of Australia and New Zealand may provide lessons in how to ameliorate the negative effects of individual registration on the coverage of the electoral roll, through data-sharing to capture those who might otherwise be missed and through making it easy for electors to register.

¹⁵ Ibid, paragraphs 21 to 36

¹⁶ Ibid, paragraphs 9 and 15

The need for change in Great Britain

18. The question of whether to change the electoral registration in Great Britain has been given a high profile by the Electoral Commission which regards individual registration as central to the Government’s modernisation strategy of moving towards offering electors a multiplicity of voting methods (see paragraph 35 below).¹⁷ Regardless of whether “multi-channel voting” becomes a reality in the near future, there is an existing and increasing demand for postal votes for which individual involvement is already required. Further pressure for change at this time comes from concerns over data protection and the provision on Form A to state whether one’s name should appear on the edited or the full register. Under household registration, one person takes responsibility for making this decision for all living at that address. There is no means of checking whether the form accurately reflects the wishes of each individual on this point, with the result that there may be doubt as to whether the individual has given consent as required under law for his or her data to be used as indicated by the householder.¹⁸

19. The Information Commissioner regards household registration “as a remnant of the Victorian requirement of property qualification for voters”.¹⁹ Many people, particularly but not exclusively young people, live in households where no-one is likely to take charge as “The occupier”. The Scottish Assessors Association (SAA) argued that in such cases “it might be presumptuous to assume one or other as the head of the household”,²⁰ a sentiment with which COSLA agreed, adding that the term itself now “seems antiquated”.²¹ There is also greater mobility between residential addresses than used to be the case, with the result that a register based on addresses can be quickly out of date. The fact that one’s right to vote stems from individuals and not houses has been recognised in the extension of registration to the homeless who can prove a local interest but who are without a permanent address. We note that the regulations governing the content on Form A now stipulate “Return by Occupier as to Residents”, rather than householders.²²

20. A third issue is that of public trust. Some witnesses expressed firm confidence in the existing process. The Scottish Assessors Association put it to us that “the current system is understood and generally works well”.²³ The Electoral Commission agreed that “people have been able to use [the current system] and use it perfectly comfortably for very many years”.²⁴ Recent changes to the system, particularly the introduction of rolling registration, have complicated the picture so that there is a great deal of uncertainty about how the register is compiled and how names may be added to it. There is also evidence of growing concern about the robustness of the household system of collecting data. The Conservative party raised issues of security and fraud which led them to conclude that “the standing of the system of electoral registration in mainland Britain has in recent years been

¹⁷ Ev 6, para 3.6, HC243-II [Electoral Commission]

¹⁸ See Ev 7, para 4.7, HC243-II [Electoral Commission]

¹⁹ See Ev 7, para 4.8, HC243-II [Electoral Commission]

²⁰ Ev 61, para 7, HC243-II [SAA]

²¹ Ev 73, para 3, HC243-III [COSLA]

²² The Representation of the People (Form of Canvass) (England and Wales) Regulations 2003

²³ Ev 61, para 8, HC243-II [SAA]

²⁴ Q4 [Mr Younger]

undermined”.²⁵ It did not “concur” with the Electoral Commission that public confidence in the integrity of the electoral system in Great Britain was high.²⁶

21. The proportion of the eligible population not included on the register has risen in recent decades. The Executive Director of the Association of Electoral Administrators (AEA) told us that “canvassing at the annual audit stage is becoming more and more difficult”.²⁷ Work by the Office of Population, Censuses and Surveys judged the register to be 93% accurate in 1981 but only 91 to 92.6% accurate in 1991, meaning that approximately 3 million adults were then missing from the register. There were, and continue to be, considerable variations within these averages, between inner city and non-metropolitan potential voters, between different ethnic groups and between different age groups (see Table 2 below). The Government and the Electoral Commission are both currently undertaking research projects into the extent and causes of non-registration, but the most recent evidence from the 2001 General Election suggests that 29% of young people aged 18-24 years and 19% of black minority ethnic (BME) groups surveyed cited not being registered as the reason for not voting.

Table 2. Extent of non-registration for different groups (1991)

Classification	% not registered
Inner London	20.4
Non-metropolitan	6.3
Age 18-19	12.1
Age 20-24	20.0
Age 50+	2.1
New Commonwealth citizen	36.6
Owner occupier (owned outright)	2.6
Rented privately, unfurnished	38.2

Source: P. Heady et al, *The coverage of the Electoral Register in D. Butler and I. McLean (eds.), Fixing the Boundaries*. London: Dartmouth, 1996.

²⁵ Ev 64, para 1, HC243-II [Conservative party]

²⁶ Ibid

²⁷ Q184 [Mr Dumper]

22. The figures for individual parliamentary constituencies bear out this fall in registration. Table 3 below shows the total and percentage change in the 20 constituencies with the greatest fall in the number of registered electors between 2001 and 2003.

Table 3. Change in number of registered electors by Parliamentary constituency

Constituency	Electors 1 February 2001	Electors 1 December 2003	Absolute change	Percentage change
1 Brentford and Isleworth	83,420	67,934	-15,486	-18.6
2 Belfast West	60,377	47,139	-13,238	-21.9
3 Belfast North	61,646	49,054	-12,592	-20.4
4 Portsmouth South	77,372	66,162	-11,210	-14.5
5 Belfast South	59,937	49,207	-10,730	-17.9
6 Edinburgh Central	66,296	55,714	-10,582	-16.0
7 Foyle	71,835	62,321	-9,514	-13.2
8 Belfast East	59,044	49,930	-9,114	-15.4
9 South Antrim	71,316	62,906	-8,410	-11.8
10 Strangford	72,948	64,718	-8,230	-11.3
11 Lagan Valley	73,494	65,545	-7,949	-10.8
12 North Down	63,944	56,030	-7,914	-12.4
13 Rhondda	56,096	48,332	-7,764	-13.8
14 Glasgow Maryhill	55,087	47,525	-7,562	-13.7
15 Bradford West	72,193	64,663	-7,530	-10.4
16 Edinburgh South	64,437	57,274	-7,163	-11.1
17 Brent East	58,082	51,114	-6,968	-12.0
18 East Antrim	61,597	54,644	-6,953	-11.3
19 Bolton South East	68,080	61,198	-6,882	-10.1
20 Dulwich and West Norwood	70,301	63,489	-6,812	-9.7

Source: Office for National Statistics

23. The downward trend in registration is underlined by figures from the University of Plymouth on the number of Form As returned by 1 December, the date on which the register comes into force. The average percentage returned by this date in 2003 was 91%; by 2004 this had fallen to 89%. In 2003 65 authorities reported that they had returns of over 95% and 70 reported returns of below 90%. In 2004 19 and 90 authorities, respectively, were in this position. Table 4 below indicates the variation in the figures between the different types of authorities but shows a decline in all cases.

Table 4. Form A returns at 1st December 2004 & 2003

Type of authority	Mean – 2004 (%)	Mean – 2003 (%)	N=
Districts (all-out)	91	93	81
Districts (thirds)	92	93	47
London Boroughs	89	90	16
Metropolitan boroughs	84	88	25
Unitary councils	87	88	31
Wales	89	90	13
Total	89	91	213

Source: Survey conducted by LGC Elections Centre, University of Plymouth, December 2004

These findings are backed by informal discussions with Electoral Registration Officers, which suggest that in one case barely 80% of Form As had been returned from the 2004 canvass. When the widespread expectation of a General Election is taken into account, a factor which is usually taken to boost registration by making it seem more relevant to the voter, these latest figures are more disturbing.

24. It is important to note that there is no evidence that the decline in registration is directly linked to the current system of registration nor that changing the system would in itself lead automatically to a more comprehensive register. Nevertheless, household registration as currently practised has not prevented the decline, and amendments to the system, whether minor or large-scale, may be considered to be part of the solution.

25. These factors add up to a case for examining whether individual registration could provide a better match to the aims of the electoral registration system than household registration. They also highlight areas of difficulty which should be addressed, regardless of whether the basic system of registration is changed, most importantly finding ways to encourage potential electors to register.

Arguments in favour of individual registration

The principle

26. None of our witnesses argued against the principle behind individual registration to any serious degree. The Electoral Commission described “the overriding principle” to be that “a right as fundamental as voting should only be secured by personal initiative”, explaining that “no-one would suggest, for example, that voting itself should be exercised by the head of the household on behalf of other householders”.²⁸ This also fits with the

²⁸ Ev 7, para 4.5, HC243-II [Electoral Commission]

concept of individual responsibility, with the individual becoming accountable for his or her entry on the register, or indeed for failure to register.²⁹ Moreover, the British Youth Council argued that household registration discriminates against young people and those without a permanent residence.³⁰ The Council saw individual registration as “a move towards the creation of a person-centred (individual) system, one that does not discriminate against citizens on the basis of the lack of permanent residence, but enshrines and celebrates every citizen’s democratic right to be placed on the register”.³¹ This principle has to be correct. The question is whether the practical advantages of introducing individual registration outweigh the disadvantages and the upheaval necessary in making such radical changes to the basic system of electoral registration.

Other advantages

27. The Electoral Commission identified five advantages of individual registration over household registration. These are:

- consistency
- enhanced compliance with data protection and human rights legislation
- increased participation, over time
- increased security and accuracy
- support for modernisation of voting arrangements.³²

28. The Commission’s argument on *consistency* is twofold: that a move to individual registration in Great Britain would result in consistency in registration systems across the UK, and that it would remove the distinction between the current twintrack approach of individual rolling registration and annual household registration.³³ On the first of these points, we agree with the Parliamentary Under-Secretary, Department for Constitutional Affairs, that devolution “means that, from time to time, we have a different approach in different areas”.³⁴ The circumstances prevailing in Northern Ireland prior to the implementation of the Electoral Fraud (Northern Ireland) Act 2002 are not those which currently prevail in the rest of the UK with regard to the extent of the perception of fraud. We have more sympathy with the second call for consistency made by the Commission. A robust electoral registration system should be easy to explain as well as easy to understand. In recent years the system in Great Britain has become much less simple than it was before.

29. The issue of the compliance of the registration process with data protection and human rights legislation was raised with us by witnesses other than the Electoral Commission. The Deputy Information Commissioner told us that “in principle we are strong supporters of

²⁹ Ev 81, para 22 , HC243-II [Electoral Reform Society]

³⁰ Ev 63, para 24 and 25, HC 243-III [BYC]

³¹ Ev 63, para 25, HC 243-III [BYC]

³² Ev 7, para 4.5, HC243-II [Electoral Commission]

³³ Ev 7, para 4.6 , HC243-II [Electoral Commission]

³⁴ Q276 [Mr Leslie]

individual registration from a data protection point of view”.³⁵ In written evidence the Commissioner himself argued that “the most reliable way to ensure that individuals are able to exercise their choice [as to whether their data should be sold direct to marketers via the full register] would be for registration to take place on an individual basis”.³⁶ He added that “from a data protection perspective, we can see no obvious advantages in registration continuing to be carried out on the basis of households rather than individuals”.³⁷ The credit reference agency, Experian, pointed to the extreme example of university halls of residence where the warden is responsible for sending in forms covering around 1000 individuals; in these cases, the data subject is not usually asked for their instructions in respect of opting out of the register.³⁸ The Electoral Commission had anecdotal evidence that “wardens of halls of residence and so on [were] unhappy about having to register students individually on a composite return because of human rights issues”.³⁹ We found no dissenters from this view that individual registration was more in keeping with data protection and human rights legislation than household registration. As the Scottish Assessors Association concluded, these arguments are “hard to resist”.⁴⁰ Nevertheless, we concur with the Deputy Information Commissioner that “there are other issues to be taken into account” and that data protection issues should not necessarily of themselves prevail.⁴¹

30. The Electoral Commission continue to believe that despite the lower level of registration in Northern Ireland, the introduction of individual registration could nevertheless lead to *increased participation* in the register. The Commission’s argument runs that “the ultimate outcome of individual registration should be to empower and encourage some under-registered groups to participate in the democratic process and vote”; for example, when dealing with young people, “inculcating the habit of registration from an early age could be beneficial in maximising registration rates in later life”.⁴² More generally, the Commission’s view is that an effective awareness campaign on individual registration could increase participation and that the new system would “facilitate the introduction of more user-friendly systems of registration” and indeed voting, perhaps leading to more people making the effort to get on the register.⁴³

31. It would be possible to graft education campaigns and new ways of registering onto the existing basic system, thus gaining the benefits without the disruption of major change. There is some support for the Commission’s view that of itself individual registration could lead to increased participation rates.⁴⁴ The Executive Director of the Association of Electoral Administrators, not noted as supporters of individual registration, pointed out that under the current system “only about 40 per cent of eligible electors [ie the

³⁵ Q62 [Mr Aldhouse]

³⁶ Ev 51, para 10, HC243-II [Information Commissioner]

³⁷ Ev 51, para 11, HC243-II [Information Commissioner]

³⁸ Ev 40, para 10, HC243-II [Experian]

³⁹ Q32 [Ms Gordon]

⁴⁰ Ev 61, para 7, HC243-II [SAA]

⁴¹ Q62 [Mr Aldhouse]

⁴² Ev 8, para 4.10, HC243-II [Electoral Commission]

⁴³ Ev 8, para 4.11 and 4.12, HC243-II [Electoral Commission]

⁴⁴ See for example, memoranda from the Conservative Group on Southampton City Council (Ev 26, para b) and the Electoral Registration Officer, Gloucester City Council (Ev 30), HC243-II

“householders”] are actually involved in completing the data ... it automatically leads to people feeling not part of the process and ultimately therefore might lead to them not voting”.⁴⁵ Speaking for young people, the British Youth Council argued strongly that individual registration “would help re-engage, what has become a disengaged and disillusioned generation ... with the formal democratic process,” and that “it will serve as a way to educate and inform citizens, regardless of their age, residence or any other factor, about our democratic process and the vital importance of their participation”.⁴⁶ Given the level of concern about the current participation rates of young people in particular, these are certainly not minor considerations in weighing the balance of advantages and disadvantages in changing to individual registration.

32. We note that the increases in participation forecast are theoretical and not based on empirical evidence. Whatever the system of registration, there will remain a hard core who do not wish to register and who will resist all attempts to make them do so. The important issue is how many others are not registered.

33. The fourth advantage identified by the Electoral Commission, *increased security and accuracy*, is one on which there is more agreement. The Commission see this working in two ways: first, by allowing for the collection of individual identifiers which could be used to check the identity of a voter at registration and at the ballot box, and secondly, by removing the opportunity for inaccuracy and fraud offered by the current arrangement whereby the householder provides information about other individuals.⁴⁷ On the security issue, most evidence we received suggested that individual registration would make it easier to detect fraud by means of providing a signature against which postal votes, for example, could be checked⁴⁸ or to check eligibility to vote through the identifiers supplied by the individual.⁴⁹ Prevention of fraud and increased security are the main reasons cited by both the Conservative party and the Liberal Democrats for their support for individual registration in Great Britain.⁵⁰

34. No such warnings were sounded on the potential for individual registration to deliver greater accuracy. It is clear that where an individual completes a form for him or herself, there is a greater likelihood of that information being correct. This was a point made by most of those concerned with the administration of the system, including the Association of Electoral Administrators who argued that “It would provide a far more accurate register if it was possible to achieve a high percentage return”.⁵¹ That caveat recalls the balance between comprehensiveness and accuracy which we noted in discussing the aims of the registration system. A further contribution individual registration would make towards increasing the accuracy of the register would be that, unlike a register based on households which change regularly, one based on individual registration would be more up to date. The introduction of rolling registration into the current system is evidence of this fact but

⁴⁵ Q184 [Mr Dumper]

⁴⁶ Ev 63, para 26, HC243-III [BYC]

⁴⁷ Ev 8, para 4.13, HC243-II [Electoral Commission]

⁴⁸ Ev 18, para 2.1 [Dr Gary Pickering, ERO, Trafford Borough Council]; Ev 30 [Mr Alan Webb, ERO, Gloucester City Council]; Ev 32, HC243-II [Association of Electoral Administrators]

⁴⁹ Ev 45, HC243-II [Migration Watch]

⁵⁰ Ev 64, HC243-II [Conservative party]; Ev 58, para 1, HC243-III [Liberal Democrats]

⁵¹ Ev 33, HC243-II [Association of Electoral Administrators]

its advantages would be all the greater if this were the means of registration used by everyone.

35. The part played by individual registration in *support for modernisation of voting arrangements* has been touched on earlier. The Commission believes that individual registration is necessary in the immediate term to “provide a robust framework for meeting the increasing demands from the voting public for postal voting on demand” and in the longer term to “underpin the development of the Commission’s proposed new ‘foundation model’ of voting” and to “provide a key building block in enabling electronic and other multi-channel voting in future elections, which necessarily demand a more robust system of registration”.⁵² We accept that, in order for the system to remain secure whilst offering increased opportunities to electors to cast their votes, signatures or other forms of identification have to be collected from individuals and some form of individual registration will be required to collect this data. Postal voting and other remote voting methods, including the ability to vote wherever one happens to be, all rely on features of individual registration and add to the case for its introduction.

Arguments against individual registration

36. The arguments made against the introduction of individual registration are mainly practical objections to how it could be implemented, including serious reservations about the increased costs, and deeper concerns about the impact on the numbers on the register.

Administrative objections

37. The Association of Electoral Administrators argued strongly that “there are far more administrative disadvantages” than advantages to individual registration.⁵³ Amongst these were the increased cost of collecting returns, delays in response and a subsequent reduced electorate.⁵⁴ There can be no doubt that at least in the first instance the cost of individual registration would be higher than that of the current system. The figure of two to three times the current cost has been estimated, calculated by that scale of increase in the number of forms which would have to be sent out, with associated postage, stationery and processing costs. Local authorities would also require new computer systems, both in terms of hardware and software. It is likely that canvassing would be more expensive as it would require more visits to locate individuals in a household, rather than just one member of it. The Convention of Scottish Local Authorities (COSLA) pointed out that provision also “needs to be made for follow-up, assistance, general awareness raising and local campaigning to increase the proportion of those eligible to vote on the register.”⁵⁵

38. The Government has made an initial assessment that “the administration of individual registration could cost an additional £23m in the first year and an additional £6m every year thereafter.”⁵⁶ The Minister for Local and Regional Government and Fire explained

⁵² Ev 8-9, para 4.15, HC243-II [Electoral Commission]

⁵³ Ev 33, HC243-II [Association of Electoral Administrators]

⁵⁴ Ibid

⁵⁵ Ev 74, para 9, HC243-III [COSLA]

⁵⁶ Ev 77, para 8, HC243-III [Department for Constitutional Affairs/ODPM]

that this would take “the current figure of around £51 million up to £74 million, and annual cost would be £57 million”.⁵⁷ He added that these figures were subject to verification: “obviously, as part of the later consultation which we will be undertaking, we will want to test further the validity of those figures and see whether there is scope for economy in some areas”.⁵⁸ Both the Electoral Commission and the Association of Electoral Administrators suggested that costs could be cut after the initial transition by dispensing with the annual audit.⁵⁹ The example of Canada suggests that this could indeed save substantial sums of money. We note that most concerns raised by local authority representatives about the costs centre on how the authorities would finance the additional expenditure. The Government assured us that any such additional costs would have to be covered by central government under the principle of new burdens.⁶⁰ This leaves open the question of how the ongoing costs would be funded in future years, unless the annual canvass were abandoned.

