

Report on the administration of the 2010 UK general election

July 2010

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Foreword

Elections provide the foundation for the stable democracy that the UK has enjoyed for generations – they allow us to express our views and resolve our differences peacefully. The 2010 UK Parliamentary general election was the first UK general election since my appointment as Chair of the Electoral Commission, and perhaps more than any other election for many years it demonstrated that respect for the results of well-run elections allows an orderly transition of power even when the outcome is close.

International observers – allowed for the first time officially to observe a general election in the UK – have highlighted the culture of trust and honesty that underpinned the May 2010 election process. Everyone involved in elections can take pride in this.

But maintaining trust in elections takes hard work and commitment, and it can take a long time to re-build confidence after well-publicised problems like those experienced in Scotland in 2007 or at some polling stations at 10pm on polling day this year.

Our central message from this report is that the basic building blocks of electoral administration need long-term reform, support and maintenance: it is not enough simply to trust that the machinery of electoral administration will always work well and deliver elections to a consistently high standard; it is not enough simply to trust that those who want to undermine elections will resist the temptation to exploit the system; it is not enough simply to trust that people and systems will be able to adapt and cope with change without proper time to prepare.

The UK Government has set out an ambitious programme of democratic reform, which is likely to mean more opportunities for voters to express their views. It will also, inevitably, mean more pressure on the machinery of electoral administration, particularly at a time when financial pressures are increasing across the public sector. It may not attract the same degree of attention as the politics of reform, but the role of electoral administration in delivering these changes should not be overlooked.

Alongside our analysis of the 2010 general election, we have set out in this report our assessment of the key electoral administration challenges for the UK Government during this Parliament. The Government is responsible for electoral policy, for maintaining and updating the legislative framework for electoral administration, to ensure elections can be well run, and for ensuring electoral administration is properly funded.

We are ready to support and provide advice to the Government in identifying opportunities to change the law where it is needed. We will challenge the Government and scrutinise its proposals to ensure that voters' interests come first. We thank Returning Officers and electoral administration staff for the work they do locally to make democracy a reality, we will continue to work with them

to help improve the service that voters receive, and we will challenge them where the level of service doesn't meet the high standards that voters expect.

As part of our reporting processes for the next elections, and proposed referendums in 2011, we will provide voters with an assessment of the progress made against our agenda as set out in this report. We will review what the UK Government has done, set out the challenges that remain, and identify the opportunities that must be taken within the next five years in order to ensure that the electoral system puts the voter first.

Jenny Watson, Chair

Analysis 2010: Our agenda for the next five years

Planning and managing the 2010 UK general election

We want people across the UK to be confident that electoral registration and elections are well run, and that they will receive a consistently high quality service, wherever they live and whichever elections or referendums are being held.

At the 2010 UK general election:

- In the vast majority of constituencies the elections were well run, without major problems.
- Our initial analysis of the performance of Returning Officers in Great Britain suggests that there has been a general improvement since 2009 when measured against the current set of standards, with particular improvement in relation to maintaining the integrity of elections and delivering public awareness activities.
- Queues formed at several polling stations on polling day (6 May), and some people in those queues were unable to vote when the polls closed at 10pm. Just over 1,200 people were affected at 27 polling places in 16 constituencies. The main contributory factors were poor planning, the use of unsuitable buildings, inadequate staffing arrangements and the failure of contingency plans.
- There were further isolated instances of poor administration which led to problems for voters and candidates, including inadequate staffing of polling stations, errors in printing poll cards and ballot papers, and errors in counting votes.
- Two-thirds of voters surveyed were confident that the 2010 elections were well run, but confidence may be fragile – three in 10 voters said that they were not very or not at all confident that these elections were well run, compared with just 4% of voters at the 2009 elections.
- Of the UK general election candidates who responded to our survey, 78% were satisfied that the elections were well run.
- Returning Officers have – as in previous elections – expressed concerns about the statutory timetable for UK general elections, and in particular the challenges of key deadlines within the timetable. Where combined polls occurred there were competing strains on resources from the different election timetables.

Our agenda for the next five years

We want the UK Government to respond to the recommendations we made in 2008¹ to bring forward a comprehensive plan for ensuring consistently effective management and delivery of future elections, in particular to ensure that:

- there is effective management and coordination of the delivery of statutory functions by Returning Officers across the UK, rather than relying on trust in the effectiveness of several hundred individual Returning Officers
- there are appropriate mechanisms to hold Returning Officers to account for the delivery of their statutory functions, including mechanisms to direct them to ensure action is taken to address poor administration
- the current election petition process is reformed to provide proportionate and accessible procedures for challenging the result of an election where poor-quality administration may have affected the outcome
- the costs of running elections are properly met, through comprehensive and transparent funding mechanisms

We welcome the joint commitment of the Scottish Government and the UK Government to recognise the Interim Electoral Management Board in statute and provide the Convener of the Board with powers to issue directions to Returning Officers, but we want to see early legislation to consolidate this commitment.

We will work with the local government associations across Great Britain to consider how best to support more effective scrutiny of the delivery of elections by local authorities. We are pleased that some authorities have used our report on the problems experienced by people queuing at the close of polls on 6 May to initiate local reviews aimed at identifying how best to support Returning Officers and electoral administrators at future elections.

Campaigning and standing for election at the 2010 UK general election

We want people throughout the UK to be confident that there is transparency about party and election finance so that people know where money comes from and how it is spent, and that the rules on party and election finance are followed and those who do not follow them are dealt with appropriately and effectively.

¹ The Electoral Commission (August 2008), *Electoral Administration in the United Kingdom*.

At the 2010 UK general election:

- A total of 4,150 candidates, representing 135 registered political parties, contested the UK general election.
- Eighty-two new political parties were registered between 1 January and the close of the register of political parties on 16 April 2010. We also dealt with 170 applications for changes to existing registered party details in this period.
- Five third parties (individuals or organisations who are not contesting the election but who campaign to influence the outcome) renewed existing registrations, while a further 13 registered for the first time.

Our agenda for the next five years

We will publish our full analysis of party and candidate spending in February 2011. During the coming year we intend to review the need for changes to the regulatory regime in place since 2001, for party and election finance.

This work will take account of issues that emerged during the election campaign. This includes considering whether there is scope to simplify aspects of the rules that those we regulate found difficult to relate to their activity, and whether the election-related reporting requirements are appropriate for smaller parties and those not contesting the election. We will also consider whether the law on party registration is working effectively in the interests of voters.

Registering to vote at the 2010 UK general election

We want people across the UK to be confident that registering to vote is straightforward, accessible and secure. We want to make sure people know how to register to vote and encourage them to do so.

At the 2010 UK general election:

- The electoral registers for the UK general election contained just fewer than 45.6 million entries, an increase of 1.3 million since the 2005 UK general election.
- The registers for the areas of England where local government elections also took place on 6 May contained 21.3 million entries.
- The eligible electorate increased by over 700,000 between publication of the 1 December 2009 registers and the close of registration on 20 April 2010. This increase was made up of attainers on the registers who turned 18 by polling day and people who registered to vote after the annual canvass.
- Over two million visits were made to our public information website www.aboutmyvote.co.uk, 500,000 registration forms were downloaded,

and a further 10,000 forms were sent out from our call centre in Great Britain. In Northern Ireland 5,150 forms were downloaded from the website or sent out from the call centre. We are aware that some of these forms went to voters who were already registered, and we will use the feedback from Electoral Registration Officers to improve this service and minimise duplication.

