

# “Every voter counts – completing the journey to democratic equality”

**Jenny Watson, Electoral Commission (Chair)  
University of Liverpool (18 March 2010)**

## Introduction

Good afternoon.

I'd like to start by thanking the School for inviting me here to speak today. It's an honour to be part of this series of important lectures.

And a timely opportunity too.

We are, of course, just weeks away from a general election. So I welcome the chance to reflect on our current democratic system, how it's improved over the years, and what further changes we at the Electoral Commission, and I suspect all of us, still want to see if we are going to achieve true democratic equality.

The impending election has, as ever, focused attention on Westminster. And there's been plenty of debate in recent months about whether Parliament is properly representative of the society its members are drawn from.

The simple answer is, of course, no.

Eighty-one years after Eleanor Rathbone took her seat in Westminster – one of just 14 women in the House of Commons at the time – there are still only 126 women MPs – less than twenty per cent.

And only 15 members from black or minority ethnic communities were elected in 2005.

A very small number describe themselves as having a disability.

Parliament itself isn't unconcerned about these rather depressing facts.

The Speaker's Conference was set up just over a year ago, specifically to address the disparity between the number of women, gay people, people from ethnic minorities and people with disabilities in Parliament, compared to the population at large.

It published its final report in January, and the Government has now responded.

In addition, all the main parties have explicitly stated they are committed to tackling the under-representation of certain groups.

They will, of course, adopt different approaches.

And they will have to weigh up other issues, such as the balance of control over the selection process between the centre and local parties – because of course a candidate put to the voters has already been chosen by the party.

But, interestingly, research by Professor Philip Cowley, who gave evidence to Speaker's Conference, showed that, actually, people are not as preoccupied with whether Parliament "looks like them" as we might expect.

For example, he found that many voters are more concerned that their MP is from their local area than whether they are a man or a woman.

The issues about who represents us, and if they are "representative", are not straightforward, and it's right that we debate them.

But today I want to address a different question.

Not: "Does Parliament look like the people it represents?"

But: "What does the democratic process look like to the people it's there for?"

Usually that means conversation about lots of exciting constitutional change. But I want to focus on something just as important but less glamorous: electoral administration itself.

## What does democracy mean?

So let's start at the beginning, and ask ourselves "What does 'democracy' mean?"

Well, it has meant many things in different times and places. And, of course, it's about more than just elections.

The 1884 Reform Act extended the right to vote about 5 million people, all of whom were men.

And back when Eleanor Rathbone was first elected to the council here in Liverpool, people would hardly have hesitated to call Britain a "democracy", even though less than half the adult population were actually allowed to go to the polls.

It wasn't until 1918 that women got the vote, and then only if they were over the age of 30 and they or their husband met a property qualification.

Universal suffrage for all adults over 21 wasn't achieved until 1928. And in 1969 that the voting age was lowered to 18 where it's remained.

We've come along way since then. But not as far as we might think, or hope.

Even today, we're running 21st century elections with 19th century structures. This isn't something that's usually talked about as people focus on the election campaign, policies and personalities. But we need to get the foundations right before we can be confident the system really does work for voters.

Look at the way we currently register to vote, for instance.

We do this by "household", using a model left over from an era when someone who would have been called the "head of the household" is effectively able to influence who else gets to vote.

Thankfully, and after much lobbying from the Commission and many others, this is set to change in the next few years, with the introduction of Individual Electoral Registration.

This will mean that for the first time every individual takes personal responsibility for registering themselves to vote.

This will, hopefully, give us a register that is fuller, and more accurate. But, importantly, one that's fairer – reflecting reality for those who live in flat or house shares, in bedsits, student accommodation or residential care.

And for young people, many of whom at the moment will rely on their parents to register them.

Registration by household was brought in in a different era. And it belongs to a different era.

But there are other issues that we still need to address. Like the huge changes in exactly how we cast our vote, and how often.

We now have postal voting on demand in Great Britain. And more frequent elections, with five different voting systems in use for elections to a range of different bodies across the UK. In Scotland if you're twenty-two voting in a general election for the first time, it will be the first election you've participated in that is first-past-the-post – European, local and elections to the Scottish Parliament all use different systems.