39. Part of the increase in cost would arise from the additional workload which EROs and their staff would have to bear to implement individual registration. The two concerns here are the amount of work required where the number of forms had doubled or even tripled⁶¹ and the doubt as to whether it would be practical to aim at complete coverage of all eligible electors in a given area. One ERO argued that under individual registration “personal canvassing is no longer viable as each person in the house would need to be present to get the form completed”.⁶² The Scottish Assessors Association also pointed to the practical difficulties faced by EROs, some of whom would “argue that the ERO is at least likely to know the name of a householder as opposed to every potential elector at an address”.⁶³ The Association asked “how are potential electors to be canvassed if their name is not known to the ERO in the first place or even the number of people residing at that address?”⁶⁴ The workload would be further increased with delays in returning forms leading to the need for more follow-up action. Several witnesses stressed the particular difficulties which would be faced by the disabled and others not able to fill in forms by themselves and by residential homes where collective registration has long been the normal practice.⁶⁵ It should be noted that representatives of groups with special needs gave evidence in support of individual registration even in these circumstances.⁶⁶

40. There are ways around the individual difficulties referred to above as we discuss further in the next section of this Report. As to the administrative challenges posed by individual registration, we recognise that any move to a new system would place substantial new pressures on those responsible for compiling the register. It is not an impossible task, as the experience of other countries has shown, and the initial transition is likely to prove much

⁵⁷ Q292 [Mr Raynsford]

⁵⁸ Ibid

⁵⁹ Q44 [Mr Younger]; Q187 [Mr Dumper]

⁶⁰ Ev 77 [DCA/ODPM]

⁶¹ Ev 19, HC243-II [Andrew Sparke, Chief Executive, Dudley Council]

⁶² Ev 18, para 2.2, HC243-II [Dr Gary Pickering, ERO, Trafford Borough Council]

⁶³ Ev 61, HC243-II [SAA]

⁶⁴ Ibid

⁶⁵ Eg Association of Electoral Administrators (Ev 32), Mencap (Ev 47), Sense (Ev 17), HC243-II

⁶⁶ Q153 [Help the Aged, RNIB]

the hardest part, with maintenance of the register under the new system a less onerous imposition. The representative from SOLACE was concerned to ensure that we were “aware of the pitfalls” of implementing a new system but also assured us that local authorities could do it, provided that it was recognised that it “will take a lot of planning, preparation, proper resources, proper training and quite a while”.⁶⁷ The Executive Director of the Association of Electoral Administrators put the necessary lead-in time at two years.⁶⁸

Impact on participation rates

41. Part of the concern about the administrative difficulties of implementing individual registration is the impact that this might have on the numbers on the register. As we have seen, some witnesses, including the Electoral Commission, argue that individual registration should increase participation in the system. The example of Northern Ireland, however, suggests the opposite. Potential electors could be lost through the inability of EROs to trace them for whatever reason, through disengagement with the political system or through ignorance. COSLA, whilst in favour of individual registration, argued that:

The household registration system lowers the threshold for engagement. With the paperwork completed by a member of the household “impulse voting” is possible for those who might otherwise have chosen not to register individually or neglected or for other reasons not been able to do so. Without this form of support there is a reasonable chance that the new arrangements will disenfranchise some even if they are not consciously opting out. The most affected are likely to be potential first time voters.⁶⁹

This concern was echoed by EROs, including Dr Pickering from Trafford who foresaw that “whole areas of the electorate will not respond, ethnic minorities, students and young people who are already the poorest responders”.⁷⁰ There has to be concern that once these people have been lost from the register, they will never join it again and will lose their opportunity to participate in the electoral process. The Labour party cited the potential “immediate fall in registration levels”, with its disproportionate impact on young voters, as its main cause for caution over the shift to individual registration.⁷¹ We do not underestimate this issue. **The key advantage of household registration is that it allows for one person, say a parent, to include in the register those in the household who may be less energetic in registering themselves.**

42. There are steps that could be taken to ameliorate the effect of individual registration upon registration rates. The Local Government Association suggest a gradual introduction of the new system, with discretion being given to EROs to retain names on the register where they have reason to believe that those electors are still resident at that address.⁷² They also suggest, as a transitional step, retaining household registration but with

⁶⁷ Q184 [David Monks]

⁶⁸ Q189 [Mr Dumper]

⁶⁹ Ev 73, para 3, HC243-III [COSLA]

⁷⁰ Ev 18, para 2.5, HC243-II [Dr Pickering, ERO, Trafford Council]

⁷¹ Ev 57, para 1.4, HC243-III [Labour party]

⁷² Ev 49, para 9, HC243-II [LGA]

individual members of the household signing the registration form.⁷³ This is an idea which the Association of Electoral Administrators dismissed as “too complicated” and likely to “lead to unacceptable delays in the form being returned”.⁷⁴ Nevertheless, it has the merit of meeting COSLA’s requirement that the “advantages of the current system should be transferred to the new arrangements”.⁷⁵ The Parliamentary Under-Secretary, Department for Constitutional Affairs, saw the advantage of simplicity in filling in a household form individually, but expressed concern about its likely size and asked “what would happen if the individual were not at home during the period in which the form had to be returned?”⁷⁶ He described the Government’s position as “sympathetic to looking at” a household form with multiple signatures.⁷⁷

Government policy on individual registration

43. The Government’s enthusiasm for introducing individual registration has waned noticeably since the ODPM Committee last examined the subject in 2004 . In its response to the recommendation in favour of individual registration in the Committee’s report on *Postal Voting*, the Government undertook to consult on the “broad thrust” of the Electoral Commission’s view that individual voter registration would need to be in place to allow all-postal voting at local elections.⁷⁸ This consultation was expected to begin that autumn.⁷⁹ Nothing was announced and by December 2004 the Government’s line on the Committee’s recommendation had been modified: “we are sympathetic to the principles of individual registration and appreciate the benefits that it might bring, but we are concerned about maintaining a simple and clear system, and comprehensive registers.”⁸⁰ A similar form of words was used to describe the Government’s position on individual registration in its memorandum to this inquiry.⁸¹

44. This change in attitude can be attributed to the experience of the reduction in levels of registration in Northern Ireland, leading the Government to state that “while the work to reform Northern Ireland’s registration system further to ensure that registers are complete as well as accurate is not concluded, the Government does not believe that it would be appropriate to introduce the system in place in Northern Ireland to the rest of the UK at this time.”⁸² In oral evidence, the Parliamentary Under-Secretary, Department for Constitutional Affairs, explained that they could not predict how long it would take to roll out individual registration to Great Britain “until we settle on the mechanism that we feel is best to form a good, successful process for individual registration”.⁸³

⁷³ Ev 49 , HC243-II [LGA]

⁷⁴ Ev 32, HC243-II [Association of Electoral Administrators]

⁷⁵ Ev 73, para 2, HC243-III [COSLA]

⁷⁶ Q287 [Mr Leslie]

⁷⁷ Ibid

⁷⁸ HC973, Session 2003-04, response to recommendation 4

⁷⁹ Ibid

⁸⁰ *The Work of the Committee in 2004*, Second Report from the ODPM Committee, Session 2004-05, HC 149, p44

⁸¹ Ev 2, para 10 , HC243-II [Department for Constitutional Affairs/ODPM]

⁸² Ev 2, para 11, HC243-II [DCA/ODPM]

⁸³ Q266 [Mr Leslie]

45. It is not evident that work is being actively undertaken within Government to develop an appropriate mechanism for individual registration in England, Scotland and Wales. The consultation promised on individual registration appears to be bound up in the “number of different pieces of reform” which the Parliamentary Under-Secretary, Department for Constitutional Affairs, told us are intended to be published as “an electoral modernisation strategy”.⁸⁴ He was unable to give any indication as to when this might be published, although he did state that the Government “intend to wait and see what the foundation model recommendations are from the Electoral Commission”,⁸⁵ a report originally expected by the end of March 2005, although the timetable may change. The Government was also waiting “for the Electoral Commission recommendations on their foundation model to come forward in particular to help inform us of the particular concerns they have about individual registration”.⁸⁶ The Electoral Commission on the other hand told us that the Government “has indicated that it intends to publish an “electoral modernisation strategy” shortly,”⁸⁷ and they were clearly not expecting the Government to wait for further reports from themselves.

46. It appears that the Government has no immediate plans to act upon this issue, either by implementing individual registration or by taking steps towards implementation by consulting on the principles or practicalities. The Parliamentary Under-Secretary, Department for Constitutional Affairs, readily identified the benefits of individual registration as “greater security and accuracy in the register,” but also argued that “we do not want to see a system that is unduly burdensome for the elector”.⁸⁸ He later clarified that “in principle, we can see the benefits but we do have concerns about the effect on numbers”.⁸⁹ His colleague, the Minister for Local and Regional Government and Fire, ODPM, went further and asked “It would be perverse, would it not, to ignore the evidence that has come from Northern Ireland which moved towards a system of individual registration first, and where there have been clear benefits on the one side but also disadvantages which are now being highlighted?”⁹⁰ **We accept that the issue has been clouded by the experience in Northern Ireland and the fall in registration rates there which has apparently resulted from the introduction of individual registration. Nevertheless, we expect the Government in its response to this Report to give a firm indication of its policy on the introduction of individual registration and of the part it plays in the Government’s wider electoral modernisation strategy and to announce a timetable for the publication of its consultation paper on these issues.**

Options for electoral registration in Great Britain

47. The question remains of how far it is necessary to change the existing electoral system. We note that a significant majority of respondents to our inquiry expressed views in favour of individual registration. This was as true of the political parties (albeit with reservations

⁸⁴ Q278 [Mr Leslie]

⁸⁵ Q280 [Mr Leslie]

⁸⁶ Q263 [Mr Leslie]

⁸⁷ Ev 9, para 4.16 , HC243-II [Electoral Commission]

⁸⁸ Q264 [Mr Leslie]

⁸⁹ Q270 [Mr Leslie]

⁹⁰ Q276 [Mr Raynsford]

about the speed of implementation on the part of the Labour party) as of those representing groups with special needs, such as the elderly or disabled people, and the hard to reach groups, such as young people and ethnic minorities. Strong support also came from the Electoral Commission, the Information Commissioner and some EROs. Indeed, opposition to the introduction of individual registration came mainly from the representatives of electoral administrators, and then generally on practical grounds of administrative difficulties in its initial phase.

48. It is essential that the whole of the UK learns from the example of Northern Ireland and that successful efforts are made to address the problems of decline in registration rates experienced there. **A strong case can be made for a change to individual registration, which should be addressed. We have identified four options for moving forward:**

- **Introduce individual registration by a set date. We understand from electoral administrators that this could be done after two years' notice, allowing time and funding to enable local authorities to handle the transition**
- **Accept the principle that a move to individual registration would be desirable but with no date set for implementation**
- **Adapt the existing system by requiring individual signature on household forms**
- **Let the system evolve as it has done in recent years, maintaining occupier responsibility while new methods fill gaps in registration.**

We recommend that the Government consult on these options. The advantages and disadvantages of each should be set out even-handedly.

49. In the rest of this report, we turn our attention to detailed issues within the electoral registration system. Many of these are matters which should be addressed whether or not the basic system is altered. A change to individual registration would, however, provide a platform for the introduction of many other reforms which would improve the performance of the electoral registration system against the criteria we have identified. In this context, we discuss these issues mainly from the perspective of the introduction of individual registration.

3 Encouraging Registration

The problem of non-registration

50. The principal concern affecting the introduction of individual registration is that it would have a depressing effect upon registration rates, both at the outset when the register would be cleansed by cutting out names which should not be there and in subsequent years as people did not bother to register their details. High levels of non-registration could have significant outcomes. It would mean that an increasing proportion of the population was unable to exercise their democratic rights during elections, calling into question the validity of the results in representing the will of the local community. It could also lead to distortions in the drawing-up of Parliamentary constituencies which are largely based on the size of the register. Should fewer people register, a Member of Parliament might find him or herself with a remarkably high caseload as a result of the actual population of the constituency being far greater than would appear from those registered to vote.

51. The problem of non-registration is one which is already worsening. The Parliamentary Under-Secretary, Department for Constitutional Affairs, asserted that “we have the best registration levels of anywhere in the world”.⁹¹ Apart from the obvious examples of countries where registration is compulsory and automatic, there is reason to doubt that this is the case. The most recent estimate we have is that in 1991, 93% of those eligible to vote in Britain were registered,⁹² but beneath this headline figure, there is a more worrying picture where “non-registration rates appear to vary by geographical area, by age, ethnicity and property ownership/tenure”.⁹³ Of course, several factors will apply in some individual cases but in general those less likely to be registered are: men; those living in London; those living in urban areas and areas of economic deprivation; those aged 17 to 24; those in privately rented accommodation; and those from black and minority ethnic communities.⁹⁴ This last category should not be treated as a homogeneous group as there are significant variations within it, from some of the highest levels to the lowest. Analysis of the 1997 election, based on a relatively small sample, found registration levels of 96% for people of black Caribbean origin, 96.9% for white, 96.9% for Indian, 90.2% for Pakistani, 91.3% for Bangladeshi and 87.1% for black African.⁹⁵

52. The Electoral Commission summarised the reasons for not registering, as follows:

- Disengagement from the political process and politics generally;
- Avoiding “the authorities”;
- Concern about the use of the register – the fact that the register is for purposes other than electoral purposes only;

⁹¹ Q276 [Mr Leslie]

⁹² Office of Population Censuses and Surveys (1993), *Electoral registration in 1991*

⁹³ Ev 12, para 7.2, HC243-II [Electoral Commission]

⁹⁴ Ev 12-3, para 7.2 and 7.8, HC243-II [Electoral Commission]

⁹⁵ Electoral Commission, Ev 13, paragraph 7.6, HC243-II quoting research from S. Saggat (1998a), *The General Election 1997: Ethnic Minorities and Electoral Politics*, Commission for Racial Equality, London

- The lack of a facility for anonymous registration; and
- Assumption that data provided to one part of the local authority (eg council tax) will automatically lead to the electoral roll being updated or resentment by some members of the public to supplying their details to different council departments.⁹⁶

Among BME communities reasons given to researchers for non-registration include newness, language difficulty, alienation, concerns about anonymity and confidentiality, fear of harassment, fear of officialdom, administrative inefficiency and doubts about residence status.⁹⁷ For some other groups, the difficulty of filling in forms, or even knowing what the form might be, present significant barriers. It is also the case that, particularly in houses of multiple occupation, those where the inhabitants change frequently or those inhabited by young people, forms are likely to be lost or ignored. A further factor in non-registration which must be taken into account is the attitude and policy of the ERO for a particular area and the effectiveness and comprehensiveness of the canvass undertaken.⁹⁸

53. Understanding the factors behind the registration rates is vital in developing strategies to encourage registration, and to ensure that the rates do not fall further than necessary, should individual registration be introduced. We note that there appears to be very little recent, up to date research available into registration rates and the reasons for non-registration. Most of the figures quoted are from data collected in 1991. We therefore note with interest that both the Government and the Electoral Commission are currently undertaking major research projects into this area. The Government-sponsored work consists of two strands:

There is a qualitative piece of research trying to get into the minds of individuals who perhaps do not register actively. What puts them off from registering? That is due to be completed some time around April [2005]. Also, there is a more quantitative piece of research to look at numbers and shifts in terms of volumes of persons who have registered historically and who do not register now. That is still in progress.⁹⁹

Meanwhile, the Electoral Commission is working on a triple-stranded project:

Firstly, the Commission is currently retaining ONS to conduct a 'register check' using 2001 Census data in order to produce accurate estimates for the proportion of those eligible that are actually registered to vote, as well as estimates for registration rates among key sub-groups

Secondly, the Commission is conducting desk research and case studies in-house. This includes selecting local authorities (against a range of different variables) for in-depth interviews with electoral registration staff in order to explore, among other things, reasons for non-registration and the impact of rolling registration on registration rates

⁹⁶ Ev 12, para 7.1, HC243-II [Electoral Commission]

⁹⁷ Ev 12, para 7.4, HC243-II [Electoral Commission]

⁹⁸ Ev 13, para 7.5, HC243-II [Electoral Commission]

⁹⁹ Q304 [Mr Leslie]

Thirdly, the Commission has procured qualitative and quantitative public opinion work, to further measure and explore public attitudes and behaviour in relation to registration.¹⁰⁰

This research will be published in a final report after April when the ONS's report is expected to be received by the Electoral Commission.¹⁰¹ **We look forward to the publication of the research findings from both the Government and Electoral Commission into the extent of and reasons for non-registration. We expect both bodies to use these findings to inform their development of strategies to increase the levels of registration. We expect the ONS to have used corrected and amended 2001 Census information for this study.** We now turn our attention to examine such strategies, including those connected with the compilation of the register, notification and identification of potential registrants, compulsory registration, special measures to encourage and assist certain groups, educational and public awareness strategies and the role of local authorities in promoting registration.