- Of the people we surveyed, 86% reported that they were fairly or very satisfied with the process of registering to vote. Satisfaction was higher among voters than non-voters, and was also higher among older than younger people.

Our agenda for the next five years

We want the UK Government to implement the change approved in the Political Parties and Elections Act 2009 to provide a system of individual electoral registration in Great Britain which ensures that:

- everyone eligible to take part in elections in Great Britain can be registered to vote
- no one ineligible to vote is included in an electoral register
- changes to the system are easily explained to, and understood by, electors
- personal data is properly managed and protected
- changes to the registration system are made efficiently, without a detrimental impact on the existing duties and responsibilities of Electoral Registration Officers

We want the UK Government to address the key policy challenges which we identified in our March 2010 electoral registration research report:²

- Consider the timing of the annual canvass in order to best ensure complete and accurate registers for elections, and what role it will have once individual electoral registration has been fully implemented in Great Britain.
- Capture population movements between each annual canvass more swiftly and accurately, and consider the potential for access to new data sources to improve the completeness and accuracy of electoral registers.

² The Electoral Commission (March 2010), *The completeness and accuracy of electoral registers in Great Britain* available at www.electoralcommission.org.uk/_data/assets/pdf_file/0018/87111/The-completeness-and-accuracy-of-electoral-registers-in-Great-Britain.pdf.

- Review the current allocation of resources for electoral registration, to ensure that where there is greater risk of incomplete or inaccurate electoral registers, Electoral Registration Officers are better equipped to tackle those risks.

Taking part and voting in the 2010 UK general election

We want people across the UK to be confident that taking part in elections is straightforward, accessible and secure. We want to make sure people know how to cast their vote, so that anyone who is entitled to participate in elections is able to do so.

At the 2010 UK general election:

- The majority of the people in the UK were satisfied with the procedure for voting.
- Three-quarters (75%) of people asked (including those who said they did not vote) were very or fairly satisfied with the procedure for voting, with 13% saying they were dissatisfied.
- Among those who said they had voted, 80% said they were satisfied with the voting process.
- Satisfaction levels were highest among those aged 55 and over (83%), compared with 67% of 18–34-year-olds who said they were very or fairly satisfied.

Our agenda for the next five years

We want the Government to bring forward proposals for a comprehensive electoral modernisation strategy to set out how it intends to address significant policy issues, including:

- improving voting opportunities for service personnel and other overseas electors
- further strengthening the security of postal voting, in particular by requiring the personal identifiers on all returned postal voting statements to be verified before ballot papers are counted
- lengthening the timetable for UK Parliamentary elections and bringing key deadlines into line with those for other elections
- considering what role advance voting might play in helping to provide more flexible options for people wanting to vote
- reviewing the case for requiring proof of identity for voters at polling stations

We want the Government to change the law to make clear that eligible electors who are entitled to vote at a polling station and who are in the queue to enter the polling station at the close of poll will be allowed to vote.

We have also identified a number of problems with the current legal framework for electoral administration that impact upon voters. These include poorly-designed ballot papers and voter materials, the description and emblems for joint party candidates, emergency proxy votes not being available for employment related reasons, Returning Officers unable to request refresher signatures from absent voters and the limited number of suitable buildings that can be used as polling stations. We want the UK Government to address these problems as soon as possible.

Any future changes to electoral law must be developed in an open and consultative way, and implemented in good time before the next UK general election, so that the rules allow people to plan no later than six months before polling day.

1 UK general election 2010: An introduction

Background

1.1 Parliamentary general elections in the UK must be held within five years of the first sitting of the previous Parliament, and the latest possible date for this election was 3 June 2010. The Prime Minister announced his intention to dissolve Parliament on 6 April 2010, and polling day was set for Thursday 6 May.

It will come as no surprise to all of you, and it is probably the least well-kept secret of recent years, but the Queen has kindly agreed to the dissolution of Parliament and a general election will take place on May 6.

**Rt Hon Gordon Brown MP,
(6 April 2010, Speech at 10 Downing Street)**

1.2 The 2010 UK general election was widely expected to be one of the closest and hardest-fought elections for a generation. All 650 constituencies of the UK were due to elect a new Member of Parliament. Following the death during the election period of a candidate nominated in the Yorkshire constituency of Thirsk and Malton, the election timetable was suspended and the poll was postponed until 27 May in this constituency.

1.3 Local government elections were already scheduled to take place on 6 May 2010 in many parts of England, and the poll for the general election was therefore combined with the poll for these local elections. A total of 4,178 seats in 2,940 wards of 164 local authorities were contested.

1.4 Elections for parish councils had also been scheduled for 6 May, and under the provisions of the Representation of the People Act 1985, if a UK general election is called once the timetable for parish or community elections has commenced, the poll for any contested parish or community council elections is postponed by three weeks.³ Contested parish council elections were held over, and took place on 27 May.

The Electoral Commission and this report

1.5 The Electoral Commission is an independent body which reports directly to the UK Parliament. We were set up in 2000 to regulate the financial affairs of political parties and to monitor the conduct of elections in the UK. We are

³ Section 16(1) (b) of the Representation of the People Act 1985.

required by law to report on certain types of elections, including the 2010 UK general election.

1.6 We produce these reports so that people who have taken part in the election – as voters, as candidates and campaigners, or as electoral administrators – can see how their experience contributed to the result of the election and the Parliament now sitting in Westminster. We especially want to make sure that people are confident that the election process was fair, accessible and well run.

1.7 We also use these reports to highlight where things need to change for future elections. The UK Government has outlined an ambitious programme of political and constitutional reform which is likely to lead to an expansion of opportunities for participating in the electoral process, including referendums and the possibility of elections for members of police authorities and health boards. It has also indicated that it intends to establish five-year fixed-terms for the UK Parliament, so that the next UK general election will be held on the first Thursday of May 2015. There is now a clear window of opportunity to develop and implement a programme of changes to improve the administration of elections in time for the next UK general election.

This report sets out our agenda for change for the next five years.

It sets out what we believe electors, candidates and political parties should expect from the election process.

We want the UK Government to respond to this agenda by developing policy solutions that deliver the improvements and changes sought.

In doing so the UK Government must ensure that it considers the interests of voters, candidates and political parties in all parts of the UK and also the impact of any changes on those responsible for running elections. We will scrutinise any proposals for change and ensure that the interests of voters are put first.

This report also sets out our initial views on the performance of Returning Officers on the conduct and administration of the election.

How we have compiled this report

1.8 This report is intended to provide an accurate account and assessment of how the May 2010 UK general election was conducted, and in particular to reflect the experiences of voters, candidates and the electoral administrators responsible for delivering the elections. We have drawn on evidence from a range of sources to inform this report, including:

- public opinion research
- analysis of feedback from candidates and agents
- feedback from Returning Officers and Electoral Registration Officers and other electoral administrators

- electoral data submitted by Returning Officers and Electoral Registration Officers, although complete data have not been supplied for all constituencies⁴
- feedback from electors and others, including candidates, submitted directly to the Commission either by post, email or through our website
- the performance standards and improvement framework
- our observation of the preparation by electoral administrators and the proceedings on polling day and the count, from a selection of constituencies across the UK

Observing the May 2010 UK general election

1.9 For the first time at a UK general election, as a result of changes brought forward by the Electoral Administration Act 2006, individuals and organisations from within the UK and across the world were entitled to observe key electoral processes under a system of accreditation by the Electoral Commission.