Yet we still rely on a system designed at a time when the vast majority of the population didn't have the right to vote. How can this work in an era when we

hope for mass participation – with 46 million electors – almost ten times as many as the five million in 1884?

We simply cannot carry on with the current structure in the long term. It doesn't benefit today's voter for us to do so. And it certainly will not benefit tomorrow's.

The Commission is almost ten years old. Think of a child born in 2000, the same year as us. When they turn 18, in 2018, what kind of democratic process will they inherit? A ballot paper and pencil in a draughty school hall? That's the sort of question that we at the Commission constantly have to ask ourselves.

## What do we expect from democracy?

Which brings me to my next question.

What should we expect of our democracy in modern Britain?

Well, as I see it, at its simplest, there are two main requirements:

- One, that everyone who is eligible to vote is on the electoral register (and, conversely, no-one is registered who shouldn't be).
- And two, that everyone understands how to cast their vote, and the process is as accessible and secure as possible.

So, how are we doing on each of those?

## Everyone being registered to vote

Let's start at the beginning – with registration.

The electoral register is the foundation of the democratic process. It's the entry point to elections.

So it's vital registers are as complete and accurate as possible.

I mentioned earlier the advent of Individual Electoral Registration. This should help with accuracy, as everyone becomes responsible for their own registration.

At the moment, the forms come through your front door and someone can fill it in accurately for the whole house, or they might miss off people who should be registered. Your vote is too important to be left for anyone other than you to register.

But we need to address the problem of under-registration too.

There has never been a “golden age”; a time in which every single person eligible to vote was included on the register. The highest we’ve seen was around 95 per cent in the fifties and sixties.

And, indeed, given that only around 61 per cent of those eligible turned out at last election, it’s perhaps surprising that registration levels are as high as they are – at around 91 per cent today.

Maybe it doesn’t sound so bad. It’s certainly on a par with many countries with similar systems.

But, even at 91 per cent, this means that at least three and a half million people aren’t on the register.

And that’s not good enough for us. It shouldn’t be good enough for anybody.

We also have to look below the top-line figure, and see who, exactly, is missing.

We know from our own research that there are particular groups who are less likely to register. Young people, certain minority ethnic communities, service voters, home-movers.

We recently looked at eight council areas across Great Britain. And, while it’s not possible to reach national estimates from this snapshot in a small sample of authorities, some worrying patterns from our previous research are repeated.

For example:

- A massive 56 per cent of 17-24 year olds in our case study areas weren’t on the register.
- Nor were 31 per cent of eligible voters from black and minority ethnic communities.
- Almost 80% of those living at their present address for a year or less weren’t registered to vote.

In Liverpool about ten per cent may be missing from the register which could mean tens of thousands won’t be on the register who should be.

The legitimacy of our democracy is seriously threatened when so many people choose not to exercise their right to register to vote.

In any election it means the result may not be an accurate reflection of the will of the electorate. In one likely to be this close, its significance is even greater. Parties cater for those who do register and vote: why should they bother having policies aimed at voters at the start of their adult lives if few of them are registered? Is this democratic equality?

That's why the Commission works so hard on this.

We mail hundreds of thousands of people who've recently moved home to make sure they don't miss out on their chance to vote.

We're working with the Ministry of Defence and the Ministry of Justice to make it easier for everyone serving in Afghanistan to register and vote.

But we don't deliver elections. Returning Officers and Electoral Registration Officers are the people who run elections and are responsible for keeping a complete and accurate electoral register. They've got a very important and often over-looked role in helping deliver democratic equality.

We work with local authorities to help them do better on the ground, providing support and advice to Electoral Registration Officers on everything from the annual canvass to how they can use all the resources available to the local authority to maximize registration. Many do great work getting young people in their community on the register or using council records to target those likely to have been missed off. But there's still more that can be done – working harder to register people in schools and colleges, for example.