Compilation of the register

54. One of the main features of the current system of household registration is the annual canvass of all households, conducted by the local ERO. Many of the concerns expressed by EROs about a possible move to individual registration have been based on the assumption that the annual canvass would remain, with all the difficulties in locating electors which this would entail. Indeed, in its report on *The electoral registration process*, the Electoral Commission recommended the retention of the annual canvass under individual registration as an interim measure.¹⁰² The Commission's thinking on this issue, however, has altered since the publication of that report, and in its written evidence to this inquiry it suggested that, instead, the frequency of the annual canvass might be reduced, "thereby placing more incentive on electors to utilise the individual-based 'rolling registration' arrangements and enabling resources to be re-directed towards canvassing under-represented groups."¹⁰³ This would reflect the revised position in Northern Ireland where the Government has decided to abolish the annual canvass and concentrate resources on recruiting the hard to reach groups with the aim of increasing registration rates. Under this system, names would be retained on the register until the next canvass or audit or until the individual informed the local authority of a change in their circumstances.

55. There was some disquiet among witnesses at the prospect of the end of the annual canvass. For example, the RNIB had concerns that, in its absence, blind and partially sighted people would not be aware that they had received forms, let alone be able to complete the form without assistance.¹⁰⁴ This difficulty could be addressed through the directing of more resources to help this particular group, once they had been identified by the ERO. The political parties too felt that there was value in retaining the annual canvass because it "put the onus on local authorities to make an effort once a year in order to make

¹⁰⁰ Ev 79 , HC243-II [Electoral Commission]

¹⁰¹ Ev 82, HC243-III [Electoral Commission]

¹⁰² The Electoral Commission, *The electoral registration process* (May 2003)

¹⁰³ Ev 9, para 4.20 , HC243-II [Electoral Commission]

¹⁰⁴ Ev 69, para 3.1, HC243-II [RNIB]

sure their register is accurate”.¹⁰⁵ The Conservative party related this to the removal of excess names from the register and the Liberal Democrats referred also to checks on changes in property, ie new build and demolitions.¹⁰⁶ By contrast, the Executive Director of the Association of Electoral Administrators believed that the increasing difficulties in conducting the annual canvass and the consequent impact of that on accuracy levels meant that “if individual registration was robust and secure, the electorate were aware of it and knew exactly what they should be doing, I do not see the need for an annual audit; a three-yearly or four-yearly audit would be sufficient.”¹⁰⁷ The Local Government Association called for EROs to have discretion to decide how to compile the register and whether to continue with an annual canvass or move towards an audit process, with “the discretion to retain the names of those who have not re-registered for two years if they have reason to believe that those people are in fact resident at that address”.¹⁰⁸

56. The Parliamentary Under-Secretary, Department for Constitutional Affairs, pointed out that in England and Wales it was already the case that “if somebody fills in a form one October, they can stay on that register not just until the following year but for a further year at the discretion of the electoral registration officer, on the basis that it would be perhaps too onerous and too stringent to take persons off straight away, after one year”.¹⁰⁹ He was hoping that the research into non-registration would help inform the Department whether the requirement to fill in annual form was a significant factor in people’s decisions not to register, and hence help the Government to decide whether the balance was in favour of keeping a carry-over mechanism at the expense of an annual canvass from scratch.¹¹⁰ We note by way of caution that carry-over of postal votes may have its own dangers, with ballot forms being issued to individuals who are no longer resident at the address given in the register. This may need to be taken into account in devising appropriate safeguards for carrying over registrations from one year to the next. In general, **we see merit in the idea of the carry-over mechanism and in using resources to target under-represented areas or groups, rather than households which have remained static over a long period of time. A periodic audit, say every three or four years, would be required to ensure that the register was accurate but the doubts over the effectiveness of the current *annual* audit make us question whether this is the best approach to adopt. We also see merit in giving flexibility to local EROs to determine how best to canvass their areas, subject to overarching guidelines by the Government and Electoral Commission on maximum periods between audits. We recommend that if individual registration is adopted, the requirement for an annual comprehensive canvass be replaced by an obligation to conduct an audit of the full register every three years or a third each year, though not necessarily at any fixed time during the year.**

57. As we have seen, one potential factor in variation in registration rates is the different attitude of EROs and local authorities towards compiling the electoral register in their area. The Labour party called for the Electoral Commission to “lay down and monitor basic

¹⁰⁵ Q107 [Mr Watt]

¹⁰⁶ Q107 [Mr Pack]

¹⁰⁷ Q192 [Mr Dumper]

¹⁰⁸ Ev 50, para 13, HC243-II [LGA]

¹⁰⁹ Q289 [Mr Leslie]

¹¹⁰ *Ibid*

standards of canvass to which local authorities must adhere if they are to have discharged their responsibilities, alongside sanctions to ensure compliance”.¹¹¹ These should extend to “a formal performance monitoring system on registration rates” and “consistent standards on carry-over of names from non-responding households”.¹¹² Less onerously, the Scottish Assessors Association argued that “best practice guidelines for canvassing and obtaining changes in registration should be developed and followed by the Electoral Commission in consultation with EROs”.¹¹³

58. In the past the Electoral Commission has made recommendations “regarding the introduction of national performance standards for electoral services, including registration”, which if accepted “should provide the basis for more effective future scrutiny and performance management, whilst retaining local discretion on exactly how these standards are met.”¹¹⁴ The Government’s response to these recommendations was less than enthusiastic: it had “no objections to formalise” the role which the Electoral Commission already undertook on an informal basis but “such a role will need to be considered in relation to the existing Local Government Comprehensive Performance Assessment (CPA) scheme”.¹¹⁵ We note, however, that the “electoral registration is not a specific area of focus within CPA” when the Audit Commission is examining the work of councils.¹¹⁶ We believe that there is a need for best practice guidelines for local authorities on compiling the register, particularly but not exclusively in the circumstances of a change to individual registration. We also believe that performance in an area as important as electoral registration should be monitored if we wish to tackle the low levels of registration in some areas and communities. **We recommend that the Electoral Commission, in consultation with EROs, produce mandatory best practice guidelines for local authorities to follow in the compilation of electoral registers and that the Commission be charged with monitoring compliance with these guidelines.**

Notification by electors and data-sharing

59. Individual registration would place greater responsibility upon electors to notify the ERO not just of their details upon initial entry on the register but also of changes in their circumstances, such as moving house, changing name or gaining eligibility through attaining the age of 18 or taking British citizenship. Under rolling registration, it is already possible to change registration entries at any time of the year (apart from the three month closed period around the annual canvass). In order to achieve the highest possible rate of registration and the greatest accuracy of the register, the aim should be to make it commonplace for electors to notify changes as a matter of course. To make this easier and to reduce the burden it represents, the process of registration in such circumstances should be simplified. We discuss further below new ways of registering and the issue of compulsion which is clearly of relevance here.

¹¹¹ Ev 57, para 3.2, HC243-III [Labour party]

¹¹² Ev 57, para 5.2, HC243-III [Labour party]

¹¹³ Ev 61, para 11, HC243-II [SAA]

¹¹⁴ The Electoral Commission, *The electoral registration process*, 6.19

¹¹⁵ Government Response to *Voting for Change: An electoral law modernisation programme*, Cm 6426, p17

¹¹⁶ Ev 76, para 30, HC243-III [Audit Commission]

60. There is huge potential in widening access by EROs to information which would enable them to identify electors who need to change their records who could then be either issued with reminders or automatically registered. EROs currently have the power to inspect records kept by the local council which appointed them and those kept by a registrar of births, deaths and marriages.¹¹⁷ These powers are quite limited, especially compared to the scope for data-sharing with other public bodies demonstrated by the Australian Electoral Commission, among others. It is clear that if more information was available to EROs to indicate likely cases where records needed to be added or amended, then their efforts could be better targeted. The likely effectiveness of such an approach can be seen in the example of post office redirection forms: the Electoral Commission told us that by using this information they had brought in “50,000-odd new registrations” in the last “six or eight months”.¹¹⁸

61. There are two levels in which data-sharing in order to identify individuals whose records needed updating could work. First, an array of organisations who hold details of changes in address or other circumstances could be either charged with the duty or merely encouraged to remind any eligible person of their obligation to register with the local authority for electoral purposes. Such organisations could range from schools to estate agents to TV Licensing, the utility companies and the DVLA. At its simplest these bodies could inform relevant individuals of how to change their registration, or could, where applicable, enclose a registration form with their acknowledgement of notification of a change in address or name. Such reminders would act to educate the public of their responsibilities, as well as to encourage the view of electoral registration as another task involved when moving house. Under this system the onus would remain on the individual to notify the ERO. **We recommend that the Electoral Commission work with the professional bodies representing estate agents and conveyancers, the Land Registry, the utilities, the DVLA, TV Licensing and schools to develop promotional materials and strategies by which these bodies could help reach eligible electors who need to change their registration or register for the first time.**

62. Secondly, there could be greater use of data-sharing between government departments or other public bodies and the electoral registration system. New powers could be given to EROs to access data held by other departments in order to target their own efforts. This would allow them to act proactively in sending out new registration forms to individuals identified from other databases. This would be particularly useful in cases where no records were previously held, for example, on those newly attaining voting age or those who had never registered to vote. The Government could consider using child benefit records to enable EROs to contact young people as they approach registration age. In its written evidence to us, the DVLA expressed caution about the data protection implications of such a move, adding that “previous legal advice has indicated that specific legal powers would be required in order to process personal data for reasons not compatible with the purposes for which the data was collected and held under statute”.¹¹⁹ When pressed for his views, the Deputy Information Commissioner stated that he would not want to dispute “that access to information should be made available in order to ensure a good and

¹¹⁷ Ev 5, para 44 , HC243-II [Electoral Commission]

¹¹⁸ Q25 [Mr Younger]

¹¹⁹ Ev 70, para 6 , HC243-II [DVLA]

accurate electoral roll”.¹²⁰ Whilst “it might well be that legislation is necessary”, the Information Commissioner’s office “certainly do not say that this is objectionable in principle and should be ruled out”.¹²¹

63. The Parliamentary Under-Secretary, Department for Constitutional Affairs, agreed that “there was scope to make things simpler for the public at large, whilst respecting the basics of data protection principles” in the context of data-sharing across Government.¹²² He pointed to the Citizen Information project (CIP), which is looking at data-sharing across all departments, as the way forward.¹²³ At the moment, according to the Registrar General for England and Wales who is responsible for the project, “there is no direct relationship between CIP and Voter Registration”, although there is “a willingness” on the part of the Home Office “to examine how the ID Cards scheme can offer benefits to a future Voter Registration scheme.”¹²⁴ We believe that it is not sufficient for the Department for Constitutional Affairs to “keep an eye on that project and plug into it”.¹²⁵ **We recommend that the Department for Constitutional Affairs and ODPM explore with the ONS, as a matter of urgency, ways in which the electoral registration may benefit from the Citizen Information Project in order that the requirements of electoral registration may be built into the project from the start. We also recommend that the Government clarify the data protection implications of allowing EROs greater access to data held by other public bodies and government departments and that any necessary legislation is brought forward to permit such access to EROs for the purposes of maintaining the electoral register, specifying which public and private bodies are under a statutory obligation to inform EROs of changes of address.**

64. In the course of evidence, it was also suggested to us by the Association of Electoral Administrators that the information supplied by individuals to a local authority should be consolidated so that one application is made for all the services provided by the council.¹²⁶ The Association of Electoral Administrators Executive Director told us: “I do not think there is any reason why [someone new to the area who signs up for council tax] should not have the ability, through that registration process, to sign up for electoral registration, to get their library card, to get their leisure pass, to get whatever else the local authority can provide”.¹²⁷ The Electoral Commission support this ‘one stop shop’ approach for notifying councils, describing in as “the ultimate goal”.¹²⁸ Pamela Gordon, one of the Commissioners, told us that people already assume this is the case: “They assume when they move house and they are signed up for council tax, that information will go directly to the registration officer”.¹²⁹ There are data protection issues here but the Deputy Information Commissioner told us that, although they might want to comment on data

¹²⁰ Q81 [Mr Aldhouse]

¹²¹ Ibid

¹²² Q290 [Mr Leslie]

¹²³ Ibid

¹²⁴ Ev 79, HC243-III [Registrar General for England and Wales]

¹²⁵ Q290 [Mr Leslie]

¹²⁶ Ev 33, HC243-II [Association of Electoral Administrators]

¹²⁷ Q214 [Mr Dumper]

¹²⁸ The Electoral Commission, *The electoral registration process*, para 6.8

¹²⁹ Q55 [Ms Gordon]

protection safeguards, this was “certainly something the Information Commissioner would not object to”.¹³⁰ The Minister for Local and Regional Government and Fire, ODPM, described such sharing of information at council level as “very much part of the ongoing discussion.”¹³¹ He believed, however, that “it almost certainly will need legislation”.¹³² **We recommend that the Government clarify the data protection issues involved in a ‘one stop shop’ for registering with councils for electoral, council tax and other purposes and bring forward the necessary legislation as soon as possible. This is an issue which is as relevant under the current system of rolling registration as it would be under any future system of individual registration and it is one which can only be seen as helpful to the elector and therefore likely to increase registration levels.**

Deadline for registration

65. The Electoral Commission recommended in its report on *Voting for change: An electoral law modernisation programme* that the last date for registration should be moved so that it is normally the close of nominations (ie, the sixth day after the date of the proclamation summoning a new parliament for a General Election and eleven days before polling day). At the moment, by the time an election is announced, it is already too late for a potential elector to register to vote. For example, the last date by which the registration could be effected for any election to be held on 5 May 2005 was 11 March. Given that the publicity surrounding an election may act as a spur to get people interested in the process, it is unfortunate to say the least that they are then denied the opportunity of getting involved. There is general agreement that the Electoral Commission’s proposal is correct. Although some would advocate registration on the day itself as in certain states in the USA,¹³³ many, including the other two main parties and the electoral administrators, would accept the Labour party’s argument that “the electorate for a particular election should be essentially known and fixed for the period of the formal legal campaign” and that the close of nominations was the most appropriate point for the cut-off.¹³⁴ The counter-argument would be that late registration encourages participation and would be limited to very low numbers if stringent conditions were attached to it. The Government has accepted the Electoral Commission’s recommendation on the change in deadline but has not moved to implement it.¹³⁵ The Parliamentary Under-Secretary, Department for Constitutional Affairs, told us that this would need legislation,¹³⁶ later clarified as primary legislation.¹³⁷ **We recommend that the necessary legislation be brought forward to implement a later closing date for registration prior to an election in time for the next local elections in 2006.**

¹³⁰ Q82 [Mr Aldhouse]

¹³¹ Q334 [Mr Raynsford]

¹³² Q335 [Mr Raynsford]

¹³³ Eg Graham Allen MP, Ev 59, HC243-III

¹³⁴ Ev 58, para 3.5, HC243-III [Labour party]; Q112 [Mr Watt, Mr Simpson]; Q196 [Mr Dumper]

¹³⁵ Cm 6426, page 7, rec 20

¹³⁶ Q328 [Mr Leslie]

¹³⁷ Ev 80, HC243-III [DCA/ODPM]

Compulsory registration and incentives

66. The question of whether registration is compulsory in the UK is a debateable one. The Government's view, as expressed in its memorandum to us, is that "registration is, in effect, compulsory at the time of a canvass".¹³⁸ This is because it is an offence, punishable by a fine of up to £1000, to fail to supply information to a registration officer when requested or to supply false information. The Electoral Commission, on the other hand, describe the present situation as "a curious hybrid of compulsion and voluntarism," since there is no compulsion to register under rolling registration (and no offence of providing false information when doing so).¹³⁹ In addition, the penalty is barely used and the current sanction is regarded by many as "largely unworkable".¹⁴⁰ The Commission is not in favour of applying the sanctions more rigorously but of spending resources on "programmes and initiatives designed to encourage and educate about the importance of registration, rather than focused on deterrents for non-compliance with regard to the return of the annual canvass form."¹⁴¹

67. The Electoral Commission also pointed out that the introduction of individual registration would have an impact on the compulsory nature of the system by making it "appropriate to apply the current sanction for failure to provide information or false information to individuals rather than householders as at present."¹⁴² The Information Commissioner held that "this would in effect constitute a compulsion for individuals to provide information about themselves", thereby emphasising "the need for effective safeguards against use of the information for unwarranted purposes".¹⁴³

68. The majority view amongst those contributing to our inquiry was that there was no pressing need for change in this area, although it was generally recognised that enforcement was the issue rather than compulsion and that it was too expensive to enforce anyway.¹⁴⁴ The Association of Electoral Administrators argued strongly that "it would be far too time-consuming [for prosecutions for non-provision of information] to be undertaken on a much larger basis, and it does not have any perceived effect on others."¹⁴⁵ Nevertheless, the Association did argue for the extension of compulsion to rolling registration: "There could be a case for a change in legislation to require all electors who change address to report, in person, by post or electronically to the relevant local authority to ensure that they register for services including electoral registration."¹⁴⁶ Their Scottish equivalents, the Scottish Assessors Association, were also in favour of "a new offence of failure to register," which "might ultimately have the effect of increasing the completeness of the register".¹⁴⁷ That Association also considered that "increasing fines and/or penalties

¹³⁸ Ev 3, para 21, HC243-II [DCA/ODPM]

¹³⁹ Ev 11-2, para 6.1, 6.2, 6.4, HC243-II [Electoral Commission]

¹⁴⁰ Ev 12, para 6.3, HC243-II [Electoral Commission]

¹⁴¹ Ev 12, para 6.6, HC243-II [Electoral Commission]

¹⁴² Ev 12, para 6.7, HC243-II [Electoral Commission]

¹⁴³ Ev 52, para 14, HC243-II [Information Commissioner]

¹⁴⁴ Eg Ev 18, para 3.1 (Dr Gary Pickering, ERO, Trafford Borough Council), Ev 20 (Andrew Sparke, Chief Executive, Dudley Council), HC243-II

¹⁴⁵ Ev 32, HC243-II [Association of Electoral Administrators]

¹⁴⁶ Ibid

¹⁴⁷ Ev 61, para 13, HC243-II [SAA]

to a level sufficiently high to encourage voters to register may have an effect if at the same time prosecutions/levies were pursued to give a clear message to people who have not complied.”¹⁴⁸ Support for a tougher line came from the Electoral Reform Society which wanted “a significantly lower level of tolerance for those who fail to correctly complete (or fail to complete at all) a registration form”, with “a presumption in favour of prosecution.”¹⁴⁹

69. On balance, we agree with the Parliamentary Under-Secretary, Department for Constitutional Affairs, that “if an electoral registration officer spent all his or her time prosecuting individuals for non-registration, very soon [the] resources of that registration officer would be used up so there would not be much left available to promote proactive registration amongst the wider population.”¹⁵⁰ There is little point in EROs chasing up people who have no interest in or in fact an ideological objection to registering. One way round this last point could be to adopt the suggestion made by the Scottish Assessors Association that return of the form be compulsory but that electors be allowed to indicate that they do not wish to register.¹⁵¹ This may be worth pursuing in the wider context of modernisation of the electoral process. The anomaly between household and rolling registration in terms of compulsion and offences, however, should be addressed. **We recommend that the Government consult on whether there should be a new compulsion to register with the local ERO under rolling registration, and if so, how this would work. This consultation should also examine whether the current penalties are adequate. We also recommend that legislation provide similar penalties for the provision of false information as apply to the annual canvass for the provision of false information to an ERO under rolling registration.**

70. We turn to consider incentives to vote. These can take many forms, both official and incidental. For example, at least one council will only issue parking permits to those on the electoral register. Many other councils advertise the fact that the register is used by credit reference agencies in order to persuade people to sign up. One such agency, Experian, argued that “registration is likely to be higher if the individuals themselves believe there to be an advantage to them in doing so”.¹⁵² They suggested that linking the register to eligibility checks for benefits, for example, might act as an incentive to those who do not use credit or internet shopping services.¹⁵³ We have also heard much about the incentive to register created by the use of the register by mobile phone companies for checking purposes, but, as the Director of Operation Black Vote warned us, “that did not translate into voting”.¹⁵⁴ We have similar doubts over the efficacy of offering “a refund of, say, £10 or £20 on Council Tax”, as cited by one witness as a more radical strategy.¹⁵⁵ **On balance, we consider that most incentives directly linked to registration could only be seen as gimmicks and run the risk of undermining the integrity and dignity of the system.**

¹⁴⁸ Ev 61, para 16, HC243-II [SAA]

¹⁴⁹ Ev 83, para 48-50, HC243-II [ERS]

¹⁵⁰ Q317 [Mr Leslie]

¹⁵¹ Ev 62, para 17, HC243-II [SAA]

¹⁵² Ev 40, para 12, HC243-II [Experian]

¹⁵³ Ev 40, para 13, HC243-II [Experian]

¹⁵⁴ Q179 [Mr Wooley]

¹⁵⁵ Ev 66, HC243-III [SOLACE]

Educational strategies and public awareness

71. Should the Government decide to introduce individual registration or to make any significant alterations to the system of electoral registration in Great Britain, it would be essential that the change be preceded and accompanied by intense publicity campaigns and strategies aimed at educating the public in the intricacies of the new system. Even without such major changes, however, we are concerned that more needs to be done to raise public awareness of how to register and to persuade particularly young and disaffected voters of the value of doing so. Both general and tightly-targeted campaigns would be needed.