1.10 Compared with elections since 2007, there was a significant rise in applications for accreditation. By polling day the Commission had accredited 415 observers, 213 individuals and 202 representatives from a total of 43 organisations. These included international electoral management bodies, media organisations, disability and human rights organisations, education establishments, software providers, government departments and embassies. Those nominated to observe on behalf of international organisations came from countries all over the world, including Albania, Armenia, Australia, Canada, Denmark, Georgia, Ghana, Kazakhstan, Lesotho, Lithuania, Malaysia, Mexico, Nigeria, St Christopher & Nevis, the United Arab Emirates and Zambia, as well as a team of observers from the Commonwealth which published its report on 25 May 2010.

1.11 The Organisation for Security and Cooperation in Europe (OSCE) fielded three delegations: an election assessment mission from the organisation's Office for Democratic Institutions and Human Rights (ODIHR); a delegation from the OSCE-Parliamentary Assembly; and a small group of officials led by the OSCE Presence in Albania. The OSCE/ODIHR report was published on 9 July 2010.⁵

1.12 Electoral observation is an essential element underpinning confidence in free and fair elections throughout the world, and we were pleased to have been able to host observers from so many developed and developing democracies.

Further reporting on the UK general election 2010

1.13 Following extensive reports of problems experienced by electors as a result of queues at some polling places at the close of poll on 6 May, we

⁴ Data returns received from 620 of 650 constituencies unless otherwise stated.

⁵ Available at www.osce.org/documents/odihr/2010/07/45252_en.pdf.

undertook an immediate review of the extent and nature of the problems. We published a report of our findings and conclusions on 20 May.⁶ Our report also made recommendations about changes which should be made to ensure these problems do not happen at future elections.

1.14 In addition, we will also publish analysis and information on specific aspects of the 2010 UK general election:

- September 2010: Analysis of Returning Officers' performance against the standards set by the Commission in Great Britain
- January 2011: Analysis of cases of alleged electoral malpractice during 2010, including the May 2010 elections
- February 2011: Analysis of campaign expenditure returns for the May 2010 elections

⁶ The Electoral Commission, *2010 UK Parliamentary general election – Interim report: review of problems at polling stations at close of poll on 6 May 2010* (20 May 2010) available at www.electoralcommission.org.uk/__data/assets/pdf_file/0010/99091/Interim-Report-Polling-Station-Queues-complete.pdf.

2 Planning and managing the 2010 UK general election

Planning and managing elections

We want people across the UK to be confident that electoral registration and elections are well run, and that they will receive a consistently high quality service, wherever they live and whichever elections or referendums are being held.

At the 2010 UK general election:

- In the vast majority of constituencies the elections were well run, without major problems.
- Our initial analysis of the performance of Returning Officers in Great Britain suggests that there has been a general improvement since 2009 when measured against the current set of standards, with particular improvement in relation to maintaining the integrity of elections and delivering public awareness activities.
- Queues formed at several polling stations on polling day (6 May), and some people in those queues were unable to vote when the polls closed at 10pm. Just over 1,200 people were affected at 27 polling places in 16 constituencies. The main contributory factors were poor planning, the use of unsuitable buildings, inadequate staffing arrangements and the failure of contingency plans.
- There were further isolated instances of poor administration which led to problems for voters and candidates, including inadequate staffing of polling stations, errors in printing poll cards and ballot papers, and errors in counting votes.
- Two-thirds of voters surveyed were confident that the 2010 elections were well run, but confidence may be fragile – three in 10 voters said that they were not very or not at all confident that these elections were well run, compared with just 4% of voters at the 2009 elections.
- Of the UK general election candidates who responded to our survey, 78% were satisfied that the elections were well run.
- Returning Officers have – as in previous elections – expressed concerns about the statutory timetable for UK general elections, and in particular the challenges of key deadlines within the timetable. Where combined polls occurred there were competing strains on resources from the different election timetables.

Our agenda for the next five years

We want the UK Government to respond to the recommendations we made in 2008⁷ to bring forward a comprehensive plan for ensuring consistently effective management and delivery of future elections, in particular to ensure that:

- There is effective management and coordination of the delivery of statutory functions by Returning Officers across the UK, rather than relying on trust in the effectiveness of several hundred individual Returning Officers.
- There are appropriate mechanisms to hold Returning Officers to account for the delivery of their statutory functions, including mechanisms to direct them to ensure action is taken to address poor administration.
- The current election petition process is reformed to provide proportionate and accessible procedures for challenging the result of an election where poor-quality administration may have affected the outcome.
- The costs of running elections are properly met through comprehensive and transparent funding mechanisms.
- We welcome the joint commitment of the Scottish Government and the UK Government to recognise the Interim Electoral Management Board (IEMB) in statute and provide the Convener of the Board with powers to issue directions to Returning Officers, but we want to see early legislation to consolidate this commitment.
- We will work with the local government associations across Great Britain to consider how best to support more effective scrutiny of the delivery of elections by local authorities. We are pleased that some authorities have used our report on the problems experienced by people queuing at the close of polls on 6 May to initiate local reviews aimed at identifying how best to support Returning Officers and electoral administrators at future elections.

Roles and responsibilities for UK general elections

2.1 The structure of electoral administration is complex and varies between the different parts of the UK. A wide range of partners are required to collaborate and work together to successfully deliver well-run elections.

Legislation and funding for elections

2.2 The UK Government is responsible for the legal and funding frameworks for UK general elections. It is also responsible for the legal framework for local

⁷ Electoral Commission, *Electoral Administration in the United Kingdom* (August 2008).

government elections in England. Funding for local government elections is provided directly by the local authorities themselves.

Conduct of elections

2.3 Returning Officers appointed for each constituency are responsible for the administration of elections in accordance with the rules set out in legislation. For the 2010 UK general election a total of 372 individual Returning Officers were responsible for the 632 constituencies in Great Britain:

- In England and Wales, practical responsibility for the administration of the election lies with an Acting Returning Officer for each constituency, who is the person appointed as the Electoral Registration Officer for the relevant local authority area. In most instances this is the Chief Executive of the local authority, but may be another senior officer. The detailed planning and administration of the election is usually carried out by members of the local authority's permanent staff.
- In Scotland, the Returning Officer for the election of a member of the UK Parliament is the same person who has been appointed by the local authority as the Returning Officer for local government elections. As in England, in most instances this is the Chief Executive of the local authority, and again the detailed planning and administration of the election is usually carried out by members of the local authority's permanent staff.

2.4 The Chief Electoral Officer for Northern Ireland is the Returning Officer for all elections in Northern Ireland, including UK general elections. The Chief Electoral Officer is appointed by the Secretary of State for Northern Ireland, and is supported by permanent staff in the Electoral Office for Northern Ireland.

2.5 Responsibility for the conduct of local government elections in England lies with an officer appointed as Returning Officer by the district, unitary, metropolitan or London borough council. This person is generally the same person who has been appointed as the Electoral Registration Officer, but they do not have to be.