We recently published our second annual assessment on performance standards by Electoral Registration Officers (EROs) in 2009. The standards assess how effectively EROs are delivering their duty to maintain complete and accurate registers.

Our assessment shows that there has been some improvement across all the standards, but gaps in performance remain. Performance against the standards for participation – which measures the plans EROs have in place to promote electoral registration in their local community – was particularly weak: forty-one per cent of EROs across Great Britain failed to meet the standard.

We don't think this is good enough and have made that clear to EROs. We've asked every registration to make one final push before the general election. And we will be following up with those that didn't meet the standards to make sure we see further improvements during the year. Every local authority should take voter registration seriously: it's an important community service.

And we also want the next UK Government and Parliament to look at the way we deliver electoral registration, to ensure it better serves voters' needs. We need to look at ways of getting more co-ordination and leadership among the 379 local registration officers operating, in most part, in isolation from each other across Great Britain.

And we know the register may fall by around ten percentage points in between canvasses. So we need to ask fundamental questions about the timing of our annual canvass in the autumn, when elections are typically in the spring.

In the past few months we've also been working with charities and voluntary organisations through our grant programme.

And we run major TV, radio and online advertising campaigns as a last push to get people registered.

And they work. During the 2009 elections there were:

- over 12,000 calls to our elections hotline
- over half a million visits to the aboutmyvote website
- and almost 150,000 registration forms were accessed online or ordered via our helpline and text response services.

This year's national campaign will go live on 1 April. And we're hoping for even better results.

## Everyone being able to cast their vote

So registration is the foundation. But, of course, simply making sure people get their poll cards isn't the end of it.

### **Understanding how to vote**

Being able to vote also means understanding how to cast your vote.

For most people in this room, that probably seems like the simplest thing in the world.

But, to many people, the process is shrouded in mystery.

Like the woman who asked her MP if you had to pay to vote. Or the person who wondered what a polling station was like – and whether it was like a railway station.

It sounds funny, though of course it's not.

Surprising even.

But, when you look at what voters are faced with, you begin to understand.

For a start, we talk about elections in language that means very little to very many people: "Returning Officers, agents, presiding officers, proxy votes, tendered ballots."

And when you actually walk into a polling station, you're often confronted with is an extract from an obscure piece of legislation telling you all the offences you can commit. Not particularly welcoming or helpful to your average voter. Very rarely is there information to explain voting to you in simple words, with pictures, although this is something we at the Commission has previously produced and encouraged Returning Officers to display, and we will be doing so again at the General Election.

Of course, people don't need to understand all the ins and outs of the electoral process to feel able to participate in it. But we need to do more to demystify aspects of it.

That means clearer simpler instructions in polling stations – and on ballot papers. And help needs to be given to people who might encounter particular difficulties when they come to vote.

We provide guidance in our polling station handbook to presiding officers to help voters applying for a ballot paper. And we will provide information to disabled voters about their rights and what they can expect when they get to the polling station.

The voting process may need to be explained by the officer, and if the voter is unable to read, they may mark the ballot paper for them. Or you can also choose to bring a companion with you if they are a close relative or a qualified elector.

We have also been working through our grants programme with various charities that work with people with learning difficulties. Mencap's 'Count me in' project provided support to people with learning difficulties to help them become peer mentors.

As I'll say more about later, there's still long way to go with improving accessibility for everyone.

But a lot of problems come to some fairly basic questions about whether or not what voters – all voters - need has really been thought through at the start.

And I know people think problems with elections don't happen here.

But if we need a lesson in what can go wrong, we need look no further than the 2007 Scottish Parliament and local government elections.

In those polls:

- Over 60,000 regional votes were rejected.
- Nearly 86,000 constituency votes were rejected.
- And over 38,000 local government votes were rejected.

Many, because people had filled them in incorrectly.

So what went wrong in 2007?

Well, the independent report on those elections concluded that a badly designed ballot paper was part of the problem. And, in some electoral regions, this was compounded because instructions had been removed to make space for more candidate names.

The combination of elections with different voting systems and a range of factors, including political interventions in the planning process which delayed or confused decision making, led to some serious problems for voters on polling day.