72. The national body with responsibility for promoting participation in the electoral process is the Electoral Commission. In its memorandum to this inquiry, it set out its strategy for fulfilling this role.¹⁵⁶ In addition to producing registration forms and information leaflets, it undertakes a twin-stranded programme of promotional activity. The first strand of its work is aimed at reminding the entire electorate to check that they are registered prior to a forthcoming elections or referendum. The second strand is composed of “micro-campaigns targeted at tightly-defined and often hard to reach areas of populations”, such as students, those moving home, overseas voters and service voters.¹⁵⁷ The campaigns use a variety of media and encourage people to register at any time of the year. For example, the Commission has on-line advertising on home-mover websites aimed at reminding visitors to those sites of the need to register with the local ERO.¹⁵⁸ Six thousand people clicked the link in the spring 2004 micro-campaign targeted at home-movers. The Commission also has an outreach programme which works “to encourage registration specifically among young people aged 16-24 outside formal education”.¹⁵⁹ In relation to the 2004 European parliamentary elections this programme included “the Box” tour of Great Britain, which resulted in over 1000 registrations among young people.¹⁶⁰ The research does not yet exist to show the relative size of this increase in registration among this age group but to put the result in context, research after the 2001 General Election indicated that 10 per cent of non-voters aged between 18 and 24 were not registered on the electoral roll.¹⁶¹

73. The Box roadshow was praised in evidence to us by the British Youth Council as a positive example of the Commission taking its message to hard to reach groups, rather than waiting for members of such groups to approach them.¹⁶² Other examples of local initiatives were the city-wide youth council in Plymouth and a town-wide youth forum in Leighton Buzzard.¹⁶³ The important feature to note about such activities is that they involve some young people in issues in which they are directly interested. Both the British Youth Council and Operation Black Vote underlined this point, particularly in the context of educating schoolchildren in the process.¹⁶⁴ The Head of Citizenship and Development

¹⁵⁶ Ev 10, para 5.6-5.11, HC243-II [Electoral Commission]

¹⁵⁷ Ev 10, para 5.8, HC243-II [Electoral Commission]

¹⁵⁸ Ev 10, para 5.11, HC243-II [Electoral Commission]

¹⁵⁹ Ev 10, para 5.9, HC243-II [Electoral Commission]

¹⁶⁰ Ibid

¹⁶¹ The Electoral Commission, *Voter engagement and young people* (2002), page 20

¹⁶² Q156 [Mr Mason]

¹⁶³ Q150 [Mr Mason]

¹⁶⁴ Q151 [Mr Wooley]; Q152 [Mr Mason]

of the BYC stressed the importance of working through “organisations that focus on trying to improve life in society for hard to reach and socially excluded groups [who] have a better mechanism of reaching out to those people.”¹⁶⁵ This message was echoed by Mr Wooley of Operation Black Vote who believed that “engaging with NGOs and grassroots organisations is probably the key route to engage with the ‘hard to reach’”.¹⁶⁶ In addition, he agreed with the suggestion, put forward by the Association of Electoral Administrators,¹⁶⁷ that it would be “a good idea” to employ canvassers belonging to the same community as the electors they are helping to register.¹⁶⁸

74. When asked, witnesses were agreed that campaigns to educate and inform the public about individual registration should be run at national level by the Electoral Commission, although there is room for more locally-focused activities as well, with the proviso that these meet certain standards and are properly financed. Mr Monks of SOLACE, for example, argued that “either you have to have national campaigns or some sort of model that local authorities have to work off”.¹⁶⁹ In the latter case, it would be the Electoral Commission which bore the responsibility for setting such standards. There was agreement that campaigns run with the help of more grassroots organisations could be more successful in reaching certain groups of society. Ministers in oral evidence to us were amenable to the concept of engaging such organisations in registration, provided that “the Electoral Commission should be in the lead on this because ... there can always be a suspicion, if you have targeted campaigns focusing on one particular section of the community, that this may be motivated by a perception, whether right or wrong, that that particular group may be more likely to vote for one party or another.”¹⁷⁰

75. We stress the importance of effective educational strategies and promotional activities in raising awareness of the importance of registering. Whether in the specific context of trying to mitigate the depressing effect of individual registration upon the numbers on the register, as demonstrated in Northern Ireland, or in the general context of the seemingly long-term trend in declining numbers under the current system, it is vital to reengage the public with the electoral and political process. This is particularly true of the hard to reach groups. As Mr Wooley of Operation Black Vote told us in the context of using new technology to encourage registration, “it misses the point. We can tweak the system however much we like, but unless we are making the political case people will not register to vote or vote.”¹⁷¹

76. Imaginative campaigns to promote registration are needed, run at national, local and community levels; they must be adequately funded; and they must draw upon all available expertise. We agree with witnesses that the Electoral Commission is the right body to oversee general and micro campaigns on registration and we note some of the more imaginative ways in which they are undertaking this role. At a local level,

¹⁶⁵ Q158 [Mr Mason]

¹⁶⁶ Q158 [Mr Wooley]

¹⁶⁷ Ev 33 , HC243-II [Association of Electoral Administrators]

¹⁶⁸ Q159 [Mr Wooley]

¹⁶⁹ Q223 [Mr Monks]

¹⁷⁰ Q311 [Mr Raynsford]

¹⁷¹ Q169 [Mr Wooley]

campaigns need to respond fully to local circumstances. Local authorities should act with some degree of latitude under best practice guidelines. These guidelines should include the recruitment and use of canvassers from the communities which they serve. We are particularly keen to see the Commission’s work with grassroots organisations expanded. We note that the Parliamentary Under-Secretary, Department for Constitutional Affairs, indicated that “we will look with an open mind at any applications or proposals that the Electoral Commission come forward with” for financial resources for work with grassroots organisations.¹⁷² **We recommend that the Electoral Commission consult widely on ideas for work with grassroots organisations aimed at encouraging registration among hard to reach groups and use Government funding for the most promising proposals.**

The role of Electoral Registration Officers in promoting registration

77. The Electoral Commission raised with us both the importance of the role EROs can play in encouraging registration and the consequent concern created in this regard by the “divergence of views among Electoral Registration Officers as to how far they should go in promoting registration, especially in targeting traditionally under-represented groups”.¹⁷³ Some EROs have reported to the Commission that targeted campaigning would be seen as political. This was reflected in the views expressed to us by SOLACE, representing the Chief Executives of local authorities, and by the Scottish Assessors Association.¹⁷⁴ Their fears are not entirely groundless, as demonstrated by the evidence given by the Labour party that, in order to “remove any concerns about political bias”, it was necessary for the Electoral Commission to agree national standards for targeting under-represented groups by local authorities.¹⁷⁵

78. As a solution to this impasse, the Electoral Commission has recommended that the Government clarify the legal position in relation to the powers of EROs to undertake promotional work and if necessary to put this on a clear footing.¹⁷⁶ The Government told us that they “do not currently believe legislation is the best way forward in this area, but will consider other mechanisms to encourage participation”.¹⁷⁷ In any case, the practitioners were “not sure whether simply putting a duty upon us is the answer” (Mr Monks), and had further concerns that “the degree of proactivity equals greater cost”.¹⁷⁸ Mr Monks of SOLACE thought that “perhaps this is a role for the Electoral Commission rather than identifying the one particular individual who is targeting a certain group or targeting a certain area to increase the registration”.¹⁷⁹ We note that the Electoral Commission has already taken steps to recommend that EROs review their promotional strategies for electoral registration and adopt the best practice put forward by the

¹⁷² Q311 [Mr Leslie]

¹⁷³ Ev 11, para 5.18, HC243-II [Electoral Commission]

¹⁷⁴ Q221 [Mr Monks, Mr Lithgow]

¹⁷⁵ Q131 [Mr Watt]

¹⁷⁶ Ev 11, para 5.20, HC243-II [Electoral Commission]

¹⁷⁷ Ev 81 [DCA/ODPM]

¹⁷⁸ Q221 [Mr Monks]

¹⁷⁹ Ibid

Commission.¹⁸⁰ It is clearly undesirable for the legal position of EROs to be ambiguous in relation to such an important activity. This needs to be resolved. **We recommend that the Government issue a clear statement of the legal position of EROs in relation to the promotion of registration. This would be necessary even if only to allow EROs to follow with confidence Electoral Commission guidelines. We support the Electoral Commission’s recommendation that EROs adopt the best practice put forward in the Commission’s report *Making an Impact: the local promotion of electoral issues* (2002). The two measures taken together should ensure that EROs may take a more direct role in encouraging registration in an effective way without imperilling their political neutrality.**

Groups with special interests

79. There are identifiable groups which might have particular or special needs following a move to individual registration. These include the disabled, the elderly, those who are unable to fill in forms, those with language difficulties and residents of care homes or other institutions, including halls of residence. To a certain extent, some of these groups already experience difficulties under the current system. But a move from household registration, where it is acceptable for someone else to take responsibility for completing the form, to individual registration might impose an additional burden. These groups cannot be dismissed as minorities: there are an average 13,400 disabled voters in each parliamentary constituency, for example, and in 2002 there were 9.5 million people aged 65 and over in the UK.¹⁸¹

80. In general, those representing special interest groups were supportive of a move to individual registration, especially by enabling registration and voting by more accessible means,¹⁸² but there was also strong agreement that an exceptions service would be needed to assist those who required extra help.¹⁸³ The RNIB argued that individual registration would help the provision and targeting of such a service because “it could register individual access needs and, hopefully, make sure that all the material, in terms of polling cards and things, come in acceptable formats”.¹⁸⁴ This would be as important to those with language needs as to those with physical or mental disabilities. We are pleased that the Government has been consulting organisations representing the disabled community on changes to the electoral system. **We recommend that the Electoral Commission in conjunction with groups representing those with disabilities draw up best practice guidelines for the registration of such people with special needs, including details of what should be offered through an exceptions service and the means by which electors may indicate on the registration form the type of assistance which they require.**

81. There may be particular difficulties over enabling others to sign a form on behalf of those unable to do so. Under rolling registration, only the applicant is allowed to sign the declaration, although we are told that administrators currently use a variety of methods to

¹⁸⁰ Ev 11, para 11, HC243-II [Electoral Commission]

¹⁸¹ Ev 37, para 2.1 [Scope]; Ev 67 [Help the Aged], HC243-II

¹⁸² Eg RNIB Q153

¹⁸³ Q162 [Mr Sinclair, Mr Russell]

¹⁸⁴ Q154 [Mr Russell]

overcome this problem and permit registration.¹⁸⁵ **We recommend that, in the event of individual registration being adopted, the circumstances in which a representative should be permitted to sign a form on an elector’s behalf be made clear.** Mencap raised further concerns about the information made available in Northern Ireland where attestors are able to complete forms on behalf of those who cannot do so because of learning difficulties.¹⁸⁶ **We recognise the need for clearer information to be provided to attestors on their responsibilities under electoral law and see also a requirement for specialised promotion campaigns aimed both at electors with special needs and their carers or representatives.**

82. Care homes or other places where traditionally a warden or manager has completed one form for a large number of residents present a particular challenge to individual registration in terms not only of canvassing but of introducing a wholesale change in culture. As we have noted earlier, one of the arguments in favour of individual registration is the data protection concern that wardens of larger institutions may be unable to consult all inhabitants before completing the form as to their preferences with regard to opting out of the full register. Nevertheless, there are clearly logistical difficulties in treating each inhabitant as an individual for the purposes of registration, and numbers of those registering from such places are likely to fall unless some remedial action is taken. This is likely to be the case where young people in hostels or students in halls of residence are concerned. One solution would be for the ERO to “send multiple copies of the registration form to premises in multiple occupation”, with display material provided reminding people of their obligation to register.¹⁸⁷ The Scottish Assessors Association proposed that the registration system remain as it is for residents in such types of institutions.¹⁸⁸ However, Help The Aged had no “strong objections to it being moved to an individual basis,”¹⁸⁹ and the Electoral Commission saw only the advantages for individual registration in such cases.¹⁹⁰ We recognise that careful consideration needs to be given to how registration from residential homes is managed in order to achieve the maximum possible levels. **We recommend that the Electoral Commission produce best practice guidelines to be followed by local authorities and test promotional strategies to target residents and managers of residential accommodation to ensure registration levels do not fall.**

Service voters

83. In its report on *Postal Voting*, the ODPM Committee raised the issue of the changes to the registration process followed by armed forces personnel since the introduction of the Representation of the People Act 2000. Prior to the implementation of the Act, service personnel were enrolled on the Service register for the entire period of their service. Since 2000 it has been the responsibility of the individual to register themselves. There are various ways in which they may do so which makes it difficult to assess how many

¹⁸⁵ Ev 62, para 23, HC243-II [SAA]

¹⁸⁶ Ev 47, paras 4 to 6, HC243-II [Mencap]

¹⁸⁷ Ev 18, para 14, HC243-II [Sense]

¹⁸⁸ Ev 62, para 24, HC243-II [SAA]

¹⁸⁹ Q153 [Mr Sinclair]

¹⁹⁰ Q49 [Mr Younger]

personnel are now registered,¹⁹¹ but it is generally accepted that the numbers have fallen significantly and there is growing concern on the issue, as shown in parliamentary debates and questions.

84. The Ministry of Defence submitted a memorandum to this inquiry, setting out how it intends to encourage registration.¹⁹² The Electoral Commission is also playing a role in working with the MoD to reach this particular group of hard to reach electors. It is unlikely that electoral registration will be at the forefront of the minds of service personnel, especially those on active service. It is therefore essential that the MoD plays an active role in encouraging them to register. We are not impressed by the MoD's efforts so far. **We expect the MoD to monitor the effectiveness of its revised Defence Council Instruction issued in late January 2005 on electoral registration and report the results to Parliament. It is already too late for service personnel to register for the local elections or any general election on 5 May 2005, but we recommend that the MoD adopt a policy of issuing annual individual registration forms to each service person to encourage them to register. We expect the MoD to look into the issue of electoral registration among service personnel as a matter of urgency and we urge the relevant select committees in the next parliament to follow it up.**

Overseas voters

85. Whilst strictly outside our terms of reference, the issue of the registration of overseas voters was raised during our inquiry. Individual registration already applies to overseas voters and concern has been expressed that the numbers of those who opt to register are very small. The difference in circumstances and likely motivation make it impossible to read across from this experience to the impact of individual registration on participation rates in Great Britain as a whole. Nevertheless, overseas electors are entitled to register and vote and they should be given every opportunity to do so. The Chairman of the Electoral Commission told us that it was not satisfied with the present situation and outlined measures which the Commission was taking to address the issue.¹⁹³

¹⁹¹ Ev 71, paras 4-6, HC243-III [MoD]; Q272 [Mr Raynsford]

¹⁹² Ev 70, HC243-III [MoD]

¹⁹³ Qq46, 47 [Mr Younger]

4 Personal Identifiers and Security

86. Apart from signing the registration form, there is no requirement under the present system for either a head of household or an individual to prove their identity. Individual registration could make a significant contribution to cutting fraud by requiring the provision of personal identifiers to prove eligibility to vote. This matter is closely linked to the requirement for greater security measures to ensure that a voter is who they claim to be under electronic or postal registration and also to the suggestion that electors should be required to produce proof of their identity at the ballot box.

87. In Northern Ireland electors are required when applying for registration to provide their name, date of birth, address, national insurance number and signature. Upon voting, they must produce one of four forms of photo identification, with special electoral cards available for those who do not possess the three most common forms (passport, driving licence or senior SmartPass). These requirements were laid down in the context of combating fraud in the electoral process.

88. When the Electoral Commission came to make recommendations on introducing individual registration to the rest of the UK, it decided that the only necessary identifiers would be name, date of birth, location-identifier (ie address, declaration of local connection or service declaration), signature and unique registration number.¹⁹⁴ The unique registration number would be allocated to an individual upon first registration and would remain the same whatever their change in circumstances.