Guidance, performance monitoring and review

2.6 The Electoral Commission provides advice and assistance on electoral matters to all those involved in elections, including Returning Officers at UK general elections in Great Britain and Returning Officers at local government elections in England. We publish a range of manuals, circulars, templates and online resources. We also provide briefings and seminars, and an enquiries service, for those who run elections. Our guidance is advisory rather than binding, and there is no legal requirement for Returning Officers to follow the guidance that we provide, although a court would have regard to any guidance provided. During the period from 1 January until 6 May, there were 3,561 logged enquiries about electoral administration matters. We answered 97% of these

within five days. The three issues which generated the largest number of enquiries were nominations, registration and absent voting.⁸

2.7 We also have powers to set and monitor performance standards for Returning Officers in Great Britain. These standards set out what needs to be achieved in order to support a well-run election. They cover planning and organising for an election, the integrity of the election locally, and participation in the election through public awareness, the accessibility of information for electors, and support to candidates and agents. We can formally direct Returning Officers to report to us, after a UK general election, on how they have performed against these standards. Although we publish our assessment of how Returning Officers have performed against the standards, neither the Commission nor any other body has any powers to compel Returning Officers to improve their performance where they fall short of the standards. We have provided further support to those Returning Officers who fall short of our expected performance. In areas where performance needs to be challenged, we are carrying out more detailed monitoring to improve performance.

Other key partners

2.8 Other key partners involved in supporting the delivery of the 2010 UK general election included: the Association of Chief Police Officers for England, Wales and Northern Ireland (ACPO) and for Scotland (ACPOS), which helped to develop and maintain a network of specialist officers to coordinate work, and prevent and detect possible electoral malpractice; Royal Mail, which played a major role in ensuring campaign literature and voting materials including poll cards and postal ballot packs were delivered to voters; and the Association of Electoral Administrators, which provided training and support for Returning Officers' staff.

Updating the legal framework for the elections

2.9 The legal framework for UK general elections, including the detailed election rules, is set out in the Representation of the People Act 1983. Following the election, the Cabinet Office has assumed the responsibilities for electoral policy, previously held by the Ministry of Justice. Because the rules are set out in primary legislation, changes can only be made in a further Act: this means that any problems or errors in the rules can be difficult to correct in advance of any election. We have previously recommended to the Government the need to simplify and consolidate electoral law, and urge them once again to do so.⁹

2.10 The Gould Report on the conduct and administration of the 2007 Scottish Parliamentary elections recommended that any changes to electoral law should

⁸ Nomination enquiries 818, registration enquiries 575, absent voting enquiries 427.

⁹ The Electoral Commission, *Electoral Administration in the United Kingdom* (August 2008).

be introduced no later than six months prior to polling day for the election they concern.¹⁰ The UK Government has not yet formally accepted this recommendation. However the Secretary of State for Scotland announced on 23 October 2007, as part of his response to the Gould Report, that he accepted the recommendation with respect to legislation for Scottish Parliamentary elections. We believe that the rules need to be clear to allow six months to plan for electoral events throughout the UK.

2.11 A number of significant changes to electoral law were introduced in 2006 by the Electoral Administration Act, including:

- reducing the minimum age for candidates from 21 to 18
- allowing new applications to register to vote up to 11 working days before polling day
- requiring personal identifiers to be provided with all returned postal vote applications and subsequent ballots, and for a minimum sample of 20% of postal ballot packs to be checked in Great Britain
- allowing domestic and international observers to be accredited and given access to observe polling and counting processes
- giving the Electoral Commission powers to set and monitor performance standards for Returning Officers in Great Britain

2.12 Returning Officers, political parties and many candidates were familiar with the changes for the 2010 UK general election, which had also applied at previous other elections since 2006. Our election reports since 2007 have highlighted how these changes have been implemented, and have identified where amendments should be made to improve their operation.

2.13 The Political Parties and Elections Act 2009 introduced measures to ensure greater transparency of political donations and to change the arrangements for regulating candidate expenditure. It also provided for candidates at UK Parliamentary elections to choose not to include their home address on certain election documents, such as the ballot paper.

2.14 The 2010 UK general election also saw new constituency boundaries in England, Wales and Northern Ireland following the completion of reviews by the relevant Boundary Commissions since the 2005 UK general election. The Parliamentary Order for the new constituencies in Wales was made in 2006, in England by an Order in 2007 and in Northern Ireland by an Order in 2008.

2.15 The costs for running a general election are met by the UK Government, which makes an Order in Parliament to set out the maximum amounts which can be recovered by individual Returning Officers. The Fees and Charges Order

¹⁰ The Electoral Commission, *Scottish elections 2007: The independent review of the Scottish Parliamentary and local government elections 3 May 2007* (October 2007) available at www.electoralcommission.org.uk/scotland/research/Scottish-Election-Report-A-Final-For-Web.pdf.

for the May 2010 UK general election was made on 15 March 2010. A separate fees and charges order is made for Northern Ireland and specifies the amount the Returning Officer can recover for each of the 18 Parliamentary constituencies. The Government has indicated that it intends to review and evaluate the operation of the fees and charges framework for the UK general election, and we expect it to publish the results of its review.

Identifying problems with the legal framework

In 2006, changes to the rules for parties registering joint descriptions were introduced. However, corresponding changes to the rules for using emblems were not made at the same time, and the Ministry of Justice, the Commission, political parties and electoral administrators all failed to spot the potential problem this might cause. Our guidance for Returning Officers and candidates also did not identify the issue.

As a result this caused particular confusion and difficulties for candidates and electoral administrators as candidates who wanted to use a joint description, approved by two or more political parties, could not also include a party emblem on the ballot paper.

Forty-two joint Labour and Co-operative candidates intended to stand with a joint description at the UK general election; those wishing to retain an emblem, who were already nominated had to withdraw their nominations and resubmit to stand as a candidate for only one party. They were then able to include an emblem on the ballot paper. Those wishing to retain a joint description were able to do so without emblem.

In Northern Ireland, joint Conservative and Ulster Unionist Party candidates opted to retain their shared description on the ballot paper, and were unable to use an emblem.

The problem also affected a larger number of joint Labour and Co-operative candidates at the local government elections in England, where the deadline for nominations had already passed by the time the issue was identified. It meant that they could not include an emblem on the ballot papers, and some local government Returning Officers had to destroy and then re-print ballot papers.

We regret that we did not identify this in time for it to be addressed before our guidance for the elections was issued. The problem highlights the importance of ensuring sufficient time is available in future to properly scrutinise draft legislation in detail before it is approved by Parliament. Having been made aware of this, we want the UK Government to address it as soon as possible.

Counting of ballot papers

2.16 Finally, the Constitutional Reform and Governance Act (CRAG), which received Royal Assent on 8 April 2010, less than a month before polling day, required all Returning Officers to take steps to begin counting votes for the UK general election within four hours of the close of poll.

2.17 This late change followed debate in the House of Commons and a high-profile campaign to ensure that votes in the vast majority of constituencies were counted and the results announced during the evening and early morning following the close of poll on 6 May. In particular, Members of Parliament expressed concerns that Returning Officers had taken decisions about the timing of the count (which is within their discretion under electoral law) without having consulted candidates and political parties about the possible implications.