But, to boil it down to one simple fact: the Scottish elections went wrong because the interests of voters weren't put first.

I think we sometimes forget who, exactly, elections are there to benefit in the first place.

We forget that they're not aimed at helping governments, or parties, or individual candidates.

They're there for voters. To give them a voice. To help them effect the change they want to see.

So, a huge part of my job is to encourage everyone involved in the process to remind themselves, "There's a voter at the end of this".

And get them to ask one simple question: "Is there a way we can make it work better for them?"

Since the Gould report into the 2007 Scottish elections, we have done research with voters, actually watching how they filled in ballot papers and postal voting statements during 'mock voting' tasks, and seeing what kind of mistakes they made.

Even some of the more experienced among our research group, including one man who said he voted regularly, made mistakes that would mean their vote might not be counted.

So we committed to producing a set of guidelines for the design of ballot papers and other election materials.

We published those guidelines – called “Making your Mark” – in October last year. They should help to ensure that we make the process of voting as straightforward as possible. If you can help us with this project – improving disability rights – please do.

## Accessibility

As well as understanding, there are also the question of accessibility.

And, at the moment, for large parts of our communities, voting can be anything but accessible. Barriers include physical access to polling stations and problems with elections materials for visually impaired people and those with low levels of literacy. This isn't, of course, confined to voters who would describe themselves as having a disability.

At the most recent elections in June 2009 ninety-eight per cent of people who voted at polling stations said they were happy with the process, but 17% of those who reported some form of disability said they found it difficult. A minority of polling stations, for example, remain very difficult or impossible to access by wheelchair.

Of course there has been progress, with changes in legislation meaning that local authorities must carry out a full assessment of polling stations at least every four years to ensure that as far as possible, all are accessible to disabled voters.

Returning officers are also required to display the enlarged copy of the ballot paper I mentioned earlier, as well as a hand-held copy on request, and a working tactile device.

Our Making your Mark campaign will help too.

And there are some examples of really good practice – disabled entrances well sign-posted with usable ramps and low polling booths for wheelchair users.

But we need to do a lot more.

That's why we're pushing for the option of voting, at a limited number of special polling stations, up to a week before polling day, to fit in with individual needs and lifestyles.

We also believe Returning Officers should be given statutory powers to use all accessible publicly or part-publicly owned buildings as polling stations.

And there's the possibility of e-voting one day. Although we cannot underestimate the challenges this will also bring.

Because “equality” doesn’t just mean having the right to vote. Or seeing more disabled people in the Commons.

It means making sure that everyone, disabled or not, and wherever they live, or work, can be confident that they are able to vote.

## Security

Not only that. But confident that they can vote in secret, and that that vote will be kept safe, so it can be counted.

This is of even greater significance in the climate of mistrust that prevails over politics at the moment.

Now, evidence suggests that fraud is relatively rare.

The May 2008 elections were free from major incidents. Police recorded 103 cases of alleged malpractice. That’s from a total of 16 million votes cast.

While the 2009 polls saw just 48 cases of alleged malpractice, from a total of 22 million votes. More than half of those cases which were investigated by the police required no further action, while so far two have resulted in successful prosecutions.

So fraud remains uncommon. But one case is one too many, and there’s no room for complacency. We will continue to monitor any cases of alleged electoral fraud during 2010, and updating information about investigations and any prosecutions from previous years.

That’s why we’ve been working closely with political parties, the police, Royal Mail and local authorities to ensure their staff are aware of everything they need to be doing.

Making sure that political parties know and follow all the rules on funding, and that their workers don’t offer to fill in ballot papers.

That councils have worked with the police to assess the risks at the polls and the count itself. And that they have plans in place for keeping the ballot boxes safe, particularly if they decide not to count until the following day.

In addition, I’d like to see returning officers checking the ID information for every single returned postal ballot, rather than just the minimum 20% which is currently required. In fact, I believe Parliament should make this mandatory, though the government has provided the funding needed to put it in place for the most recent elections.

