<u>Written evidence submitted by Professor Toby S. James, Professor of Politics and Public Policy, University of East Anglia (PCB05)</u>

<u>Submission of written evidence to the Public Committee Stage of the</u>

<u>Parliamentary Constituencies Bill 2019-21</u>

Introduction

I am Professor of Politics and Public Policy at the University of East Anglia and an expert on electoral administration and management. I have served as an advisor or expert witness to several parliamentary committees in Scotland, Wales and Westminster. I was the lead author of the cross-party report on *Missing Millions, Still Missing*[1] and *Is it Time for Automatic Voter Registration in the UK*, commissioned by the Joseph Rowntree Reform Trust. [2]

Summary

1. The Parliamentary Constituencies Bill 2019-21 was introduced in May 2020. It will give the Boundary Commissions their statutory basis, governs the constituency boundary review process and sets the Rules of Redistribution that the Commissions must follow. The bill specifies that the boundaries will be based on the number of registered electorates as of 1 December 2020. This submission of evidence would like to draw parliamentarians to the problem of using this source of information to compile the boundaries. **It is proposed that mid-year population estimates or the electoral register from 1 December 2019 is used instead. Measures should also be put in place to improve the completeness of the electoral register.**

Criteria for evaluating data sources

2. The underlying data that is used to compile the electoral boundaries is of critical importance to parliamentary democracy. The data must be:

   a) **Complete:** all eligible electors who are able to vote in a parliamentary election should be included in the register. If this is not the case, then the parliamentary boundaries will be drawn imprecisely.
   b) **Accurate:** the data should involve no false entries – people appearing twice or those who are ineligible to vote, as this would also lead to imprecise boundaries.
   c) **Representative:** the information should be representative of all eligible electors. Perfect accuracy and completeness might be difficult to achieve, but there should be no group that are more represented in the data than others. If this was to occur, then some groups would be more represented in parliament than others. Unrepresentative data would lead to *unfair boundaries*.

---

[1] Toby S. James, Bite the Ballot and Alistair Clark (2019) *Missing Millions, Still Missing: a vision for electoral modernisation in the UK*. The All-Party Parliamentary Group on Voter Registration: London, August 2019.
[2] Toby James and Paul Bernal (2020) Is it Time for Automatic Voter Registration in the UK?. Joseph Rowntree Reform Trust.

Options for data sources

3. Electoral boundaries in other countries are usually drawn using:

a) **Population register.** The data source that is used to compile electoral registers in many countries is the civil population register. There is no such register in the UK, however, so alternative sources must be used.

b) **Population estimates.** Mid-year population estimates can instead be used and are generated by the Office for National Statistics. This is a viable alternative in the UK and has the advantage of being regularly updated.

c) **Electoral registers.** Electoral registers could alternatively be used – but will only be a viable source where they are both accurate and complete.

Current proposals

4. The Bill originally required parliamentary seats to be based on the electoral register from 1 December 2020, but the minister has since stated that the register from the 2nd March 2020 will be used.[3]

Why the electoral register should not be used

5. The electoral register has seen a long-term decline in levels of completeness in the UK. My research has shown that this was accelerated by the introduction of individual electoral registration. This had a particularly negative effect on completeness of the register of young people and students who would have previously had their parents or university register them on their behalf.[4] The latest estimates from the Electoral Commission were that there was between 8.3 and 9.4 million people in Great Britain who were eligible to be on the local government registers were not correctly registered on the December 2018 registers.[5] A similar number will be missing from the parliamentary register.

6. Studies have shown that the register disproportionately misses citizens from specific groups (Table 1): younger citizens, private renters, EU and Commonwealth citizens, British citizens of Black and Asian ethnicity, those living in London and other urban areas, lower socio-economic groups and less educated citizens.[6]

---

[3] Written statement HCWS278, 9 June 2020.
[4] Toby S. James (2020), Comparative Electoral Management: Performance, Networks and Instruments (Routledge: London and New York).
[5] https://www.electoralcommission.org.uk/who-we-are-and-what-we-do/our-views-and-research/our-research/accuracy-and-completeness-electoral-registers/2019-report-2018-electoral-registers-great-britain/completeness-great-britain
[6] Toby James and Paul Bernal (2020) Is it Time for Automatic Voter Registration in the UK?. Joseph Rowntree Reform Trust.

