
Compulsory voting

Compulsory voting is not part of UK electoral law, nor has it ever been. Registration is, however, effectively compulsory as it is an offence not to be registered. Debates about the merits of introducing compulsory voting in the UK arise periodically, especially in recent years, when turnout at elections is falling.

The debate in the UK

In a MORI survey carried out for the Electoral Commission after the 2001 UK Parliamentary general election¹ campaign, the most frequent response given to the question 'how could turnout be improved?' was compulsory voting. However the electorate appears to be undecided on the issue, with slightly more opposing the suggestion than supporting it (49% against 47%). Advocates of compulsory voting argue that it raises turnout, makes elections more representative and relieves parties of the task of 'getting out the vote' thus enabling them to concentrate on the issues, encourages a more informed debate, raises levels of political awareness and subtly encourages public participation in other forms of public and political activity. Opponents object that it would be contrary to British political culture, unpopular, wrong in principle (the right to vote implies the right not to vote), difficult to enforce, and encourage ill-considered votes to be cast by reluctant or apathetic voters.

After the 1997 general election,

the UK Government expressed a firm commitment to the renewal of the democratic process and set up a working party on electoral procedures to examine a wide-ranging programme of electoral arrangements. However, the working party's terms of reference did not cover compulsory voting.

George Howarth, then Minister responsible for electoral matters, informed the Home Affairs Select Committee in 1998 that although the Government had no plans to consider any scheme of compulsory voting, such a scheme could not be ruled out and if a debate in its favour was mounted 'we would have to consider it'.

On 27 November 2001 the Labour MP Gareth Thomas introduced a private members' bill to make voting compulsory at Parliamentary elections. The Bill was read for the first time but did not proceed further.

In July 2005 Geoff Hoon MP, speaking in a personal capacity, endorsed the introduction of compulsory voting as a way of addressing political alienation, restoring a sense of community

and confronting the issue of serial non-voters. In response, Oliver Heald MP said 'There is little support to make it a criminal offence not to vote... the police have better things to do. The challenge is for politicians to excite electors with their ideas.'

What happens in other countries?

Voting is compulsory in a number of countries including Australia, Belgium, Cyprus, Greece, Luxembourg and Brazil. The Home Affairs Select Committee's fourth report *Electoral Law and Administration* (1998) commented that although the obligation to vote introduced in these countries is often referred to as 'compulsory voting', the elector is only compelled to return a ballot paper, which can be left blank.

Non-voters face a mixture of penalties, principally fines. Those countries that have adopted compulsory voting have registration systems that are as comprehensive as possible and the voting process is relatively easy. In Australia and Western Europe, statistics for recent elections reveal that total votes as a percentage of the electorate vary between 76% and 95%, and spoiled ballot papers as a percentage of total votes cast vary between 2.8% and 7.8%.

In a number of countries with compulsory voting, the law is not rigorously applied. For example, in Greece turnout at elections is about 75% but the imprisonment penalty for non-voting does not seem to be generally enforced. Public

awareness of the legal requirement appears to be sufficient in itself to secure general compliance.

Australia

Voting is compulsory, but in practice this means compulsory attendance at the polling station, as voters cannot be forced to complete a ballot paper. The provision for compulsory voting is longstanding, dating from 1924, and welcomed by political parties who do not have to use resources to persuade people to vote. The 'alternative vote' system is used in the lower house and electors must complete all preferences for the vote to be valid. Proportional representation is used in elections to the Senate.

Non-voters are required to provide a valid explanation; most do and this is usually accepted. Valid explanations might include being overseas, trying to vote but failing for some reason, or belonging to a religious order which prohibits voting.

After the 1993 election, 500,000 cases of non-voting were investigated. 23,320 of these (5% of the non-voters) chose to pay the fine for non-attendance of \$A20 (£7.20) at once. The vast majority (94%) of non-voters gave valid explanations as to why they did not vote. The remaining 1% were taken to court where the fine increased to \$A50 (£18). This means that the maximum number of non-voters who were fined in 1993 was 27,732, or 0.2% of the electorate, most of whom paid the \$A20 on-the-spot fine.

A national survey carried out by Newspoll Market Research on 3 March 1996 revealed that 74% of respondents supported compulsory voting at federal elections. At the 2001 Australian federal election, 95.4% of the electorate voted and only 4.8% of ballot papers were spoiled.

Belgium

Voters are obliged to enter the polling booth but do not have to mark a ballot paper. The names of voters who do not attend polling stations are sent to the office of the public prosecutor. Voters may give an explanation for non-attendance to a local judge, who will usually accept medically certified illness, a documented absence abroad or an 'act of God'.

A first offence receives a small fine and this can be increased up to a maximum of €125 (about £85) for repeat offenders. Repeat offenders are barred from the electoral list for 10 years and are not eligible during that time for any nomination, distinction or promotion by a public authority.

Positive abstention

Among proponents of compulsory voting, it is sometimes argued that it would be necessary or desirable to offer voters the opportunity to register an abstention ('none of the above') if compulsory voting were to be introduced. It is interesting to note that countries with compulsory voting usually require voters to attend a polling station but once there they can spoil their ballot paper, abstain or refuse to put the paper in the ballot box; blank ballot papers or a special box are sometimes

provided for voters who do not wish to cast a vote for any of the candidates.

Conclusion

In its 1998 report *Electoral Law and Administration*, the Home Affairs Select Committee concluded that while it may not be desirable to have any form of compulsory voting, there should be a public debate on this subject, bearing in mind the much higher rate of voting in democracies where such a system exists. The then Home Secretary, Jack Straw, welcomed this recommendation.

It is the Electoral Commission's view that compulsory voting is just one of several possible innovations which have been put forward to address declining electoral turnout and public disengagement with politics and elections. It is clear from the available evidence that compulsory voting both increases aggregate turnout and reduces the variation in turnout rates among different groups. However, whether compulsory voting can provide sufficient quality of engagement and participation is arguable and this is widely debated by academics and government officials in countries with compulsory voting, as well as those without it. The available evidence does suggest that compulsion is of limited use in improving public knowledge of politics or in increasing political engagement.

Publications

The Electoral Commission, *Compulsory voting around the world* (2006)

Home Affairs Select Committee, *Electoral Law and Administration, Fourth Report* (1998)

Contacts

Inter-Parliamentary Union Parline database, www.ipu.org

Votes for All – Fabian Society, www.fabian-society.org.uk

1 Hereafter referred to as the general election.

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