There is some anecdotal evidence that people come under pressure to vote in a particular way from their family or community.

Clearly we'd take very seriously any evidence that this is happening. Everyone's vote is precious. Everyone's vote is their own.

It's important that people exercise their own vote freely and free from influence.

## Who is voting?

Now I want to turn to another aspect of the system: politics.

Up until now, much of what I've talked about has been about process: the mechanics and practicalities of getting people to the polls.

But, ultimately, people's willingness to take part in elections will come down to simple thing: do they feel they have a reason to vote?

Turnout is worryingly low. Just over 61 per cent at the last general, as I mentioned earlier. A slight improvement on 2001, but still 10 percentage points – and over four million votes – down on 1997. Which was itself a post-war low at the time.

And, as with registration, these topline figures mask a more worrying trend among certain groups. For example young people are generally far less likely to go to the polls than older people.

There are significant variations according to geographical area as well, with turnout in 2005 over 70% in some constituencies but falling as low as 41.5 per cent in Liverpool Riverside.

And there are further disparities according to ethnicity, occupational class, income and educational attainment.

Whatever voters' reasons for staying at home, this is not good for democracy.

Politics is not something we can do without, so we should be careful not to castigate those who take part in it.

The MPs expenses scandal raised important questions about what was happening, and it is right that the underlying issues have been tackled.

But I firmly believe, in fact I know, that most people who are in politics are in it for the right reasons.

Politics is the way we settle our differences peacefully as a society. At its simplest, it's how we agree to disagree. Parties represent competing interests and aggregate policies into manifestos so voters have a meaningful choice at elections. Volunteer activists are a very important part of this process.

So people need to have a stake in political parties, because after all parties are collections of individuals.

I started by saying that the question is not just about whether Parliament (and by implication our political parties) looks like the society it represents.

But that is something that they have to consider.

Unless people feel that political parties are representing and fighting for their interests, they won't be inclined to vote for them.

So we need to make sure that the system allows new entrants to the field. That's why we've said that any changes to the party funding system further down the line shouldn't entrench the status quo, or make it harder for new parties to be established.

And it's why we said in 2003 that we wanted to see the hurdles – in terms of deposits and subscribers – lowered, to make it easier for smaller parties and independent candidates to stand.

While they may not have the clout of the party machine behind them, independent voices are important in our politics too.

Eleanor Rathbone is a prime example: a pioneering independent voice, speaking out against appeasement and against British complacency about the Spanish Civil War, and pushing the government to publish evidence of the holocaust.

Her reputation was reputedly such that junior ministers and civil servants at the Foreign Office would duck behind pillars if they saw her coming.

And she didn't just speak out, she achieved real change too for the causes she believed in. She campaigned ceaselessly for what was then called Family Allowance, seeing the act pass into law the year before her death, in 1945.

So whether independent or through parties, politics matters. Parties have to convince people that they offer a chance to shape the society we live in for the better. That they have a stake in them.

## Conclusion

So. How far are we from democratic equality?

Well, in the UK today:

- Women constitute 52 per cent of the population.
- One in 13 people is from an ethnic minority.
- One in five declares some form of disability.
- Between six and nine per cent are lesbian, gay, bisexual or transgendered.

In Westminster the picture is very different.

- Eighty per cent of MPs are men.
- Ninety-eight per cent are what we tend to refer to as “White British”.
- Only a handful of members identify themselves as having a disability.
- There are few openly gay MPs.
- There is only one out lesbian in the membership of the Commons and Lords combined.
- And there has never been an Asian woman MP.

But how can we expect anything different when such large numbers from certain groups – especially young people and some black and minority ethnic communities – aren’t present as voters.

But the problem isn’t just the make-up of Parliament, equally important is changing the democratic process:

- So that everyone who is eligible can vote.
- So that everyone can be confident that their vote is secure.
- And, finally, so that everyone knows that their vote matters. That it can and will make a difference.

But it’s not only about the process: we have to want to make it work.

We all have to want to make it work – and voting is key to that. And that, for me, is what true democratic equality is about.

**(ends)**