

Our initial reaction to the Government's Response to the pre-legislative scrutiny of Individual Electoral Registration

The Government has today responded to the pre-legislative scrutiny of its proposals for Individual Electoral Registration (IER). The Commission is pleased that there has been so much scrutiny of the Government's proposals since the White Paper was published in June last year. The move to individual electoral registration is the right way forward, and must be done properly. A clear and detailed implementation plan is essential in order for this significant change to electoral registration to be brought about effectively. It is clear from the Government's response today that many key decisions still need to be made. Time is short if the Government's target date of 2015 is to be achieved.

As part of the pre-legislative process, we have given [oral](#) and [written](#) evidence to the Political and Constitutional Reform Committee and submitted a [response](#) to the Government's White Paper. 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 Government has now responded to these recommendations and below are our initial reactions to its response.

2014 annual canvass:

We are pleased the Government has recognised our concerns that the transition to IER needs to be based on the most complete and accurate registers possible, and that it has therefore proposed to move the autumn 2013 canvass to spring 2014. However because the quality of registers deteriorates by 1% each month following a canvass, the Government needs to ensure that the gap between the canvass and the write out to electors, to explain that the system is changing, is as short as possible. We therefore recommend that the write out starts on 1 July 2014, rather than being delayed until September 2014. The Government has still not made a clear decision on this timing.

It is also essential that activities for the introduction of IER take account of any elections or referendums taking place around the same time, such as the referendum proposed by the Scottish Government for autumn 2014.

Opt-out:

Although the Government has listened to concerns regarding the "opt-out", it has not made a clear commitment to drop this proposal. The Commission remains opposed to

any suggestion that people should be allowed to disengage with the registration process. We want the Government to recognise the widespread concern evidenced in pre-legislative scrutiny and drop the idea of an opt-out altogether.

We are also pleased that the Government has agreed with our recommendation to give consideration to the introduction of a civil penalty, that we believe could be applied by the ERO in circumstances where an individual has been particularly obstructive or uncooperative in responding to an invitation to register. We believe that the threat of sanctions may encourage people to register and should continue to form part of a system which reflects the principle of electoral registration as a civic duty.

Implementation plan:

It is essential that the Government publishes a detailed implementation plan as soon as possible. The “timeline” published today is not sufficient to show electoral administrators and others what needs to be done to deliver the change to IER.

We recommended in our White Paper response that this should be published by December 2011. We remain deeply concerned that the Government is yet to explain to electoral administrators, the Commission, political parties involved in the process of registration how these significant changes will need to be implemented.

In order for IER to be implemented by Dec 2015 (as current Government plans indicate) a detailed implementation plan needs to be published by March 2012. This is something the Government can and should be doing before the Bill is introduced to Parliament.

Simplifying the process for citizens

The Government has also set out new proposals in its response today to simplify the process for citizens through Data-Matching for the transition to IER.

If there is an opportunity to make the registration process easier for voters, without losing the key benefits of improving the completeness and accuracy of registers, then this should be fully explored. However, this new proposal has not been subject to thorough scrutiny and the Commission’s evaluation report on data-matching pilots (due to be published 1 March) must be considered alongside these proposals.

Any new proposal must deliver the key IER principles which are:

- The system should not prevent anyone who is eligible to take part in elections in Great Britain from registering to vote.
- The system should ensure that anyone who is not eligible to vote is not included in an electoral register.
- These changes to the system should be easily explained to, and understood by, electors.
- The system should ensure that all personal data is properly managed and protected.

- The system should be capable of being implemented efficiently and without a detrimental impact on the existing duties and responsibilities of EROs.

Change is delivered consistently:

IER must be delivered in a consistent and effective way across Great Britain, and it must put the interests of the voter first. The Government has not supported the PCRC and Commission recommendation to give us powers to intervene to ensure consistent delivery of IER. However, the Government has set out how the transition to IER will be supported and monitored. It is important that the process is outcomes focused. This means that the Government needs to be clear how it will support those involved in the transition to IER, and ensure its interventions are accepted.

Funding:

Resources need to be focused on the outcomes of IER, not the process. It will also be important that funding gets to those who need it, to ensure implementation is consistent and effective. The Government is yet to explain how funding will be allocated: we remain of the view that this funding should be ring-fenced.

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