89. There was no dissent among witnesses over the principle of providing personal identifiers when registering, only about what they should be and the criteria for that decision. The Government's memorandum told us merely that "we have looked at the issues around the use of addresses, NI numbers and birth dates, and will continue to do as part of our continuing work on the registration system".¹⁹⁵ In oral evidence, however, Ministers implied that the choice of personal identifiers was one of "the principles of the mechanism that we can use for individual registration" which had to be decided before decisions could be taken on its introduction.¹⁹⁶ The Parliamentary Under-Secretary, Department for Constitutional Affairs, asserted that "if we have a system of individual registration that requires pin numbers or specific passwords ... that is obviously of a different character to a form of individual registration that perhaps rests on the signature or a date of birth as the individual identifier."¹⁹⁷ Later he clarified that the considerations were about how easy identifiers were for the individual to recall and how easily they could be stored in the database held by EROs.¹⁹⁸ We agree that these are important factors to be considered in defining acceptable personal identifiers. We would also expect the issues of ease of portability and checking, access for the disabled and others with specific difficulties and compatibility with remote registration and voting to be taken into account. Finally, the

¹⁹⁴ Ev 15, para 11.3, HC243-II [Electoral Commission]

¹⁹⁵ Ev 4, para 37, HC243-II [DCA/ODPM]

¹⁹⁶ Q226 [Mr Leslie]

¹⁹⁷ Ibid

¹⁹⁸ Q295 [Mr Leslie]

Deputy Information Commissioner recommended that built into the system should be safeguards of “narrowness of purpose, minimisation of the information and minimising the information that appears on the public register and ... adequate security safeguards and access rules about obtaining the remaining information”.¹⁹⁹

Identifiers required at registration

90. There are certain identifiers which are clearly essential and beyond question and which should be included in the registration form. The most obvious of these is name. We found little disagreement over the inclusion of date of birth as well, although Help the Aged pointed out that this could be difficult for refugee communities.²⁰⁰ Also in this category is the provision of an address. Although individual registration would allow the compilation of a register on a basis other than a geographical one, neither the Electoral Commission nor any witness submitting evidence to this inquiry proposed this change. In these circumstances, proof of connection to the locality would be an essential requirement of registration, although it would not be a reliable proof of identity given the frequency with which many people move home.

91. There are many supporters of the Northern Ireland system of adding national insurance numbers to the list of identifiers, but reasons for support varied widely. The Conservative party saw the possibility of verification of the NI number with the official records as an important aspect in combating fraud,²⁰¹ whilst the British Youth Council argued that “the NI number is the only universal product provided by the state to all citizens of voting age” and that its use “would reignite the debate around votes at 16, which BYC support, as that is the age that citizens receive their NI number”.²⁰² Meanwhile, SOLACE put NI numbers forward as “a most attractive solution”.²⁰³

92. There are, however, difficulties with requiring national insurance numbers from electors. Chief amongst these drawbacks is that the coverage of the NI number system is not universal. For example, we were told that “many BME women will not have an NI number, particularly Bangladeshi, Pakistani and Romany” women.²⁰⁴ The same would apply to citizens of other EU countries.²⁰⁵ It is also well-known that duplicate numbers exist and indeed that there are more NI numbers in circulation than people requiring them, which might create opportunities for fraud, at least in theory. We note that the credit reference agencies have agreed criteria with the Information Commissioner for “the most robust way to uniquely identify data” which expressly do not include NI numbers because they are “duplicated and reused”.²⁰⁶ As far as people with disabilities are concerned, Scope argued that “the use of National Insurance numbers ... would add a level of unnecessary

¹⁹⁹ Q76 [Mr Aldhouse]

²⁰⁰ Ev 69, HC243-III [Help the Aged]

²⁰¹ Ev 64, para 4, HC243-II [Conservative party]

²⁰² Ev 62, para 19, HC243-III [BYC]

²⁰³ Ev 66, HC243-III [SOLACE]

²⁰⁴ Ev 69, HC243-III [Help the Aged]

²⁰⁵ Ev 63, para 32, HC243-II [SAA]

²⁰⁶ Ev 42, para 30, HC243-II [Information Commissioner]

complexity” and prove too great a change from the current system.²⁰⁷ More widely, the request for this information could meet resistance from the public.²⁰⁸ On balance, **we agree with the Electoral Commission that it would not be necessary to include provision of a National Insurance number as a requirement of registration in Great Britain.**

93. On the face of it, signatures seem to meet most of the criteria necessary for robust identifiers, being unique, memorable and portable. Their use was advocated by the Electoral Reform Society as “the most logical identifier ... personal to each elector”²⁰⁹ and by Operation Black Vote.²¹⁰ The Minister for Regional and Local Government and Fire, ODPM, advocated the use of a signature as “one of the most effective aids to prevent and uncover attempts at fraud” during postal voting.²¹¹ We note that it would be of little use as security for remote registration or voting where a signature could not be entered unchecked. Nevertheless, **we believe that the inclusion of a signature in the list of required identifiers is the correct approach. As a corollary, we would stress that the use of signatures to prevent fraud is only as efficient as the checking mechanism employed to compare registration forms with submitted postal votes. Where signatures are being used, some effort must be made to check at least a sample. Otherwise, signatures provide scant deterrence to fraud.**

94. It may be suggested that in future identity cards may be used as a personal identifier for electoral registration purposes. We have three reasons for rejecting this suggestion at this stage. First, Parliament may decide not to make identity cards compulsory, thus limiting their coverage. Secondly, there are categories of people who may be eligible to vote who will not be required to hold identity cards, for example citizens of Ireland or Commonwealth countries. Thirdly, the question of the electoral registration system in Great Britain should not be put on hold while decisions are awaited on the development of the identity card system.

Unique registration numbers

95. The Electoral Commission proposed that a unique registration number be allocated to each elector to be used in addition to the personal identifiers provided by that elector upon registration. The elector would not be required to remember his or her number since “the individual identifiers would provide sufficient identification where necessary” to allow EROs to access the records in order to make any necessary amendments.²¹² This proviso answers many objections which could be raised to unique registration numbers. The Scottish Assessors Association were strong advocates of this proposal, believing that “would greatly assist in the electoral process”. As examples of areas where a unique reference would assist, the Association believed that

²⁰⁷ Ev 38, para 7.1, HC243-II [Scope]

²⁰⁸ Ev 63, para 31, HC243-II [SAA]

²⁰⁹ Ev 81, para 27, HC243-II [ERS]

²¹⁰ Q177 [Mr Wooley]

²¹¹ Q266 [Mr Raynsford]

²¹² Ev 16, para 11.12, HC243-II [Electoral Commission]

it could be used in the process of confirming existing registration details by electronic (or telephonic) means during canvass; it would be required for electronic voting; it would assist in the referral of change information from third party sources (Council Tax changes etc) if these other sources were to adopt the same identifier(s); and it would assist in the confirmation of Absent Vote requests.²¹³

Mr Lithgow of the Scottish Assessors Association further clarified in oral evidence that in an electronic system it would provide the means to ensure that an elector who was registered in two constituencies with the same number had not voted twice in the same election.²¹⁴ With a sufficiently sophisticated system, there is no reason why a unique registration number could not accommodate the legal ability of a such an elector to vote for different authorities in elections on the same day, where qualified to do so.

96. The Labour party's memorandum expressed support for "a unique portable electoral number similar to a National Insurance number" as part of the shift to a national register.²¹⁵ Ministers, however, were less enthusiastic, with the Parliamentary Under-Secretary, Department for Constitutional Affairs, arguing that "We already have a sort of unique reference number in terms of the polling district number and the electoral roll number".²¹⁶ Whilst this is true and undoubtedly it could be used as part of "the verification process between the receipt of e-mail traffic and confirmation and the individual sending that information",²¹⁷ it does not meet the need for the number to be portable and hence allocated to that individual for life. **We believe that there is merit in the creation of a scheme of unique individual identification numbers for electoral purposes, allocated for life upon first registration, provided that they are used for administrative purposes and do not create an additional burden on electors.**

Security issues

97. Various means of ensuring the security of registration and of voting were suggested to our inquiry. These included the use of PIN numbers and electoral registration cards, as well as the less technologically-demanding signature. The issue of security measures has not been of great moment previously in Great Britain because it has been assumed that the level of fraud is low. This, however, is changing to some extent and the move towards electronic forms of registration and of voting make the introduction of adequate security measures a more pressing issue. We found some concern about a requirement that all electors should use PINs as confirmation of their identity, specifically from among those representing the elderly and disabled, although most suggested ways in which their concerns should be met. For example, Sense recommended that the keypads "should be designed to be as easy as possible for people with visual impairments to see";²¹⁸ Scope wanted "the shortest [number] which could guarantee security";²¹⁹ and Mencap identified

²¹³ Ev 63, para 33, HC243-II [SAA]

²¹⁴ Q203 [Mr Lithgow]

²¹⁵ Ev 57, para 1.7, HC243-III [Labour party]

²¹⁶ Q297 [Mr Leslie]

²¹⁷ Ibid

²¹⁸ Ev 18, para 15, HC243-II [Sense]

²¹⁹ Ev 38, para 8.2, HC243-II [Scope]

the need for help for those with a learning disability who found it difficult to remember PIN numbers.²²⁰ These comments highlight the need for such groups to be involved in the consultation on the development of requirements for security measures. Speaking on behalf of the electoral administrators, the Association of Electoral Administrators expressed the view that “PIN numbers are fine in principle as long as adequate and additional identifiers are in place to validate the user’s entitlement”.²²¹ The idea of an electoral card, rejected by the Electoral Commission, found no notable support among witnesses to our inquiry.

98. We recognise the validity of the view of the Minister for Regional and Local Government and Fire, ODPM that “one of the tasks we have is to find a way forward without producing an unnecessary proliferation of different secure forms of security”.²²² Nevertheless, as he himself argued, “There are different factors to take into account in terms of security between different types of voting”.²²³ In order to achieve multi-channel voting and registration, it will therefore be necessary to adopt more than one type of security measure. This means that not every voter should be allocated a PIN number, for example, since this might only be applicable to those who wished to vote remotely, although in devising a system of PIN numbers the needs of those who might be more reluctant to use them should also be considered. We are persuaded that PIN numbers might be necessary to ensure the security of electronic registration and voting where these methods are used. They would work in conjunction with a unique registration number, in the same way as a PIN number with a bank account number. **We recommend that the Government consult on the best means of developing and supporting an electoral PIN number. Where signatures provide better security, as with postal votes, these should be relied upon rather than PIN numbers which should not then be required of the elector.**

99. Finally, on security matters, we note the suggestion of the Electoral Reform Society that voters attending polling stations should sign for their ballot papers, creating a simple means of checking for fraud and personation when put alongside a signature collected on a registration form.²²⁴ This basic level of checking is not available under household registration where no record is held by the authorities of individual signatures but we see value in making it part of the move towards individual registration. **We recommend that under a system of individual registration there be a requirement for electors to sign for ballot forms at polling stations. We do not recommend that any further means of identification be required at that point in Great Britain.**

Form of names on the register

100. A curiosity raised in evidence during this inquiry was that EROs are required to use the official form of people’s names on the register. It was put to us by the Liberal Democrat party that “electoral registration should as a matter of course request people’s preferred

²²⁰ Ev 48, para 9, HC243-II [Mencap]

²²¹ Ev 34, para 34, HC243-II [Association of Electoral Administrators]

²²² Q299 [Mr Raynsford]

²²³ Q266 [Mr Raynsford]

²²⁴ Ev 82, para 30-31, HC243-II [ERS]

titles and also means of address”.²²⁵ In oral evidence, the three major parties agreed that “salutation is desperately important”.²²⁶ The representative from the Liberal Democrat party explained that they received far more complaints about this than any other electoral issue.²²⁷ It would seem a simple matter to rectify and **we recommend that the Government enable EROs to compile the register on the basis of preferred names, whether this requires a change in legislation or the issue of best practice guidelines. It would be necessary to ensure that this change did not lead to registration under false or assumed names which might make detection of bogus or multiple entries more difficult. To address this difficulty, we further recommend that the preferred name permitted by EROs be restricted to the commonly used name of the elector.**

²²⁵ Ev 59, para 6, HC243-III [Liberal Democrat party]

²²⁶ Q144 [Mr Simpson, Mr Pack, Mr Watt]

²²⁷ Q144 [Mr Pack]

5 Electronic Forms of Registration

101. Historically, the only means of registering for electoral purposes has been by completing a paper form which is then passed back to the local ERO. Today, when many people turn first to electronic means, either the telephone or the internet, to carry out transactions of all kinds, this reliance on paper seems increasingly anachronistic and time-consuming. In itself, this may discourage some from returning the form. It also makes the system less accessible than it needs to be for voters and harder work for EROs in transcribing forms onto a computer than would be the case with submissions from electors in electronic form, although paper has the advantage that it provides a record if properly managed and stored.

102. There have been some limited moves recently to increase the use of technology in electoral registration. During the annual canvass, some local authorities permit households to record that there are no changes to the information on Form A by automated telephone systems or the internet. The memorandum from the Department for Constitutional Affairs and ODPM reports that these authorities have found that up to a third of households respond using these methods, with the result that they have earned “positive elector feedback” and “cut down considerably on the administration involved in running the annual canvass”.²²⁸ Away from the annual canvass, the Electoral Commission issues a registration form via its website with details of the relevant local authority to which it must be submitted in each case but these forms must then be printed off, signed and posted to the local ERO. This does encourage registration during the year but it does more to indicate the potential of an electronic system than to exploit the advantages currently offered by the internet.

103. The Electoral Commission has recommended to the Government that “electoral registers should be universally electronically maintained according to mandatory national standards”.²²⁹ It further recommended that access to registration be broadened by enabling electronic, online registration and in extending the opportunities for telephone registration in order to log changes in registration details.²³⁰ These recommendations were made dependent upon the introduction of individual registration and subject to piloting before national implementation.²³¹ In its evidence to us the Commission expanded on the advantages it claimed for an electronic on line register. These are fourfold:

An electronic register is logistically and practically the only sensible way of achieving a national register (see section VI below)

It would facilitate the introduction of greater choice for electors in voting location. Paper-based records do not allow checks for duplication to be made except at a single polling station but electronic records, updated in real time, would allow a voter to vote at any polling station anywhere

²²⁸ Ev 3, para 23, HC243-II [DCA/ODPM]

²²⁹The Electoral Commission, *The electoral registration process*, May 2003, para 3.5

²³⁰ *Ibid*, para 3.18

²³¹ *Ibid*

It would facilitate greater access to voting for disabled people by enabling them to vote at the most accessible polling station

It would facilitate the further development of rolling registration by enabling the register to be continuously updated, enhancing the security and accuracy of the register.²³²

104. These are worthwhile goals in their own right, and the Commission’s view of the advantages to be offered by electronic registration was shared by many of those who submitted evidence to our inquiry.²³³ One group of Liberal Democrat and Labour party councillors pointed out that “the flexibility of IT will enable the registration process to be linked to a variety of Council applications and marketing tools” and that “the reduction in paper, postage and staff resources will be substantial”.²³⁴ Those who raised concerns about electronic registration did so more in the form of cautions than as arguments to prevent its development. For example, the Association of Electoral Administrators accepted that “in time people will expect [electronic application] to be the main registration method” and agreed that it “can be faster, more efficient and cost-effective”.²³⁵ Yet they also pointed out that there could be “concerns about accuracy and whether the system and data provided remains secure” and “issues relating to data protection and/or human rights over these practices”.²³⁶ Finally, Sense, like others representing people with disabilities, saw advantages in widening the choice of registration methods, but stressed that “it is important that people without access to the internet, or who find electronic systems daunting, can continue to register using a paper form”.²³⁷

105. We questioned the Deputy Information Commissioner on the concerns expressed which fell within his authority. He informed us that the only data protection implication was that “you should identify people as well as you can” and that the Commissioner’s Office was “in principle, in favour” of electronic registration.²³⁸ As to the other warnings about accuracy and security, it is clear that measures must be built into the system itself and into the way in which it is implemented to ensure that potential difficulties are overcome. There are particular concerns arising if electors are allowed to amend their own records on line, rather than submitting the data for the ERO to add to the register. While the former method is faster, it is less subject to verification and more likely to lead to inaccuracy or fraud. Secure means of identifying those submitting the data also need to be established in order to maintain the accuracy of the register and public confidence in the integrity of the system.