2.18 Returning Officers, for constituencies where counting did not begin within this timescale, were required to publish a statement setting out the steps taken and the time at which counting did begin, and send a copy of the statement to the Commission within 30 days of the declaration of the result. We are required to publish in this report a list of the constituencies where counting did not begin within the prescribed timescale. This can be found in Appendix A.

2.19 We have received statements from the Returning Officers for the 23 constituencies where the count did not begin within the four hours of the close of poll, but had been planned to begin on the morning after polling day. Some of these Returning Officers have indicated that, in their judgment, the geography of their constituencies meant that safely transporting ballot boxes from polling stations could only be achieved on the morning after polling day. These included some Returning Officers who had to transport ballot boxes from remote islands by helicopter or boat. Other Returning Officers indicated that, having carried out comprehensive planning and risk assessments based on the availability of suitable and experienced staff, they had determined that they would not be able to commence and complete the counting of votes directly after the close of polls.

2.20 Many of the Returning Officers who opted to begin the count on the day after polling day completed the checking of signatures and verification of the postal vote ballot paper accounts, (tallying the number of ballot papers received against the records of the number of ballot papers that had been issued) on Thursday night after close of poll, before adjourning until the following day. The verification of the ballot paper accounts for votes cast at polling stations was done the next morning. In the majority of constituencies where this was done, the counting of all verified votes was completed within three hours of starting the count.

2.21 We have also received statements from Returning Officers from a further 22 constituencies where the verification stage of ballot paper accounts began as soon as possible after the close of poll, but where the counting of all ballot papers did not begin within four hours after the close of poll. The majority of these Returning Officers indicated that, despite having taken steps to begin counting votes within four hours after the close of poll, it took longer to complete the verification process than they had anticipated.

2.22 Returning Officers suggested a number of possible reasons for the delay:

- The geography of some large rural constituencies meant that some ballot boxes took several hours to be delivered to the count centre.
- The lack of suitably sized venues to conduct the count meant that it was not possible to provide the level of staffing required to complete the verification stage within four hours after the close of poll.
- A larger than anticipated number of postal ballot packs arrived late during polling day and required opening and checking before the verification stage could be completed.

2.23 Some Returning Officers also noted that the sorting of ballot papers and the verification of ballot paper accounts for the UK general election and local government elections in England took longer than four hours, and the rules for the combination of the poll meant that counting votes for the general election could not begin until all ballot paper numbers had been tallied and checked. We will discuss with the UK Government options for changing the law to ensure that counting UK general election ballot papers can begin more swiftly at future elections where the poll is combined with another election.

2.24 The new provisions of the 2010 CRAG Act were intended to ensure that the vast majority of Returning Officers began counting within four hours after the close of poll. For many constituencies the decision had already been made many months before as part of the planning process. All 18 Northern Ireland constituencies had decided to count overnight for the first time, well in advance of the legislation. However, based on our own observations and data about the timing of declarations, we believe that there are likely to be more constituencies where the counting of votes did not begin within four hours after the close of poll as verification took so long to complete.

Planning and coordinating the elections

The election timetable

2.25 Following the Prime Minister's announcement on 6 April 2010 of his intention to dissolve Parliament, the writs for the election (the formal notification issued on behalf of the Queen)¹¹ were issued on 12 April 2010.¹² This commenced an election timetable of 17 working days, the shortest for elections in the UK, except Parliamentary by-elections. The formal timetable for the local government elections held in many parts of England on 6 May had begun by 29 March, before the date of the general election had been announced.

¹¹ The Clerk of the Crown in Chancery initiates a Parliamentary election in a constituency by sending an election writ to the Returning Officer.

¹² Writ – notification of the election sent from Parliament, and delivered to all Returning Officers for each constituency in the UK. Each Writ has to be returned to Parliament with the results of the election.

2.26 The formal election timetable includes a number of deadlines by which key administrative processes must be completed, including deadlines for candidates to be nominated and agents to be appointed, as well as deadlines for applications to register to vote and applications for postal or proxy votes for those who may be absent on polling day. The key dates are shown in Figure 1.

2.27 The election timetables for the UK general election and the local government elections in England ran separately rather than in parallel, and both the overall length and certain key deadlines including the last date for nominations were different.

2.28 The election timetable for these elections included a particular pressure point for electoral administrators in Great Britain as three key deadlines fell on the same day, 20 April 2010: nominations for candidates at the UK general election were required by 4pm; applications to register to vote were required by midnight; and applications for postal votes were required by 5pm. In Northern Ireland the closing date for absent vote applications was earlier, 15 April.¹³ The comments below reflect concerns expressed by a number of Returning Officers and electoral administrators in Great Britain:

I have serious reservations about being able to conduct future elections if there is no change to the timetable and if local authorities cut back on staff due to deficit problems.

Returning Officer, northern England

Instead of trying to deal with an artificial spike in the timeline built up by registration and nominations, we should actually be trying to flatten the spike.

Electoral Services Manager, South East England

¹³ Deadline for absent vote applications was 5pm on 15 April 2010, unless for unforeseen illness which allows applications on these grounds until 5pm on 27 April 2010. Other variations to the timetable also apply.

Figure 1: 2010 UK general election formal timetable, 12 April–6 May

External	Date	Process
	Monday 12 April 2010	Issue of writ/proclamation
	Tuesday 13 April 2010	Receipt of writ Notice of election for UK general election Deadline for withdrawals of nomination for English local government elections
Volcanic ash cloud – more than 500 flights suspended	Wednesday 14 April 2010	Nominations begin for UK general election
First TV Debate	Thursday 15 April 2010	Deadline for absent vote applications in Northern Ireland *
	Tuesday 20 April 2010	4pm: Nominations close for UK general election 5pm: Publication of persons nominated for UK general election 5pm: Deadline for new postal vote applications/ changes to postal or proxy votes in Great Britain
Volcanic ash cloud – flights resumed	Wednesday 21 April 2010	12 midnight: Deadline for new registrations
Second TV Debate	Thursday 22 April 2010	
Third TV Debate	Thursday 29 April 2010	
Royal Mail last collections from post boxes and sorting centres. Delivery to Returning Officers by 9pm	Thursday 6 May 2010	7am Polls open 10pm Polls close

* The deadline for absent vote applications on the grounds of unforeseen illness was 5pm, 27 April.

2.29 Some Electoral Registration Officers have expressed concern that the shorter period of time now available between the deadline for registration applications and the point at which changes must be made to the register has made it harder for them to carry out effective checks on applications, particularly if they receive large numbers of applications close to the deadline. They have also noted that there can be little time to notify other Electoral Registration Officers if they receive an application from an elector who has moved from another area. Many Electoral Registration Officers, however, appear to have managed to deal well with large volumes of applications, particularly where adequate and appropriate staff resources were made available. This again highlights the importance of adequate levels of planning, preparation and resources.

2.30 Electoral Registration Officers and Returning Officers have also expressed concern following previous elections about the impact of receiving large batches of registration or absent vote applications from some political party workers and candidates, often very close to the statutory deadline. These concerns have again been raised following the 2010 UK general election. We want to ensure that applications to register to vote are properly processed in good time, before the deadline, and we will discuss with the political parties and others whether any changes should be made to the voluntary code of conduct for handling postal application packs.

