

Lords debate on Government policy on electoral registration - Lord Wills

12 January 2012

The Electoral Commission welcomes the debate on Government policy on electoral registration, in the name of Lord Wills, scheduled for Thursday 12 January in the House of Lords.

The Commission supports the introduction of IER. We believe that it is the right thing to do because the current system is vulnerable to fraud; and it is right that people take responsibility for their own votes. The 'household' registration system means there is no personal ownership by citizens of a fundamental aspect of their participation in our democracy - their right to vote. This is too important for it to be left to anybody other than the individual.

IER needs to be implemented in a way that puts the voter first. It will be a significant change for people and so we want to be sure that the system is introduced in such a way as to maximise accuracy and completeness of the electoral registers.

The Electoral Commission's views on these proposals

The Commission is pleased that there has been so much scrutiny of the Government's proposals, on which there has been a period of pre-legislative consultation. We have given [oral](#) and [written](#) evidence to the Political and Constitutional Reform Committee and submitted a [response](#) to the Government's White Paper on IER. In all of these we have set out our views on the Government's current plans and made a number of recommendations concerning the implementation of IER, the most important of which are highlighted below, and which Peers might find useful in advance of the debate on Thursday 12 January.

The "opt-out" proposal has attracted considerable interest from Parliamentarians and the media and we are pleased that this proposal has received scrutiny. However, there are a number of other important aspects of the Government's proposals for IER that should also be considered to ensure this fundamental change in electoral registration is implemented properly.

We have argued that the UK Government and UK Parliament:

- Should require Electoral Registration Officers (EROs) to run **a full household canvass in 2014**, which should also be used to explain to electors that the system is changing. This should be followed as soon as practicable by a

separate process of collecting identifying information from each elector identified as eligible in that canvass.

- **Should not pursue the proposal to “opt-out”**, to allow a person to respond to an invitation to register by indicating that they do not wish to be chased.
- Should publish a **detailed implementation plan** at the same time as they introduce legislation on IER to the UK Parliament.
- Should consider how to ensure that the **change is delivered consistently**, and that electors receive a consistent service, across Great Britain. In particular, they should consider our proposal that the Commission should be given a power to intervene where necessary, to ensure that EROs take steps to meet agreed performance standards.
- Should **ensure that sufficient funding is available** for the activities involved in implementing the change from household to individual electoral registration.

We are pleased that the Political and Constitutional Reform Committee, which conducted an inquiry into the Government’s proposals, carefully considered our recommendations and has supported many of them, as set out in its [report](#) published in November 2011. We have set out below in more detail, our concerns about the two most significant changes that the legislation will bring about as it currently proposed. We await the Government’s response to pre-legislative consultation and the introduction of the Bill into Parliament.

“Opt-out” proposal

The Commission has significant concerns about the Government’s “opt-out” proposal. We do not want to see a move away from the current approach - where electoral registration, though not compulsory, is regarded as an important civic duty - without further debate.

The register performs important civic functions, beyond enabling us to vote, which are also important in a democracy. It ensures that the public are counted for the purposes of representation and drawing boundaries; it ensures that political parties and candidates can contact electors and try to persuade them to vote; it is the register from which potential jurors are drawn; and it also used for credit reference checks, and for the prevention of fraud.

In our evidence to the PCR Committee, and our response to the White Paper, we raised concerns that the Government’s position on “opt-out” may lead to a drop in registration levels, which could have serious consequences for our wider civic processes.

We welcome the fact that both the Deputy Prime Minister and Minister for Political and Constitutional Reform have expressed sympathy with our concerns and have indicated their intention to look again at this proposal. Great Britain has traditionally had a relatively high rate of electoral registration and the Commission would not wish to see any changes which have the potential to threaten that. We will continue to keep this issue under scrutiny.