106. The difficulty is that the security of electronic forms of registration can only be provided through the use of personal identifiers collected under some form of individual registration. As the Electoral Commission told us, “How one would [deal with the security

²³² Ev 13, para 8.2-8.5, HC243-II [Electoral Commission]

²³³ Eg Scope and the Pollen Shop, Ev 37; Experian, Ev 41, HC243-II

²³⁴ Ev 35, para 2(d), HC243-II [Southampton City Council Liberal Democrat Group and Southampton City Council Labour Group]

²³⁵ Ev 33, HC243-II [Association of Electoral Administrators]

²³⁶ Ibid

²³⁷ Ev 17, para 10, HC243-II [Scope]

²³⁸ Qq67, 69 [Mr Aldhouse]

implications] outside individual registration becomes much more complicated, much less easy to see”.²³⁹ The Government accepts that this is the case: “in the absence of a system that gathers unique voter identifiers ... it is more difficult to extend these forms of registration while maintaining a proper balance between increased convenience and a high level of security”.²⁴⁰ Having declared itself in favour of electronic registration and yet against the introduction of individual registration at this time, the Department for Constitutional Affairs and ODPM could only commit to “take these issues forward through an existing working group made up of electoral administrators and officials from Government and the Electoral Commission”.²⁴¹ In oral evidence, the Parliamentary Under-Secretary, Department for Constitutional Affairs, added that “a lot of those more mechanical improvements depend upon the IT available, depend upon whether we have a single telephone line for the whole country or one for each local authority, much of that leads into the online registration project experience.”²⁴²

107. We are disappointed that no way has been found to exploit the potential advantages of electronic registration which would be welcomed by many electors and administrators as a major step forward in modernising the whole electoral process. Without electronic registers, many of the benefits of accessibility to both registration and remote voting will be lost, or at least delayed until such time as an acceptable means of gathering personal data for identification purposes has been devised. We note that electronic registers already exist for each council; it is the integration of this facility with on-line access which needs to be developed further. **We should like to see much greater emphasis placed by the Government on the development of a secure system for electronic registration by telephone and on-line. We recommend that once that system is devised, it be implemented through a series of pilot programmes designed to test its integrity and that it be rolled out nationally only once independent auditors are satisfied with the security of the system. We further recommend that paper forms be retained alongside electronic registration to ensure that the availability of the latter widens accessibility rather than narrows it. Paper forms may also need to be retained in instances where a signature is regarded as essential to the security of a particular method of voting. In such cases it should be made clear that it is not necessary for electors to provide a signature on each occasion that they re-register; a five-yearly check should be sufficient.**

²³⁹ Q19 [Mr Younger]

²⁴⁰ Ev 3, para 25, HC243-II [DCA/ODPM]

²⁴¹ Ev 3, paras 25-6, HC243-II [DCA/ODPM]

²⁴² Q326 [Mr Leslie]

6 Development of a National Register

108. The Government has “broadly accepted” recommendations from the Electoral Commission aimed at the creation of a national electronic register of electors, formed from individual registers compiled and managed locally to mandatory standards.²⁴³ In evidence to this inquiry the Department for Constitutional Affairs and ODPM gave two reasons for their support. First, without national mandatory standards, the variation in software used by EROs could “create obstacles to the efficient conduct of both ‘rolling registration’ and e-voting pilot schemes”. At present, each local ERO may choose which software to use for running the registration system, or indeed whether to use computerised systems at all. There are six main private sectors companies, each supplying a different software to some EROs, and there are around 20 in-house systems unique to those authorities.²⁴⁴ These need to be at least compatible if modernisation of the process is going to work. Second, the Government argued that a national register could assist those bodies, including the Electoral Commission, the Government itself, credit reference agencies and the political parties, which need copies of the electoral register from every ERO for the conduct of their statutory or commercial business.²⁴⁵ Rather than approaching over 400 EROs, they could access the data through one central point. The Labour party saw this as a great advantage: “The cost of managing 600-odd different registers, which are given to us in different formats, and turning those into a campaigning tool ... is extremely high and over a year the costs seem to increase disproportionately.”²⁴⁶

109. There are other advantages of a national register. The Electoral Commission believes that it would help political parties and themselves to fulfil their statutory duty to confirm the permissibility of individuals who make donations to political parties.²⁴⁷ Furthermore, it would facilitate research into the extent of non-registration and the impact of rolling registration and other practical initiatives.²⁴⁸ Other witnesses stressed the support a national register would offer to the modernisation agenda. The Southampton City Council Liberal Democrat Group and Southampton City Council Labour Group summarised the “many additional electoral benefits” it could bring as follows:

it will assist in cleansing the database and reduce duplicate registration. It will enable changes in registration closer to polling day rather than the early deadline currently applied and above all will provide the infrastructure for electronic and remote voting.²⁴⁹

The Centre for Digital Security, Privacy and Trust at St Andrew’s University added to this list that it would permit voters to register once only and then have their records transferred

²⁴³ Ev 4, para 38, HC243-II [DCA/ODPM]

²⁴⁴ Ev 4-5, para 39, HC243-II [DCA/ODPM]

²⁴⁵ Ev 5, paras 39-40, HC243-II [DCA/ODPM]

²⁴⁶ Q116 [Mr Watt]

²⁴⁷ Ev 16, para 12.2-3, HC243-II [Electoral Commission]

²⁴⁸ Ev 17, para 12.4, HC243-II [Electoral Commission]

²⁴⁹ Ev 36, para (h), HC243-II [Southampton City Council Liberal Democrat Group and Southampton City Council Labour Group]

electronically between local registers when they moved across local authority boundaries, thus resulting in cost-savings for the authorities involved.²⁵⁰

110. Electoral administrators agreed that it “would be the platform for e-voting to enable an elector to record their vote from outside the area where they are registered for voting”; but expressed the view that “it is doubtful whether a national electoral register ... will be of much assistance to the maintenance and updating the electoral register”, because EROs would still have to send out forms to those who had moved house or investigate cases where duplication appeared likely.²⁵¹ The Association of Electoral Administrators’s chief priority, however, was to ensure that the register should continue to be locally maintained.²⁵² This was the concern which lay behind most negative comments on the desirability of a national register. For example, the Conservative party supported “common standards for electoral register data” but in the context that “ownership of electoral registers should remain with local authorities”.²⁵³ The electoral practitioners argued that in this way the register would continue to benefit from “local knowledge and identity with their local authority”.²⁵⁴ As this is also the position adopted by the Electoral Commission and accepted by the Government, **a national electoral register based on locally-owned and maintained local registers appears to be the most appropriate way forward.**

The CORE project

111. Moves have already been made by the Government towards the creation of a register as described above. The CORE (Co-ordinated On-line Register of Electors) project was announced to Parliament in January 2004, and is managed by the ODPM and co-sponsored by the Department for Constitutional Affairs. It is designed to modernise the electoral registration process by introducing standardised electronic registers across the country and subsequently putting in place a national system to provide authorised users on-line access to electoral registration data. There are two phases to the project. The first will standardise local electronic registers across the country and make them fully interoperable, regardless of the local system in use. The second phase will allow authorised users to access local registration data centrally and will support a multi-channelled, e-enabled general election. CORE will not replace the locally-compiled registers but would require them to be produced in a compliant way, with a copy submitted to the Government for incorporation in a national database.

112. There is widespread support for the CORE project and witnesses were keen to stress its importance. For example, the Electoral Commission told us that

the CORE project is a vital first step towards individual registration. It is also vital in terms of the needs right now, the needs not just of the Commission, but also critically

²⁵⁰ Ev 76, para 14, HC243-II [Centre for Digital Security, Privacy and Trust at St Andrew’s University]

²⁵¹ Ev 34 [Association of Electoral Administrators]; Ev 50, para 11 [LGA] HC243-II

²⁵² Ev 32, HC243-II [Association of Electoral Administrators]

²⁵³ Ev 65, para 19, HC243-II [Conservative party]

²⁵⁴ Q229 [Mr Dumper]

of the political parties to be able to undertake their obligations under the current legislation in terms of the declaration of donations.²⁵⁵

The three main political parties agreed with this assessment of the value of CORE, with the Conservative party telling us that “we are fully signed up to the creation of a national register” and the Liberal Democrats voicing the “broad consensus that there is a deep level of frustration at the huge variation in data standards and quality of data on the register”.²⁵⁶

113. This goodwill makes the lack of apparent progress on the CORE project of particular concern. The Liberal Democrats complained that “there have been various projects and various consultations over the years on which all the main parties have given very similar views and we keep on each year, or each few months, being asked for our views again and giving the same views again and the process does not seem to move forward.”²⁵⁷ This in part refers to the Local Authority Secure Electoral Register (LASER) project, a forerunner of CORE, which was supposed to achieve the same kind of goals but which ran into the ground. As to the latest initiative, there seems now to be an impasse on agreeing the data standards to be applied in compiling the local registers. Blame for this delay was variously attributed to the Government and to the Electoral Commission by the Conservative and Liberal Democrat parties and to “an inter-departmental quagmire at an official level” by the Labour party.²⁵⁸

114. Ministers implied that the hitch was the responsibility of the Electoral Commission, with the Minister for Regional and Local Government and Fire, ODPM, telling us that “we cannot act without a recommendation from [the Commission on data standards], so their involvement is absolutely critical. They do have other pressures on their time at the moment which have perhaps acted as a slight inhibitor.”²⁵⁹ Mr Raynsford also argued that CORE was in fact “making reasonably good progress”: “we have carried out a fairly detailed consultation on the arrangements necessary to put in place the systems to ensure consistent gathering of information by local authority registration officers. We are now moving towards the second phase of the project which will be concerned with data standards”.²⁶⁰ The Government intend that that phase should be completed in time for the October 2005 canvass so that “we will have the basis for a single national compatible register drawn from all the individual local registers by early in 2006.”²⁶¹ This has slipped a year from the original proposal of using 2004 data.²⁶²

115. We have a number of concerns about the CORE project. First, we are not impressed by the progress made so far and by the delays in the timetable, nor by the shifting of the blame on this issue. Action must be taken by the ODPM as owners of this project to ensure that no further deadlines are missed and that the project reaches fruition. **We recommend**

²⁵⁵ Q58 [Mr Younger]

²⁵⁶ Q119 [Mr Simpson, Mr Pack]

²⁵⁷ Q139 [Mr Pack]

²⁵⁸ Qq138-9 [Mr Simpson, Mr Pack, Mr Watt]

²⁵⁹ Q340 [Mr Raynsford]

²⁶⁰ Q339 [Mr Raynsford]

²⁶¹ Ibid

²⁶² Ibid

that the ODPM work to an absolute target of being in a position to use the 2005 canvass as the basis for a national register through the CORE project and that it publish a timetable with milestones for the completion of the CORE project.

116. Secondly, we are concerned that the ODPM has yet to consult the Information Commissioner on the data protection implications of the project. The Deputy Information Commissioner told us that “we normally expect government departments to consult us” on projects such as this.²⁶³ The Minister for Regional and Local Government and Fire, ODPM, asserted that the Government had “every intention of consulting the Information Commissioner on the second stage [of CORE], which is about access to information, where the issues to do with data protection arise” but had not thought it necessary to do so when consulting on “technical issues to do with the software systems and the language”.²⁶⁴ We believe that when embarking on a £12 million project of this sort it is vital to take advice on the principle at the outset. **We recommend that the ODPM consult the Information Commissioner without delay on the likely data protection issues of the CORE project so that his views can be accommodated in its design.**

117. Thirdly, there is room to doubt the efficiency of the project management. We received warnings from the UK Computing Research Committee about the importance of project definition and the problems often encountered in building electronic systems.²⁶⁵ The CORE project is dealing with highly sensitive data and is expected to play an important role in a process which demands public confidence. It cannot be allowed to go wrong. The Electoral Commission called in its evidence for the Government to “make clear its view of the relationship between the CORE project and other projects” connected with the modernisation agenda.²⁶⁶ Since this is one of the purposes behind the CORE project, we are concerned that the Electoral Commission sees this need for further clarity and anxious that it should be provided by the Government in order that the project definition of CORE is established now rather than midway through the project. **We recommend that the Government set out without delay the relationship between the CORE project and the other projects which form part of the electoral modernisation agenda and that the project definition of CORE be adjusted accordingly.**

118. We recognise that the introduction of individual registration may have to await the completion of the CORE project in order for it to be implemented smoothly. There may therefore be an argument that decisions about the whole question of individual registration should be delayed until it is certain that CORE is going to deliver the necessary support structure. Nevertheless, it is also clear that work and time may be wasted if the project is carried out on the basis of a national household register only and decisions are later taken to change to some form of individual registration. **While the date for the possible introduction of individual registration may depend upon the successful realisation of a national register, care should be taken to ensure that the system could accommodate the demands of individual registration, and the opportunities it brings, with minimum modification and disruption.**

²⁶³ Q87 [Mr Aldhouse]

²⁶⁴ Q346 [Mr Raynsford]

²⁶⁵ Ev 26-27, HC243-II [UK Computing Research Committee]

²⁶⁶ Ev 14, para 8.9, HC243-II [Electoral Commission]

7 Access to the Register

119. The electoral register has traditionally been open to public inspection. The Government described this as “an important safeguard against the potential for abuse of the electoral system” since it allows the public and political parties to “ensure that all eligible names have been included, and that names of ineligible people have not.”²⁶⁷ This position has been complicated since 2002 by the creation of two versions of the register: the full register which contains details of all registered electors and the edited register from which electors may choose to opt out. This move resulted from the ruling in the *Robertson* case of 2001 which was concerned with the data protection implications of providing the personal details on the register to anyone who wished to purchase a copy. The situation now is that the full register is open to inspection by anyone but copies are only supplied to specified bodies for certain purposes, such as elections and law enforcement. Credit reference agencies also have access to the full register to check an individual’s name and address if they are applying for a loan or mortgage, for credit-scoring and to help prevent money laundering, whilst political parties are given copies under strict prohibitions on the passing on of information to third parties. The edited register is available for general sale and can be used for any purpose. To complicate matters still further, there is also the marked register of voters which is compiled by ERO staff at election time and which indicates which electors have voted. This is currently available for inspection on request by anyone in the period after an election.

Data protection and access to the register

120. That there are anomalies in the treatment of data on the three registers is immediately apparent. The data protection rules only apply to the edited register and yet personal data on all individuals is readily available to anyone who wishes to inspect the register personally (albeit that they are restricted to taking hand-written notes) and is also supplied free of charge to anyone who stands as a candidate in an election. Furthermore, the marked register, which includes all the details on the full register, can be purchased on the day after an election, which in the words of one witness, “undoes the legislation attached to the provision of the full register”.²⁶⁸

121. There is some evidence that people are deterred from registering by data protection implications, particularly in relation to their details becoming known to commercial companies.²⁶⁹ The Executive Director of Association of Electoral Administrators told us that canvassers found that “you get a reaction on a doorstep that certain individuals are not going to give the information because you will use it for other purposes”.²⁷⁰ He thought that “the introduction of the edited version was pretty much a sop to solve the Robinson case. Its worth is nil.”²⁷¹ The Electoral Reform Society believed that “the perception of the

²⁶⁷ Ev 3, para 29, HC243-II [DCA/ODPM]

²⁶⁸ Q246 [Mr Dumper]

²⁶⁹ Eg Association of Electoral Administrators, Ev 34, Southampton City Council Liberal Democrat Group and Southampton City Council Labour Group, Ev 36, paragraph (f), HC243-II

²⁷⁰ Q243 [Mr Dumper]

²⁷¹ Ibid

other uses to which the register will be put is a significant factor in the level of under-registration in this country.²⁷²

122. One solution to this problem would be to declare that the electoral register was to be used for electoral purposes only. This is a widely-held view, shared among others by the Electoral Commission, the Electoral Reform Society and the Association of Electoral Administrators.²⁷³ For his part, the Information Commissioner's general position is that "the electoral register exists to assist the electoral process and our democratic process. It should be used for that purpose and only for other purposes where strictly necessary and justifiably so".²⁷⁴ The Government, however, disagrees with this point of view and in fact intend to broaden access to the full register. It plans to consult "later this year" on "a limited package of changes" which would "clarify that certain agencies and organisations, such as the Security Service, Environment Agency and Financial Services Authority may be supplied with the full register for specified purposes, and ... provide for the storage of old electoral registers in public libraries and local authority archives offices."²⁷⁵ This proposal goes further to meet the call of the credit reference agencies for access to the register to be granted to agencies and commercial organisations that administer public services, such as the utilities and the BBC,²⁷⁶ than it does to address the concerns expressed about data protection.

123. We note that the OSCE guidelines for observers of elections state that "the examiner should carefully review the legal framework and be satisfied that it does not allow for collection, use or dissemination of personal data or information in any manner for any purpose other than the exercise of suffrage rights".²⁷⁷ Whilst these guidelines are in no way binding in the UK, albeit that the UK is a member of the Organisation, they are useful in acting as a measure of our compliance with international standards on electoral registration. **We recommend that the Government include in its consultation on access to the electoral register the possibility of limiting the use of the register to electoral purposes. We also recommend that, pending the outcome of that consultation, the Government take steps to ensure that registration forms clearly state to what uses the data supplied by an individual or occupier may be put.** We recognise that the electoral register is also used to prepare jury lists, as indicated clearly on Form A. We have no wish to see this changed. Individual registration would of course address many of the data protection concerns by making it the clear responsibility of each individual to give prior, informed consent to their name being on the edited register.

Access to the marked register

124. The Parliamentary Under-Secretary, Department for Constitutional Affairs, accepted in oral evidence that "there is a lacuna in the arrangements [for access to the marked

²⁷² Ev 82, para 33, HC243-II [ERS]

²⁷³ Ev 15, para 10.1 [Electoral Commission]; Ev 32 [Association of Electoral Administrators]; Ev 82, para 33 [ERS], HC243-II

²⁷⁴ Q72 [Mr Aldhouse]

²⁷⁵ Ev 81, HC243-III [DCA/ODPM]

²⁷⁶ Ev 41, HC243-II [Experian]

²⁷⁷ OSCE, *Guidelines for Reviewing a Legal Framework for Elections* (2001), page 14

register] which I think we do need to look at in a legislative context”.²⁷⁸ Shortly after we finished taking evidence for this inquiry, the Electoral Commission published a report on the marked register which recommended that this lacuna be removed.²⁷⁹ The Commission called for primary legislation to bring the access regime for electoral registers marked at polling stations broadly into line with that currently applying to the full electoral register, that is that marked registers would be available for public inspection under supervision. Copies of marked registers should also be made available to political parties, candidates and agents for electoral purposes and to statutory agencies for law enforcement purposes only, such as the courts in the instance of election petitions and to other named organisations upon request. It should not be made available to other agencies, such as credit reference agencies, who have access to the full register. Other election documents to be made available for public inspection only should be the list of tendered votes;²⁸⁰ the lists of voters with disabilities who voted with the assistance of a companion; the declarations made by the companions of voters with disabilities; and the list of votes marked by the Presiding Officer and related statements. Currently these documents are also available for purchase.²⁸¹ Other recommendations related to the creation of marked registers of returned postal votes and votes cast by remote electronic means which should be made available only after polling day and subject to the same terms and conditions as the polling station marked register. An elector should also be able to check with an ERO whether their postal vote has been received.²⁸²

125. Concerns over the marked register were raised by several witnesses during the inquiry, including the Association of Electoral Administrators and the Scottish Assessors Association, who both supported the restriction of the register to political parties only.²⁸³ The Information Commissioner went further and was “not persuaded that it is right to treat the marked register as a fully public document”, arguing that “public inspection to guard against fraud seems proper. Making copies available to profile the behaviour of individuals looks more doubtful.”²⁸⁴ His Deputy clarified in oral evidence that this meant that “Complete copies should not be published, although a member of the public, and in this respect probably political parties would be exercising the greatest interest, should be able to inspect marked copies of the register in order to ensure against impersonation and any other electoral fraud.”²⁸⁵ Unsurprisingly, this view was not shared by the political parties, with the Conservative party and Liberal Democrats agreeing with Mr Watt from the Labour party that “we should argue very strongly that the marked register should remain available to political parties.”²⁸⁶

²⁷⁸ Q358 [Mr Leslie]