2.31 The relatively short timetable for the UK general election, and in particular the proximity of the deadline for registration and the last date for postal vote applications, also caused problems for voters. These issues are explained in more detail in chapters 4 and 5 of this report. In 2003 we submitted a number of detailed recommendations to government to ensure consistency of election timetables. The UK Government has now indicated that it intends to legislate to establish five-year fixed term Parliaments so the date for the next UK general election is already set for 7 May 2015. It must take the opportunity to standardise election timetables and rationalise the key deadlines within the election timetable as part of its proposals.

Coordinating the delivery of the elections

2.32 In contrast with other significant elections in the UK, including elections for the European Parliament, Scottish Parliament, National Assembly for Wales, and Greater London Assembly and Mayor, there is no formal coordination between Returning Officers for UK general elections. Individual Returning Officers are responsible for discharging their statutory duties, and are ultimately accountable to the courts for their actions.

2.33 The UK Government sought to build on the UK-wide coordination group that it had established to help ensure the delivery of the 2009 European Parliamentary elections, which was attended by the 12 Regional Returning Officers. Many of the Regional Returning Officers continued to attend the group after the 2009 elections, despite having no formal role or responsibilities in relation to the UK general election. With no formal status, the group could only

act in an advisory capacity, and there was no official process for coordination or management of the delivery of the elections. The Commission also continued to convene a working group of electoral administrators to provide more detailed practical advice and feedback to the UK Government.

England

2.34 While electoral administrators in England, in particular through the branch network of the Association of Electoral Administrators, continued to meet and exchange information and experiences informally during the months leading up to the May 2010 elections, there were no consistent mechanisms for coordination among Returning Officers in England. This contrasts with the efforts in Scotland, Wales and Northern Ireland to ensure Returning Officers and electoral administrators were able to take advantage of some existing coordination and planning groups.

Scotland

2.35 In Scotland the Interim Electoral Management Board (IEMB) has continued to progress since the European Parliamentary elections in 2009. The IEMB has added value to the planning and delivery of elections in Scotland and built upon the positive support it has among the various stakeholders in the electoral community.

2.36 It meets on a regular basis and its remit varies from the operational detail of planning the delivery of the UK general election, through to the more strategic consideration of legislation and policy. For instance its report on the timing of counts, in anticipation of the CRAG Act, included a national consultative exercise which was supported by local efforts to ascertain views of voters and party representatives.

2.37 The Elections Convener of the IEMB currently does not have a power of direction for a UK general election.¹⁴ As such, the Convener relied upon collective agreement to ensure the delivery of the UK general election. As he stated in his April 2010 bulletin to Returning Officers/Electoral Registration Officers:

The creation of the IEMB was intended to bring clear benefits to the electoral community in Scotland and to other stakeholders in the process – the most important of whom are the voters. The aims of consistency across Scotland and a simplified model of decision making have been guiding the work of the Board and I hope you have seen benefits from the Board's work...

Elections Convener, IEMB

¹⁴ Unlike in 2009 when, as a result of his other coincidental role as Regional Returning Officer for the Scottish European Parliamentary electoral region, he did.

2.38 There were discernable benefits from its efforts and work in relation to preparations for the general election, in particular, its discussions with Royal Mail. Other benefits also include additional guidance on recounts and adjudication of doubtful ballots, and its work to achieve a greater consistency in the design of election materials, which has led to the establishment of a 'Community of Practice' in this area.

2.39 The Elections Convener also put in place an escalation procedure amongst Returning Officers to allow discussion of issues arising locally which could have impacted elsewhere in the immediate run-up to polling day. All this contributed to a well-run election in Scotland. The IEMB has also undertaken post-election evaluation and is developing ideas to inform its future thinking.

2.40 We are therefore concerned that the IEMB still remains interim. It is three years since the Gould Report recommended legislative change to establish in statute an Elections Convener with a power of direction within an EMB. Permanent structures are needed to ensure electoral administrative performance continues to improve. While we commend the discussions between governments on this matter we would urge early legislative action is taken.

Wales

2.41 In Wales, coordinated forward planning was achieved to a greater degree than for any previous UK general election. The Regional Returning Officer for the 2009 European Parliamentary elections had given a strong lead to Wales-wide planning, and Returning Officers agreed to take forward similar arrangements for the UK general election. These were facilitated by the Commission.

2.42 Alongside operational planning, the Wales Election Planning Group continued as a forum for a collaborative approach to election planning and is comprised of the European Parliamentary Regional Returning Officer, representatives of electoral administrators, political parties, UK Government and Welsh Assembly Government officials, Welsh Local Government Association and the Commission. It was facilitated by the Assembly Government and chaired by a senior Assembly Government official. Its main benefit was as a forum for sharing information between all the relevant organisations and reviewing significant developments.

Northern Ireland

2.43 Planning for the election in Northern Ireland commenced in September 2009 to ensure that the Electoral Office for Northern Ireland would be ready to react as soon as the date of the election was announced. Preparations included new arrangements for selecting staff at count centres by means of a test of their speed and accuracy of counting. The Chief Electoral Officer for Northern Ireland established a steering group comprising key personnel from the Electoral Office and representatives from the Police Service of Northern Ireland. A detailed election plan was produced and progress against key targets was received at regular intervals. Commission representatives attended meetings of the group to hear about the plans and provided updates on public awareness activity.

2.44 Such planning and coordination proved invaluable when the count for the Foyle constituency at the Templemore Sports Complex in Londonderry was suspended for two hours due to a bomb explosion outside the count centre. Working with the Police Service of Northern Ireland, the Deputy Returning Officer secured the integrity of the electoral process and all staff were evacuated safely and there were no injuries. The count recommenced at 1.30am on Friday morning.

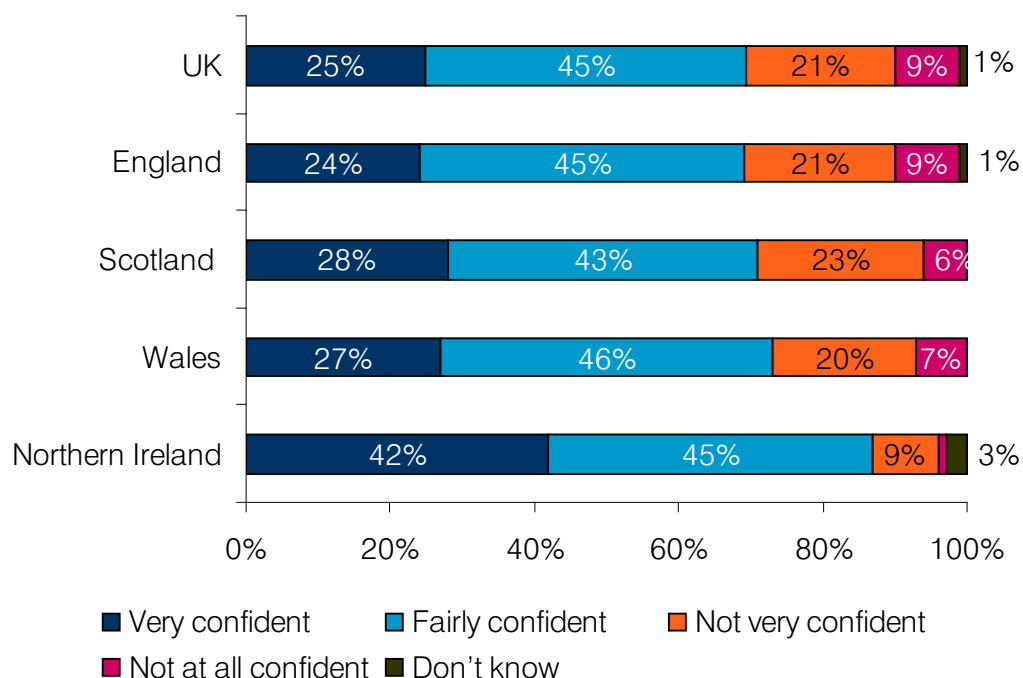
The performance of Returning Officers in delivering well-run elections

Satisfaction with the delivery of the UK general election

2.45 Voter confidence in the way the 2010 UK general election was run was generally high, despite problems with queues at a small number of polling stations in England which were widely reported in the media. Our public opinion research, conducted by Ipsos MORI during the weeks following the election, found that about two-thirds (69%) of voters were very or fairly confident that the elections were well run, with a quarter of all voters saying that they were very confident. Voters in Northern Ireland were more confident (86%) than those in England (68%), Scotland (71%) and Wales (73%).