	Lowest	Highest	Gap
Age	16 and 17 year olds (25%)	65+ (94%)	69
Length of residence	Moved within last year (36%)	Remained in property for 16 years (92%)	56
Housing tenure	Private renters (58%)	Own outright (91%)	33
Nationality	Commonwealth (62%) EU (54%)	UK and Irish (86%)	32
Ethnicity	'Other' (62%) Black (75%) Asian (76%)	White (84%)	22
Disability	Mental disability (82%)	Physical disability/condition (92%)	10
Local authority type	London borough (76%)	Metropolitan Borough (86%)	10
Socio-economic group	DE households (80%)	AB households (86%)	6
Highest qualification	GCSE (81%)	BTEC (86%)	5
Urban/rural	Urban (83%)	Rural (85%)	2

Table 1: Estimates of the completeness of the local government electoral register, ranked by gap. Source: James and Bernal (2020), based on data from the Electoral Commission.

7. Electoral registration has become increasingly 'seasonal'. The annual canvass has become much less effective at registering citizens. The availability of continuous registration and online registration have instead led to major surges in registration rates immediately before major electoral events.[7] Electoral registers are therefore most complete at election time.

8. The minister's announcement to use the March 2020 electoral register is problematic because there it came at a time where there would not have been a rush of names onto the electoral register. The electoral register would have been likely to be most accurate and complete on 1 December 2019 since it was days before the 2019 general election.

9. The COVID-19 crisis is likely to make many electoral registration activities impractical during 2020 and 2021. Many countries have abandoned their electoral registration activities entirely as a result of the COVID-19 pandemic because it is unsafe for canvassers to travel to properties.[8] There might not therefore be an opportunity for a more accurate and complete register than the 1 December 2019 register.

10. It is therefore recommended that:
    a. The UK parliamentary electoral register should therefore not be used to draw electoral boundaries because this would reduce the representation of younger citizens, BAME citizens, Commonwealth citizens, poorer citizens and citizens living in urban areas.
    b. If the electoral register is to be used, then it should be used from a moment when electoral registration is most complete. This is most likely to be 1 December 2019.

---

[7] Toby James Chris Rennard and Oliver Sidorczuk (2016) 'Let's stop the last minute registration rush: It's time for a complete and inclusive electoral register for Britain,' *Democratic Audit*, 3rd June 2016.
[8] Toby S. James and Sead Alihodzic (2020) 'When is it democratic to postpone an election? Elections during natural disasters, COVID-19 and emergency situations' working paper.

Measures to improve the completeness of the electoral register

11. If the electoral register is to be architecture of the parliamentary constituencies for the House of Commons for this and future reviews, then steps will also need to be taken to improve the completeness of the electoral register in the long run. There will otherwise be a disproportionately negative effect on the groups identified.

12. A recent report commissioned by the Joseph Rowntree Reform Trust set out measures that could introduce this long-term accuracy. These include:
    a) The automatic registration of citizens when they receive their National Insurance Number ahead of their 16th birthday
    b) Providing citizens opportunities to register to vote when they access other government service – such as the DVLA, Universal Credit or the Student Loan Company.

Recommendations

13. It is recommended that the Bill is amended so that:

- **Amendment #1:** The parliamentary constituencies are drawn from mid-year population estimates rather than electoral register**.**

Should the electoral register be used then:

- **Amendment #2** the 1 December 2019 register should be used

Provisions should be put into law to increase the completeness of the electoral register namely,

- **Amendment #3** The automatic registration of citizens when they receive their National Insurance Number ahead of their 16th birthday
- **Amendment #4** Providing citizens opportunities to register to vote when they access others government service – such as the DVLA, Student Loan Company.

June 2020