We are particularly glad to see the PCR Committee has recognised the strength of our concerns about the proposed registration 'opt out'. **We want the Government to give this cross-party report serious consideration and make improvements to the legislation before it is introduced to Parliament.**

2014 Annual Canvass – maintaining completeness of the register

The Government's proposed approach to building electoral registers for the first time under IER in 2014 carries too great a risk of 'missing' people who are not already on an electoral register, or those who have moved since the previous canvass. The Government should amend its approach to this aspect of implementation.

The starting point for the transition to IER must be a list of electors that is, as far as is possible, accurate, up-to-date and complete. Using the 1 December 2013 register (as updated monthly from 1 January to 1 July 2014) as the basis for an individual write-out from 1 July 2014 will not achieve this; as the White Paper Impact Assessment notes, 'approximately 20% of people eligible to re-register under IER may not be invited to register individually under the first write-out in 2014'. The measures mentioned in the White Paper to mitigate this problem are unlikely to be sufficient. The Government should therefore abandon this proposal.

We have recommended that Electoral Registration Officers conduct a full canvass in 2014. In our response to the White Paper, we have set out a number of different ways that this could be done, which should address concerns the Government has about cost and delivery. These are:

1. Running a full household canvass in autumn 2014 and sending IER forms immediately to everyone listed on the household canvass return.
2. Sending IER forms out to everyone listed on the 1 December 2013 electoral register in January 2014, i.e. when the register will be at its most accurate. Then conduct a further canvass in autumn 2014.
3. Postponing the 2013 household canvass to spring 2014, followed in July 2014 with the collection of identifying information, with the advantage that this would be based on a more up to date register.

We are encouraged that the PCR Committee has supported our recommendation in its report on IER and that it recommends that, given the unique circumstances for the change to IER, the Government should reconsider its decision not to hold a full household canvass in 2014.

Research into the electoral registers in Great Britain

The Electoral Commission has published a [report](#) on new research that it has conducted into the electoral registers across Great Britain. This research, which was supported by funding from the Cabinet Office, provides the first national estimates of the completeness of the electoral registers in England and Wales since 2000, as well as the first estimates of the accuracy of registers in Great Britain since 1980.

The new research confirms that the percentage of people missing from the registers has grown since the last comparable estimate ten years ago: it suggests that around 13-15 per cent of eligible people in Great Britain may not have been registered after the annual household canvass activity in autumn 2010 - compared to some 8-9 per cent after the 2000 canvass. In absolute terms, these percentages correspond to at least 6 million people found to be unregistered at the end of 2010, compared to just under 4 million people at the end of 2000.

The evidence in this new report underlines the need for all of us who care about democracy in the UK to re-double our efforts to increase the number of eligible people who are registered to vote. This report shows that almost half of those not registered mistakenly think they are, and more needs to be done to address this.

Great Britain is soon to begin a significant change to the way electoral registers are compiled and managed, by moving to IER. The evidence and analysis presented in this report highlights the challenges we face. The Commission has recommended a number of important and practical steps that the Government needs to take to ensure IER is introduced successfully, including in particular ensuring that there is a full and reliable annual canvass in 2014, the first year of the transition, and that the gap between this canvass and the individual invitation to register is as short as possible.

We will be carrying out further research in 2013, to give a picture of levels of registration before the implementation of IER begins. This will form part of our wider programme of research into electoral registration changes, which the report sets out in more detail.

The Commission's role in IER

We want to ensure that the UK Parliament is able to draw on robust evidence about the implementation of IER. As the independent expert body, we will:

- develop and deliver a programme of research to support scrutiny and assessment of the impact of these changes;
- evaluate the Government's data matching schemes to assess the extent to which they improve the quality of the electoral register;
- support the Government, EROs and others to ensure that a clear and robust plan is developed for implementing individual registration;
- provide guidance and support to help electoral registration officers collect personal identifiers and monitor and report on their performance; and,
- develop and coordinate a programme of public awareness activity to ensure electors understand what they need to do under the new registration system.

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