2.46 Nevertheless, three out of 10 voters (30%) across the UK as a whole said that they were not very, or not at all confident that the 2010 elections were well run. This compares with higher levels of confidence among those who voted in 2009, when only 4% said that they were not confident that the elections were well run. It is possible that widespread media coverage of the problems at some polling stations may have affected people's confidence. There is no directly comparable information for the 2005 UK general election.

Chart 1: Confidence that the May 2010 elections were well run



Source: Ipsos MORI, *May 2010 Post-election survey UK general election and local elections in England*

Question: How confident, if at all, are you that the election(s) was/were well run on Thursday 6th May?

Base: All voters (1,790) UK of which England 512, Scotland 500, Wales 524, Northern Ireland 254

2.47 Of those who responded to our surveys, 78% of candidates and 82% of agents said they were very or fairly satisfied with the administration of the election in their constituency. More than 85% of candidates and 90% of agents agreed that they had found the Returning Officer helpful.

2.48 Around 10% of candidates and agents, however, said that they were very or fairly dissatisfied with how the election was run. Responses to our survey of candidates indicated some areas of particular dissatisfaction. There was criticism that some election counts were disorganised, slow or lacking transparency, despite improved guidance and management materials issued by the Commission. These are concerns which have been expressed in previous years. Candidates were also concerned that voting, particularly postal voting was open to fraud. Other concerns expressed by candidates focused on the performance of Royal Mail in delivering election materials, including delivery to the wrong addresses or not delivering them at all. We will work with Royal Mail to identify how these concerns can be resolved.

Performance standards for Returning Officers

2.49 The Commission was given powers in 2006 to set and monitor the performance of Returning Officers in Great Britain. In March 2010 we directed Returning Officers to report to us against the performance standards which we had published in March 2009. This was the second time we had directed Returning Officers to report against the standards.

2.50 Our initial analysis of the performance of Returning Officers at the 2010 UK general election suggests that there has been a general improvement against all the standards, and particularly in relation to the standards for maintaining the integrity of elections and planning and delivering public awareness activities. We had identified these as the weakest areas of performance by Returning Officers in 2009.

2.51 We are currently verifying the reports from Returning Officers, and expect to publish detailed data and analysis of the performance of Returning Officers against our standards in September 2010. We will also reflect on the findings from the first two years of performance assessments and will consider what adjustments should be made to the performance standards framework for future elections.

2.52 There were also, however, a relatively small number of isolated – but often high-profile – instances of errors or poor administration by Returning Officers which caused problems for voters and candidates. These included errors in printing ballot papers or poll cards, inadequately resourced polling stations which led to queuing and prevented some electors from voting, and at least one instance of significant errors in managing the counting of votes.

2.53 We have already published a detailed report exploring the scale, nature and causes of the problems experienced by people who were prevented from voting because of polling station queues at the close of poll.¹⁵ We have recommended a number of changes to ensure these particular problems are not repeated at future elections, including changing the law to make clear that eligible electors who started queuing to vote before the close of poll will be able to vote.

2.54 We will also, as we identified in our report on these problems, consider how to put in place monitoring arrangements to ensure that the improvements to planning which we also recommended are taken forward by Returning Officers. In particular, standards must be met in terms of the provision and staffing of polling stations including training and awareness for polling station staff, and that proper polling district and polling place reviews are carried out, and risk assessments are complete and up to date.

¹⁵ The Electoral Commission, *2010 UK Parliamentary general election – Interim report: review of problems at polling stations at close of poll on 6 May 2010* (20 May 2010) available at www.electoralcommission.org.uk/_data/assets/pdf_file/0010/99091/Interim-Report-Polling-Station-Queues-complete.pdf.

Preventing and detecting electoral malpractice and fraud

2.55 While police forces across the UK are responsible for investigating any allegations of electoral malpractice or fraud, a wide range of partners worked together to promote electoral integrity and prevent malpractice at the May 2010 UK general election.

2.56 The Commission and others involved with promoting electoral integrity, including police forces and prosecutors, recognised that there might be an increased number of reports of alleged electoral malpractice at this UK general election, particularly compared with elections in recent years. This was partly because the UK general election was considered to be the most closely contested election for over a decade, but also because local elections were scheduled to be held in areas with a previous history of reported electoral malpractice, such as London and the metropolitan areas of England.

2.57 We have worked with ACPO and ACPOS to ensure that there is now a network of Single Point of Contact (SPOC) officers for election-related offences, who act as a liaison point for Returning Officers and others in each police force area as well as providing expert support to their colleagues. We also issued comprehensive guidance on election-related offences to assist police officers and Returning Officers, including a pocket-guide for police officers. We also provided training, including a national seminar for SPOC officers, during 2009 and early 2010.

Cases of electoral malpractice or fraud

2.58 We have also worked with ACPO to ensure that cases of alleged electoral malpractice reported to the police have been consistently and comprehensively recorded across the UK since the beginning of 2010. Because many of the cases of alleged malpractice are still under active investigation by police forces, it is not possible at this time to give any definitive figures for the number of cases which relate to the 2010 UK general election. We will publish verified data and analysis on the extent and nature of cases of electoral malpractice at the UK general election in January 2011.

2.59 Our initial analysis at this early stage indicates that so far around a third of the reported cases of alleged electoral malpractice have been closed with no further action because it was deemed there was either no offence, no evidence or the case was undetectable. One case has been resolved with a caution. A further 10% of cases have resulted in informal police advice being given. This step falls short of a caution that may result in a criminal record.

2.60 Although the investigation of the remaining cases is still at a preliminary stage, three are currently awaiting advice from the Crown Prosecution Service for England and Wales, and court proceedings have already started in two other cases.

Challenges to the results of the elections

2.61 Election results can only be challenged by issuing an election petition which must be lodged with the High Court in England, Wales and Northern Ireland, or the Court of Session in Scotland. Two petitions were issued challenging results at the 2010 UK general election. The first alleges that false statements were made about the personal character of a candidate in the election for the Oldham East and Saddleworth constituency. The second alleges mis-administration by the Returning Officer for the Fermanagh and South Tyrone constituency, involving inaccurate verification at the count of the number of ballot papers contained in 15 ballot boxes.