²⁷⁹ The Electoral Commission, *The marked electoral register*, February 2005

²⁸⁰ A tendered ballot paper is offered to a person who seeks to vote at a polling station but whose name has already been marked on the register at the polling station as having cast a vote [The Electoral Commission, *The marked electoral register*, para 1.26]

²⁸¹ The Electoral Registration, *The marked electoral register*, page 31

²⁸² *Ibid*, Executive summary, pp 5-7

²⁸³ Ev 34 [Association of Electoral Administrators]; Ev 63 [SAA], HC243-II

²⁸⁴ Ev 53, HC243-II [Information Commissioner]

²⁸⁵ Q90 [Mr Aldhouse]

²⁸⁶ Q143 [Mr Simpson, Mr Pack, Mr Watt]

126. Given the significance of this issue in terms of human rights and data protection, and the apparent divergence of the views of the Electoral Commission and the Information Commissioner, this is a clear case where consultation with the narrow range of interested parties would be of value. **We recommend that the Government publish its response to the Electoral Commission’s report on the marked register in good time and allow limited consultation on its plan for action before moving to legislate in time for the next General Election but one. We believe that the marked register, including postal voters, should be available to political parties.**

Anonymous registration

127. Given the tradition that the electoral register should be a public document, there is surprising consensus around the suggestion that anonymous registration should be allowed in certain circumstances. The Government is developing proposals for a system which would allow registration for those who believe that their appearance in the register may be the source of a threat to their safety.²⁸⁷ The Government envisages that owing to stringent criteria the number of anonymous registration entries would be very low.²⁸⁸ In evidence the Parliamentary Under-Secretary, Department for Constitutional Affairs, stressed that it did “not want it to become like an ex-directory system where you get literally half the population going ex-directory”,²⁸⁹ picking up an analogy used by the Information Commissioner.²⁹⁰

128. In the absence of published proposals from the Government there is room for some disagreement around how and to whom anonymous registration should apply. The Deputy Information Commissioner preferred to talk of “pseudonymous registration”, whereby people could register “under a code or something like that, but some means of keeping off the publicly available register the name linked to the address”.²⁹¹ The Information Commissioner’s memorandum indicated that he would “welcome” the possibility of such pseudonymous registration.²⁹² In oral evidence his deputy suggested that it should apply to “those who are perhaps the subject of a witness protection programme or battered wives or others who are trying to hide their address entirely legitimately”.²⁹³ Others would apply a more stringent test, with the facility only offered to those “at significant risk of physical harm”.²⁹⁴ The Labour party, which like the other major parties supports the principle of anonymous registration, believed that “such registration should be very much the exception and may require certification by an appropriate public authority, e.g. police, social services or a bona fide charity”.²⁹⁵ The

²⁸⁷ Ev 4, para 36 , HC243-II [DCA/ODPM]

²⁸⁸ Ibid

²⁸⁹ Q353 [Mr Leslie]

²⁹⁰ Q71 [Mr Aldhouse]

²⁹¹ Ibid

²⁹² Ev 50, para 2 , HC243-II [Information Commissioner]

²⁹³ Q71 [Mr Aldhouse]

²⁹⁴ Ev 82, para 38 , HC243-II [ERS]

²⁹⁵ Ev 58, para 4.2, HC243-III [Labour party]

Association of Electoral Administrators further suggested that those awarded anonymous registration should be allowed to vote by post or proxy only.²⁹⁶

129. We recognise that this is a serious issue: both in the dangers to people who are traced through the register and in the deterrent to register such a threat creates for some people. Not all who are deterred in this way would be considered as suitable cases for anonymous registration. SOLACE told us that at the moment this issue is “dealt with in various ways at many authorities”.²⁹⁷ **We believe that there needs to be a standard policy on anonymous registration which should apply across the country. The Government’s proposals will no doubt take some time to appear and may require legislation to implement. We recommend that they be produced for consultation as soon as possible. In the meantime, we recommend that either the Electoral Commission or the Government draw up clear guidelines for EROs to apply when considering requests for anonymous registration and that guidance be made available to them for dealing with particular cases.**

130. A related issue is the editing out of the register of any reference to disabled people needing assistance with the ballot. Scope and Sense both argued that a facility for disabled people to indicate a desire for such assistance would be advantageous but that its inclusion in the published register could render them vulnerable and that a person’s chosen format for election matters should remain confidential.²⁹⁸ **We agree that the registration process should allow disabled people to indicate a desire for assistance but that reference to this should not be included in the published register. We see no reason why this measure should not be implemented regardless of progress in the introduction of individual registration or other related matters.**

²⁹⁶ Ev 34, HC243-II [Association of Electoral Administrators]

²⁹⁷ Ev 66, HC243-III [SOLACE]

²⁹⁸ Ev 18, para 13 [Scope]; Ev 38, para 6.1 [Sense], HC243-II

8 Role of Government Departments and the Electoral Commission

The Department for Constitutional Affairs and the Office of the Deputy Prime Minister

131. The Department for Constitutional Affairs and ODPM set out their respective and joint responsibilities for electoral issues in a supplementary memorandum to our inquiry.²⁹⁹ This explained that the ODPM focuses on local government election issues while the Department for Constitutional Affairs was concerned with parliamentary and European parliamentary elections. As far as individual registration is concerned, the Department for Constitutional Affairs takes the lead. There is a Project Board for the Individual Registration Project and associated work which comprises officials from Department for Constitutional Affairs, ODPM, the Northern Ireland Office and the Electoral Commission. There is also a Working Group on which these bodies are represented and on which they are joined by representatives from the Scottish Office, Association of Electoral Administrators, Scottish Assessors Association and the Electoral Office for Northern Ireland and by two electoral administrators with a specific particular interest in the topic. Work on other electoral registration issues may involve other Government departments, for example the Office for National Statistics on the Citizen Information Project and the Foreign and Commonwealth Office on the enfranchisement of Gibraltar and referendum issues.

132. We were struck in two ways by the initial joint memorandum from the departments to this inquiry, one positive and one less so. First, it is clear that the departments are taking forward much of the policy development work in this busy area through consultation with interest groups and stakeholders. For example, disabled groups are involved in discussions on changes to the registration system³⁰⁰ and, as described above, electoral administrators form part of the standing working group.³⁰¹ This is undoubtedly the best approach to take and perhaps accounts for some of the consensus we encountered on many of the issues under consideration in this inquiry. Our second observation is that according to the Government's memorandum, almost all these issues are subject to discussion or further consideration with no indication given of when results of these considerations are likely to emerge. Ministers were unable to enlighten us any further in oral evidence.³⁰²

133. There is no sense of urgency, or even progress, in the attitude of the departments as indicated in their evidence to this inquiry. We accept that electoral reform matters are unlikely to be a priority in the run-up to a General Election and that the experience of individual registration in Northern Ireland has had a serious impact on moves towards introducing individual registration in the rest of the UK, without which most of the rest of the modernisation agenda falls. **There is a need for a greater lead from Government on how the agenda may move forward and on how it intends to tackle some of the issues**

²⁹⁹ Ev 77, HC243-III [DCA/ODPM]

³⁰⁰ Ev 3, para 28, HC243-II [DCA/ODPM]

³⁰¹ Ev 3, para 26, HC243-II [DCA/ODPM]

³⁰² Eg Q278 [Mr Leslie]

which can be addressed without the wholesale embrace of individual registration: for example, anonymous registration, the change in the final date for registration before an election and access to the marked register.

The Electoral Commission

134. The Electoral Commission has been in existence since 30 November 2000. It is an independent statutory authority, which reports directly to Parliament through a committee chaired by the Speaker of the House of Commons. Its responsibilities include oversight of the registration of political parties and third parties, monitoring and publication of significant donations to registered political parties and regulation of national party spending on election campaigns. It also manages referendums in the UK, promotes voter awareness, advises those involved in elections upon practice and procedure and reports on the administration of every major election. It undertakes an extensive programme of policy reviews and proposals for electoral modernisation, resulting in reports which makes recommendations to Government.³⁰³

135. The Commission has been looking to extend its role. In its report, *Voting for change* (June 2003), it identified potential new tasks for itself which would require a number of additional powers. These were listed in the Government's response to the report as:

- Setting and monitoring performance standards for local authorities in the delivery of electoral services
- Allocating budgets to local authority electoral services departments
- Reviewing and setting Fees and Charges Orders for major elections; processing claims
- Maintaining a national electoral register to common data standards, setting and monitoring data standards and potentially dealing with requests for access
- Directing Electoral Registration Officers on collection and processing of registration data
- Creating and managing an individual voter identifier system
- Approving descriptions for party candidates
- Processing applications for international observer accreditation³⁰⁴

The Government's response to these requests for additional powers was somewhat equivocal, with most issues deferred to be considered in relation to other matters. Only in the last two instances was it absolutely clear that the Electoral Commission would be given the responsibility as recommended.³⁰⁵ In light also of the lack of progress made in taking forward the modernisation agenda, this calls into question the value of the Commission's

³⁰³ Ev 6, para 2.1-2.4, HC243-II [Electoral Commission]

³⁰⁴ Cm 6426, pp 17-18

³⁰⁵ Ibid

assertion that “the Government has already committed to the implementation of around 70% of the proposals put forward in *Voting for change*”.³⁰⁶

136. We asked the Ministers for their views on the work of the Electoral Commission. The Minister for Regional and Local Government and Fire, ODPM, who is also a member of the Speaker’s Committee with oversight of the Commission, was diplomatic in his response: “one would inevitably say that as an organisation that has been in existence for a relatively short period of time it has been on a steep learning curve and has made very considerable progress in many areas. There are other areas where we probably see scope for continued and further improvements.”³⁰⁷

137. One particular concern was whether there should be people with practical political experience on the Commission. At present by statute anyone with a practical involvement in politics over the past ten years cannot serve as a Commissioner. The Minister suggested that in laying down these requirements “the balance [with the principle of independence] may be drawn a little too tightly against an understanding of day-to-day practical issues”.³⁰⁸ These concerns could be addressed either by changing the composition of the Commission itself which would require legislation or by “an administrative arrangements whereby the Commission had contact with a body of senior practitioners from all parties who could advise it” which could be done without legislation.³⁰⁹ We welcome the statement from the Minister and look forward to progress being made.

³⁰⁶ Ev 6, para 2.4 , HC243-II [Electoral Commission]

³⁰⁷ Q361 [Mr Raynsford]

³⁰⁸ Q364 [Mr Raynsford]

³⁰⁹ Q365 [Mr Raynsford]

9 Conclusion

138. In the course of this inquiry we have measured the existing and possible future electoral registration systems against the criteria of completeness, accuracy, convenience to electors, ease of compilation, usefulness, security and cost. We have found that a case can be made for change to the current system and that the factors which contribute to reinforcing this case are not likely to alter without concerted action on the part of all those involved in the electoral registration process. The most important of these is the trend towards eligible electors opting out of registration altogether. This is a development which is not confined to Northern Ireland, where it could perhaps be attributed principally to the introduction of individual registration, but one which is making itself felt throughout the UK. We are also aware that concerns about the security of the system and its vulnerability to fraud are not likely to go away, particularly as pressure grows for new methods of registering and voting which are full of potential but which are at present untried.

139. There are several measures which could be implemented now to patch up the existing system in order to make it more accessible and therefore, we hope, more comprehensive and accurate. We have highlighted these in this Report. At some point, decisions will have to be taken on the larger issues if the UK is going to move to a form of electoral registration which more closely matches the criteria we identified and which meets the demands of a modern electoral system. This is the case even if it were decided to abandon a move to individual registration once and for all and to build upon the current basis of household registration. The political reality is that such decisions are better taken early in the cycle of a parliament. We look forward to progress being made when we reach that point.

Conclusions and recommendations

Individual Registration

1. The most important feature of an electoral registration system is that it should offer the greatest number of eligible people the opportunity to vote. (Paragraph 8)
2. The key advantage of household registration is that it allows for one person, say a parent, to include in the register those in the household who may be less energetic in registering themselves. (Paragraph 41)
3. We accept that the issue has been clouded by the experience in Northern Ireland and the fall in registration rates there which has apparently resulted from the introduction of individual registration. Nevertheless, we expect the Government in its response to this Report to give a firm indication of its policy on the introduction of individual registration and of the part it plays in the Government's wider electoral modernisation strategy and to announce a timetable for the publication of its consultation paper on these issues. (Paragraph 46)
4. A strong case can be made for a change to individual registration, which should be addressed. We have identified four options for moving forward:
 - Introduce individual registration by a set date. We understand from electoral administrators that this could be done after two years' notice, allowing time and funding to enable local authorities to handle the transition
 - Accept the principle that a move to individual registration would be desirable but with no date set for implementation
 - Adapt the existing system by requiring individual signature on household forms
 - Let the system evolve as it has done in recent years, maintaining occupier responsibility while new methods fill gaps in registration.

We recommend that the Government consult on these options. The advantages and disadvantages of each should be set out even-handedly. (Paragraph 48)

Encouraging Registration

5. We look forward to the publication of the research findings from both the Government and Electoral Commission into the extent of and reasons for non-registration. We expect both bodies to use these findings to inform their development of strategies to increase the levels of registration. We expect the ONS to have used corrected and amended 2001 Census information for this study. (Paragraph 53)
6. We see merit in the idea of the carry-over mechanism and in using resources to target under-represented areas or groups, rather than households which have remained static over a long period of time. A periodic audit, say every three or four years, would be required to ensure that the register was accurate but the doubts over

the effectiveness of the current annual audit make us question whether this is the best approach to adopt. We also see merit in giving flexibility to local EROs to determine how best to canvass their areas, subject to overarching guidelines by the Government and Electoral Commission on maximum periods between audits. We recommend that if individual registration is adopted, the requirement for an annual comprehensive canvass be replaced by an obligation to conduct an audit of the full register every three years or a third each year, though not necessarily at any fixed time during the year. (Paragraph 56)

7. We recommend that the Electoral Commission, in consultation with EROs, produce mandatory best practice guidelines for local authorities to follow in the compilation of electoral registers and that the Commission be charged with monitoring compliance with these guidelines. (Paragraph 58)
8. We recommend that the Electoral Commission work with the professional bodies representing estate agents and conveyancers, the Land Registry, the utilities, the DVLA, TV Licensing and schools to develop promotional materials and strategies by which these bodies could help reach eligible electors who need to change their registration or register for the first time. (Paragraph 61)
9. We recommend that the Department for Constitutional Affairs and ODPM explore with the ONS, as a matter of urgency, ways in which the electoral registration may benefit from the Citizen Information Project in order that the requirements of electoral registration may be built into the project from the start. We also recommend that the Government clarify the data protection implications of allowing EROs greater access to data held by other public bodies and government departments and that any necessary legislation is brought forward to permit such access to EROs for the purposes of maintaining the electoral register, specifying which public and private bodies are under a statutory obligation to inform EROs of changes of address. (Paragraph 63)
10. We recommend that the Government clarify the data protection issues involved in a 'one stop shop' for registering with councils for electoral, council tax and other purposes and bring forward the necessary legislation as soon as possible. This is an issue which is as relevant under the current system of rolling registration as it would be under any future system of individual registration and it is one which can only be seen as helpful to the elector and therefore likely to increase registration levels. (Paragraph 64)
11. We recommend that the necessary legislation be brought forward to implement a later closing date for registration prior to an election in time for the next local elections in 2006. (Paragraph 65)
12. We recommend that the Government consult on whether there should be a new compulsion to register with the local ERO under rolling registration, and if so, how this would work. This consultation should also examine whether the current penalties are adequate. We also recommend that legislation provide similar penalties for the provision of false information as apply to the annual canvass for the provision of false information to an ERO under rolling registration. (Paragraph 69)

13. On balance, we consider that most incentives directly linked to registration could only be seen as gimmicks and run the risk of undermining the integrity and dignity of the system. (Paragraph 70)
14. Imaginative campaigns to promote registration are needed, run at national, local and community levels; they must be adequately funded; and they must draw upon all available expertise. We agree with witnesses that the Electoral Commission is the right body to oversee general and micro campaigns on registration and we note some of the more imaginative ways in which they are undertaking this role. At a local level, campaigns need to respond fully to local circumstances. Local authorities should act with some degree of latitude under best practice guidelines. These guidelines should include the recruitment and use of canvassers from the communities which they serve. (Paragraph 76)
15. We recommend that the Electoral Commission consult widely on ideas for work with grassroots organisations aimed at encouraging registration among hard to reach groups and use Government funding for the most promising proposals. (Paragraph 76)
16. We recommend that the Government issue a clear statement of the legal position of EROs in relation to the promotion of registration. This would be necessary even if only to allow EROs to follow with confidence Electoral Commission guidelines. We support the Electoral Commission's recommendation that EROs adopt the best practice put forward in the Commission's report *Making an Impact: the local promotion of electoral issues* (2002). The two measures taken together should ensure that EROs may take a more direct role in encouraging registration in an effective way without imperilling their political neutrality. (Paragraph 78)
17. We recommend that the Electoral Commission in conjunction with groups representing those with disabilities draw up best practice guidelines for the registration of such people with special needs, including details of what should be offered through an exceptions service and the means by which electors may indicate on the registration form the type of assistance which they require. (Paragraph 80)
18. We recommend that, in the event of individual registration being adopted, the circumstances in which a representative should be permitted to sign a form on an elector's behalf be made clear. (Paragraph 81)
19. We recognise the need for clearer information to be provided to attestors on their responsibilities under electoral law and see also a requirement for specialised promotion campaigns aimed both at electors with special needs and their carers or representatives. (Paragraph 81)
20. We recommend that the Electoral Commission produce best practice guidelines to be followed by local authorities and test promotional strategies to target residents and managers of residential accommodation to ensure registration levels do not fall. (Paragraph 82)
21. We expect the MoD to monitor the effectiveness of its revised Defence Council Instruction issued in late January 2005 on electoral registration and report the results

to Parliament. It is already too late for service personnel to register for the local elections or any general election on 5 May 2005, but we recommend that the MoD adopt a policy of issuing annual individual registration forms to each service person to encourage them to register. We expect the MoD to look into the issue of electoral registration among service personnel as a matter of urgency and we urge the relevant select committees in the next parliament to follow it up. (Paragraph 84)

Personal Identifiers and Security

22. We agree with the Electoral Commission that it would not be necessary to include provision of a National Insurance number as a requirement of registration in Great Britain. (Paragraph 92)
23. We believe that the inclusion of a signature in the list of required identifiers is the correct approach. As a corollary, we would stress that the use of signatures to prevent fraud is only as efficient as the checking mechanism employed to compare registration forms with submitted postal votes. Where signatures are being used, some effort must be made to check at least a sample. Otherwise, signatures provide scant deterrence to fraud. (Paragraph 93)
24. We believe that there is merit in the creation of a scheme of unique individual identification numbers for electoral purposes, allocated for life upon first registration, provided that they are used for administrative purposes and do not create an additional burden on electors. (Paragraph 96)
25. We recommend that the Government consult on the best means of developing and supporting an electoral PIN number. Where signatures provide better security, as with postal votes, these should be relied upon rather than PIN numbers which should not then be required of the elector. (Paragraph 98)
26. We recommend that under a system of individual registration there be a requirement for electors to sign for ballot forms at polling stations. We do not recommend that any further means of identification be required at that point in Great Britain. (Paragraph 99)
27. We recommend that the Government enable EROs to compile the register on the basis of preferred names, whether this requires a change in legislation or the issue of best practice guidelines. It would be necessary to ensure that this change did not lead to registration under false or assumed names which might make detection of bogus or multiple entries more difficult. To address this difficulty, we further recommend that the preferred name permitted by EROs be restricted to the commonly used name of the elector. (Paragraph 100)

Electronic Forms of Registration

28. We should like to see much greater emphasis placed by the Government on the development of a secure system for electronic registration by telephone and on-line. We recommend that once that system is devised, it be implemented through a series of pilot programmes designed to test its integrity and that it be rolled out nationally

only once independent auditors are satisfied with the security of the system. We further recommend that paper forms be retained alongside electronic registration to ensure that the availability of the latter widens accessibility rather than narrows it. Paper forms may also need to be retained in instances where a signature is regarded as essential to the security of a particular method of voting. In such cases it should be made clear that it is not necessary for electors to provide a signature on each occasion that they re-register; a five-yearly check should be sufficient. (Paragraph 107)

Development of a National Register

29. A national electoral register based on locally-owned and maintained local registers appears to be the most appropriate way forward. (Paragraph 110)
30. We recommend that the ODPM work to an absolute target of being in a position to use the 2005 canvass as the basis for a national register through the CORE project and that it publish a timetable with milestones for the completion of the CORE project. (Paragraph 115)
31. We recommend that the ODPM consult the Information Commissioner without delay on the likely data protection issues of the CORE project so that his views can be accommodated in its design. (Paragraph 116)
32. We recommend that the Government set out without delay the relationship between the CORE project and the other projects which form part of the electoral modernisation agenda and that the project definition of CORE be adjusted accordingly. (Paragraph 117)
33. While the date for the possible introduction of individual registration may depend upon the successful realisation of a national register, care should be taken to ensure that the system could accommodate the demands of individual registration, and the opportunities it brings, with minimum modification and disruption. (Paragraph 118)

Access to the Register

34. We recommend that the Government include in its consultation on access to the electoral register the possibility of limiting the use of the register to electoral purposes. We also recommend that, pending the outcome of that consultation, the Government take steps to ensure that registration forms clearly state to what uses the data supplied by an individual or occupier may be put. (Paragraph 123)
35. We recommend that the Government publish its response to the Electoral Commission's report on the marked register in good time and allow limited consultation on its plan for action before moving to legislate in time for the next General Election but one. We believe that the marked register, including postal voters, should be available to political parties. (Paragraph 126)
36. We believe that there needs to be a standard policy on anonymous registration which should apply across the country. The Government's proposals will no doubt take

some time to appear and may require legislation to implement. We recommend that they be produced for consultation as soon as possible. In the meantime, we recommend that either the Electoral Commission or the Government draw up clear guidelines for EROs to apply when considering requests for anonymous registration and that guidance be made available to them for dealing with particular cases. (Paragraph 129)

37. We agree that the registration process should allow disabled people to indicate a desire for assistance but that reference to this should not be included in the published register. We see no reason why this measure should not be implemented regardless of progress in the introduction of individual registration or other related matters. (Paragraph 130)

Role of Government Departments and the Electoral Commission

38. There is a need for a greater lead from Government on how the agenda may move forward and on how it intends to tackle some of the issues which can be addressed without the wholesale embrace of individual registration: for example, anonymous registration, the change in the final date for registration before an election and access to the marked register. (Paragraph 133)

Appendix One: Individual registration in other countries

Canada

1. The Canadian parliament passed legislation in 1996 to create a National Register of Electors based on individual registration. Each elector provides information about their name, address, sex and date of birth which is then kept on the register and used to produce preliminary voting lists for federal elections, by-elections and referendums. The information can only be used for electoral purposes and only names and addresses are shared with registered political parties and members of parliament. In addition, electors may choose not to be included in the register, although in this case they would have to add his or her name to the voters' list at the time of an election or referendum, should they wish to exercise their right to vote. Prior to the 1996 legislation, voters' lists were created for each election or referendum through door-to-door canvassing, unless a list had been compiled the previous year. The change to a permanent register has been estimated to yield net savings of \$30m at every federal election or referendum.

2. Further savings have also been made through data-sharing between Elections Canada and other data sources. Approximately 20 per cent of the entries for electors change each year. To capture these changes, Elections Canada has agreements with data suppliers, including the Canada Customs and Revenue Agency, Citizenship and Immigration Canada, provincial and territorial registrars of motor vehicles and vital statistics and provincial electoral agencies. Information is only passed from such organisations to Elections Canada with the informed consent of the individual concerned, and there is no link between the databases of Elections Canada and any of the data suppliers.³¹⁰

3. The first full test of the new National Register came in the November 2000 federal election. One analysis of the participation rates indicates that there may be negative effects to take into account when assessing the new system, namely the permanent list has contributed to diminishing voter turnout and has accentuated the differential rates of participation between social groups which already existed.³¹¹ Solutions offered to these drawbacks include making it easier for individuals to take the initiative to change their details and to add their names to the register between elections, and reinstating the nationwide enumeration on a periodic basis.³¹²

Australia

4. The ODPM Select Committee visited Melbourne in Autumn 2004 and spent time talking to both the State and National Electoral Commissions. They maintain a common electoral role. With compulsory voting at national and state level goes compulsory registration to vote. Anyone who has lived at an address for over a month has a duty to

³¹⁰ For further information on the Canadian system, see www.elections.ca

³¹¹ J. Black, *From Enumeration to the National Register of Electors*, *Choices*, 2003 (<http://www.irpp.org/choices/archive/vol19no7.pdf>)

³¹² *Ibid.*

register on the electoral roll. Once registered, that registration remains until a person dies or moves to another address. Up to 1998, some effort went into a biannual canvass to check the accuracy of the register. Since then resources have been channelled into data-matching and targeting 17-18 year olds and people who moved house.

5. External data-matching included notification of deaths, new driving licences, Australia Post Redirection Advices and information from local authorities and utilities. This triggers a letter from the Electoral Commission inviting new registration, and reminding of the need to register or face a daily fine. New registration also triggers de-registration from an old address. Enrolment programmes run by individual electoral authorities target new citizens or 17 to 18 year old school students. In the latter case, “bounties” are paid to schools for enrolment by their students and enrolment forms are included in Year 12 results advice. As a result of registration the Commission had an accurate signature for each potential voter. Most requests to register produce a positive response. Even so the register is only believed to be 98% accurate at any one time.

6. The Committee heard a great deal about the electoral system during their visit but heard no complaints about the efficiency or accuracy of the register.³¹³

New Zealand

7. Enrolment on the electoral register is compulsory also in New Zealand, although as in the UK, voting is not compulsory. Each individual has the responsibility to complete and sign an enrolment form and submit it to the Electoral Enrolment Centre by a variety of means, designed to make it easy for electors to enrol. They may also enrol on-line. There is a further obligation on electors to notify the Registrar of Electors of changes in their circumstances each time they move. There is in fact no instance of the power to prosecute an eligible elector who does not enrol being used. A confidential unpublished roll is maintained for those who believe they could be endangered by the publication of their details in the public electoral roll. The Electoral Enrolment Centre carries out internal system checks to identify ineligible electors but does not practice data-matching to identify unregistered potential electors.

8. The Electoral Enrolment Centre is required to give local councils lists of electors to compile their electoral rolls, and the rolls are also used to select potential jurors. Otherwise, only political parties, candidates and approved scientific/health researchers are entitled to the data. The Centre publishes a new roll every year, except in the year of a parliamentary election when two rolls are printed: the first is produced for registered electors to check that they are listed and the second, which is used on Election Day, includes electors who have registered after the election has been called. Electors who miss even this cut-off may still register to cast a “special declaration vote” up to and including election day itself.³¹⁴

California

9. In Autumn 2004 the ODPM Select Committee met the people responsible for the electoral process in San Francisco. Here, voting is in no way compulsory, nor is registering

³¹³ For further information on Australian electoral practices, see www.aec.org.au

³¹⁴ For further information on New Zealand, see www.elections.org.nz

to vote. In many parts of San Francisco fewer than 50% of eligible voters register, and many adults are ineligible to vote. Of those who register, about 80% actually vote. One may register to vote at any time, but just prior to primaries and during election campaigns is the common time to do so. Once registered, an elector remains registered, until he or she loses the right to vote or moves.

10. The Committee saw scanned signatures from the registration document being compared with signatures provided when the ballot paper was issued at the polling station or accompanying the postal vote ballot envelope. When there appeared to be discrepancies, these were investigated. This included getting updated signatures.

11. A voluntary register avoided information about candidates, referendum questions, etc, being sent to people who had no intention of voting, keeping costs down, while the right to vote was maintained since people could register and vote right up to the close of poll.

12. The system of late registration and checking signatures for individual voters did mean results of elections could not be finalised for some weeks after polling day. This is not vital in the USA since administrations do not change hands immediately.

Appendix Two: Note by Clive Betts MP of interview with Sheffield Electoral Registration Officer, Eirwen Eves

1. Barely 80% of households have returned forms for the register which has come into operation this month. Follow up reminder letters were sent after the first one and additionally letters have been sent to all properties where no-one is registered. One thousand forms have been returned on that basis alone. The Registration Officer's view is there has been a cultural change and people don't think they have to send the form back. Indeed many people assume that once they are on the register they remain on it even if they don't bother to respond.

2. This highlights different practice in different authorities as apparently in some parts of the country local authorities do leave people on the register until they have evidence that they have actually moved. In Sheffield, however, if a household doesn't return a form for two years then they are taken off. I think this highlights perhaps the need for some clear code of practice at national level so that we get a consistent approach to registration.

3. Apparently there already is the facility to cross-check against council tax information and that is now accepted practice. As part of the cross-checking apparently there were 10,000 found on the register who weren't down as being on the council tax list. The registration officer doesn't automatically put people on the list if they are on the council tax list and merely writes to households where there has been a name change but a registration form hasn't been returned.

4. On individual registration the registration officer thought that this could reduce registration by between 30-50%. I am not sure there is any scientific basis for that but she says there is a lot of unease amongst her colleagues that if nothing else is done the register will be significantly less accurate. She estimates the register is about 90% accurate of those currently registered.

5. In terms of the current registration process she highlighted something I didn't realise which is that while there is rolling registration most of the year, from August to December there isn't, because the new registration is being done. People can't just come in and add their names to the register as they can at any other time of year. This she says causes a lot of confusion amongst the public and sometimes leads to people getting quite upset that they can't, as everyone believes, just come in and register at any time. She accepted that if we had a situation where people remained permanently on the register then there could be a periodic audit alongside information coming from different sources about people moving house. She pointed out that that actually could be a lot more efficient because currently what in effect is the annual process of registration is all attempted in a two or three month period whereas if they had a static register updated for removals, audit could be done at different times of the year, spread across the year, enabling them to concentrate in detail on particular areas and be far more effective.

6. She was in favour of using other sources of information about removals including Inland Revenue, National Insurance, citizenship ceremonies where people change their nationality and therefore become eligible to vote, and then eventually ID cards as well.

7. Sheffield now uses a facility for people to confirm registration by telephone where there haven't been any changes in the household. She said that 30,000 households had done that this year. That is 20% of the people registering.

8. With regard to postal votes she confirmed that quite a few people who ticked a box applying for a postal vote application form never returned them. Though she had some reservations about it because she thought people would do it too simplistically without necessarily understanding, this might confirm the need for simply ticking a box on a registration form to decide to vote by post rather than applying for a form. Interestingly she said that when the poll card goes out for the general election people will be able to apply for a postal vote — there will actually be a postal vote application on the poll card which people will be able to send back. They won't have a lot of time to do it but it did seem to me quite a new innovation which was probably worthy of support.

9. I know in the past that Westminster Council have sent out a poll card when the new register is published to confirm who is actually on the register at each house. I think they probably get a large number of people complaining that the card has come to someone completely different from the people who live there. I understand that Rotherham Council are also going to do that on this occasion and it might be interesting to monitor precisely what impact that particular procedure has.

10. In terms of being able to vote immediately prior to the election, she was quite relaxed about that as she said that with everything on the computer these days it is relatively easy to register people. As things stand people will have to register by 11 March for a 5 May election. That is going to leave a lot of people very disappointed.

I am sending to you under separate cover copies of the forms returned by ward and constituency. It is very interesting to look at the variation between the Dore & Totley ward, which has the only conservative councillors in Sheffield and has a Forms Returned rate of 89.8%, compared to Burngreave ward (56.84%) which has a large number of private rented houses, or Manor Castle Ward which has had less than two-thirds of forms returned. Both Burngreave and Manor Castle wards are amongst the poorest wards in the city, whereas Dore & Totley ward is amongst the more affluent. In political terms you can almost guarantee, with the exception of Central which has some peculiarities, the percentage of the Labour vote being inverse to the percentage of forms returned.

I hope these notes are helpful on one or two of the practical issues which currently exist on the ground.

Clive Betts

MP for Sheffield Attercliffe

February 2005

Formal minutes

Wednesday 16 March 2005

The Constitutional Affairs Committee and the Committee on the Office of the Deputy Prime Minister met concurrently, pursuant to Standing Order No. 137A.

Members present:

*Constitutional Affairs
Committee*

*Committee on the Office of the
Deputy Prime Minister*

Mr A J Beith
Peter Bottomley
Mrs Ann Cryer
Dr Alan Whitehead

Andrew Bennett
Mr Clive Betts
Mr David Clelland
Chris Mole
Mr Bill O' Brien
Christine Russell

Andrew Bennett was called to the Chair, pursuant to Standing Order No. 137A (1)(d).

The Committees deliberated, pursuant to Standing Order No. 137A (1)(b).

Draft Report (Electoral Registration), proposed by the Chairman, brought up and read.

Ordered, That the Chairman's draft Report be considered concurrently, pursuant to Standing Order No. 137A (1)(c).

Ordered, That the Chairman's draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 139 read and agreed to.

Summary read and agreed to.

Conclusions and recommendations read and agreed to.

Appendices read and agreed to.

CONSTITUTIONAL AFFAIRS COMMITTEE

The Committee on the Office of the Deputy Prime Minister withdrew.

Mr A J Beith , in the Chair

Peter Bottomley
Mrs Ann Cryer

Dr Alan Whitehead

Resolved, That the draft Report (Electoral Registration), prepared by the Constitutional Affairs Committee and the Committee on the Office of the Deputy Prime Minister, be the Sixth Report of the Committee to the House.

Ordered, That the Appendices to the Minutes of Evidence taken before the Committee be reported to the House.

Ordered, That the provisions of Standing Order No. 137 A (2) be applied to the Report.

Ordered, That the provisions of Standing Order No. 134 be applied to the Report.

Ordered, That Andrew Bennett do make the Joint Report to the House.

COMMITTEE ON THE OFFICE OF THE DEPUTY PRIME MINISTER

The Constitutional Affairs Committee withdrew.

Andrew Bennett , in the Chair

Mr Clive Betts

Mr Bill O' Brien

Mr David Clelland

Christine Russell

Chris Mole

Resolved, That the draft Report (Electoral Registration), prepared by the Constitutional Affairs Committee and the Committee on the Office of the Deputy Prime Minister, be the Sixth Report of the Committee to the House.

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Ordered, That the provisions of Standing Order No. 137 A (2) be applied to the Report.

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Ordered, That Andrew Bennett do make the Joint Report to the House.

Witnesses

Electoral Registration: Oral and Supplementary Written Evidence will be published on Monday 4 April 2005 as HC 243-III, Session 2004-05

Tuesday 25 January 2005

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Mr Sam Younger , Chairman and Ms Pamela Gordon , Commissioner, Electoral Commission	Ev 1
Mr Francis Aldhouse , Deputy Information Commissioner and Mr Jonathan Bamford , Assistant Commissioner, Information Commissioner	Ev 10
Mr David Simpson , Head of Compliance and Data Protection, Conservative Party	Ev 16
Mr Peter Watt , Head of the Constitutional and Legal Unit, Labour Party	Ev 16
Mr Mark Pack , Internet and Communications Officer, Liberal Democrats	Ev 16

Tuesday 1 February 2005

Mr Nicholas Russell , Campaigns Officer, Royal National Institute of the Blind (RNIB)	Ev 25
Mr Simon Wooley , National Co-ordinator, Operation Black Vote	Ev 25
Mr Jules Mason , Head of Citizenship and Development, British Youth Council	Ev 25
Mr David Sinclair , Social Inclusion Manager, Help the Aged	Ev 25
Mr Malcolm Dumper , Executive Director, Association of Electoral Administrators (AEA)	Ev 31
Mr Michael Lithgow , Scottish Assessors' Association	Ev 31
Mr David Monks , Chief Executive of Huntingdonshire District Council and Chairman of SOLACE Electoral Matters Panel	Ev 31

Monday 7 February 2005

Mr Nick Raynsford , a Member of the House, Minister for Local and Regional Government and Fire, and Mr Paul Rowsell , Divisional Manager, Democracy and Local Government, Office of the Deputy Prime Minister	Ev 42
Mr Christopher Leslie , a Member of the House, Parliamentary Under-Secretary, Department for Constitutional Affairs	Ev 42

List of supplementary written evidence

Memoranda VOT 01 to VOT 36 were published as *Electoral Registration: Written Evidence*, HC 243-II, Session 2004-05

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Graham Allen MP (VOT 39)	Ev 59
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