2.62 Two further petitions relate to local government elections in England. One alleges a miscalculation of the counted votes by the Returning Officer for the London Borough of Waltham Forest. The other alleges that mis-administration by the Returning Officer for the London Borough of Croydon meant that a number of eligible electors were unable to vote after queuing at polling stations at the close of poll at 10pm.

2.63 Preliminary hearings on all petitions will have taken place by the end of July and they could be resolved by the end of September.

2.64 We have in the past highlighted to the UK government that the process for challenging elections is complex, expensive and inaccessible. In 2007 we held discussions with interested parties and issued a briefing paper calling for a wider debate on the current methods of challenging the result of an election. The UK Government must now put in place reforms to provide proportionate and accessible procedures for challenging the result of an election where poor-quality administration may have affected the result.

3 Campaigning and standing for election in 2010

Campaigning and standing for election

We want people throughout the UK to be confident that there is transparency about party and election finance so that people know where money comes from and how it is spent, and that the rules on party and election finance are followed and those who do not follow them are dealt with appropriately and effectively.

At the 2010 elections:

- A total of 4,150 candidates, representing 135 registered political parties, contested the UK general election.
- Eighty-two new political parties were registered between 1 January and the close of the register of political parties on 16 April 2010. We also dealt with 170 applications for changes to existing registered party details in this period.
- Five third parties (individuals or organisations who are not contesting the election but who campaign to influence the outcome) renewed existing registrations, while a further 13 registered for the first time.

Our agenda for the next five years

We will publish our full analysis of party and candidate spending in February 2011. During the coming year we intend to review the need for changes to the regulatory regime for party and election finance.

This work will take account of issues that emerged during the election campaign, including whether there is scope to simplify aspects of the rules that those we regulate found difficult to relate to their activity, and whether the election-related reporting requirements are appropriate for smaller parties and those not contesting the election. We will also consider whether the law on party registration is working effectively in the interests of voters.

Parties and candidates at this election

3.1 A total of 4,150 candidates, representing 135 registered political parties, contested the 2010 general election across the UK. This compares with 119 political parties and 3,554 candidates at the 2005 UK general election. In Wales 17 parties fielded a total of 268 candidates, in Scotland 348 candidates contested the election and 21 parties were represented, while in Northern Ireland eight parties and 108 candidates contested the election. The high level of participation led to strong demand for the party registration and advice and guidance services that we provide.

Registration of political parties and third parties

3.2 As expected there was an increase in registration activity in the lead up to the election. A total of 82 new political parties were registered between 1 January and the closure of the register on 16 April, all within our target of 20 working days. This compares with 72 parties registered in the equivalent period before the 2005 UK general election. We also dealt with 170 applications for changes to existing registered party details in this period. Five third parties (individuals or organisations who are not contesting the election but who campaign to influence the outcome) renewed existing registrations, while a further 13 registered with the Commission for the first time, many after being contacted by us.

3.3 The run-up to the election highlighted several issues with the rules on the registration of political party names, descriptions and emblems for use on ballot papers. Some related to the potential for confusion where ballot papers included registered party descriptions but not the name of the party. In 2009 we published ballot paper design guidance¹⁶ which recommended that ballot papers should always include the party name as well as any registered description or emblem. We will continue to press for this recommendation to be adopted for all ballot papers in future elections.

3.4 One application for registration of an emblem by a new party resembled an emblem which was associated with and trademarked by an existing party, but was no longer registered with us by that party. This highlighted the issue of whether the law currently provides appropriate protection for emblems that are not registered with us, and thus properly addresses the risk of voters being confused. We are considering this and will make any necessary recommendations to the Government later this year.

Providing advice and guidance

3.5 Our aim as the regulator of party and election finance is to provide clear, helpful and accurate advice and guidance to those we regulate, to help them

¹⁶ The Electoral Commission, *Making your mark* (2009) available at www.dopolitics.org.uk/making-your-mark.

comply with the rules. We saw a significant increase in demand for our advice services during the election period. The level of requests for advice on routine issues, and on novel or complex issues not covered in our written guidance, is shown in Table 1, along with our performance in responding to requests within the timescale targets in our Corporate plan.¹⁷ We were able to out-perform those targets despite the high volume of advice requests. We reallocated some resources from less pressing work in order to meet the demand for advice.

Table 1: Requests for advice, 1 January – 6 May 2010

Request type	Corporate plan target	Requests received	Answered within target	Performance against target
Routine advice	95% answered within 5 days	1,739	1,713	98.5%
Novel and complex advice	90% answered within 30 days	221	209	94.6%

3.6 We published written guidance for candidates and agents, including an explanation of the new candidate spending regime, in December 2009, and we updated our guidance for political parties and third parties in January 2010. During the election campaign we received a significant number of requests for guidance on two complex issues, the treatment of hustings events for candidate spending purposes, and the application of the third party rules to various types of campaigning activity. As a result we reviewed our previous guidance on these areas and published guidance updates that addressed many of the issues raised in individual enquiries. The updates were welcomed by many of those seeking our advice.

3.7 Responses from candidates and election agents to our survey suggest that many found the advice and guidance provided by the Commission to be a useful resource, although it appears many relied on their political parties as their main source of information. Just over half (51%) of election agents who responded said that they found the Commission to be a useful source of guidance, while 14% said that they did not find it helpful. Candidates who responded to our survey indicated that guidance produced by the Commission was used as one source of information about the nomination process (identified by 45% of candidates), election expenses (52%) and more broadly the conduct of elections (41%). Feedback from political parties, election agents and Returning Officers suggests that the Commission's guidance is often used when advising candidates.

¹⁷ The Electoral Commission, *Corporate plan 2010–11 to 2014–15* (March 2010) available at www.electoralcommission.org.uk/_data/assets/pdf_file/0003/87744/Corporate-plan-2010-11-web-updated.pdf.

Monitoring election campaigns

3.8 As part of our risk-based approach to regulation we carried out some desk-based monitoring of campaign activity in 92 selected constituencies across the UK. The purpose of this work was to promote compliance by:

- raising awareness of the rules and our role in policing them
- obtaining information on campaigning activity which we may refer to when checking spending returns, and
- identifying emerging issues and opportunities for us to offer advice and guidance to those we regulate

3.9 The constituencies were selected using criteria that we set out in a consultation we carried out in 2009.¹⁸ The project included monitoring of advertising, leaflets and internet activity by staff in each of our offices and a small number of additional temporary staff in our London office. The outcome of the monitoring work will be set out in our final report on campaign spending at the election, which we will publish early in 2011 after we have received parties' campaign spending returns.

Reporting on donations and loans to parties

3.10 We publish donations accepted by political parties in Great Britain and their accounting units on a quarterly basis (special provisions apply to parties registered in Northern Ireland).¹⁹ Once a UK general election is called, we also publish donations given to the headquarters of those parties contesting the election on a weekly basis until polling day. These reports do not include donations to candidates, who must report the donations they have received and their spending returns to the Returning Officer in the constituency they have contested. Table 2 shows the donations and loans reported to us by selected parties since July 2009.²⁰ Full details of all donations and loans reported to us since the start of the regulatory regime in 2001 can be found in the registers on our website.

3.11 Quarterly donation and loan returns for the period from January to March 2010 were due to be sent to us by Friday 30 April. We usually publish quarterly returns 20 working days after receipt, using the intervening period to check that reports are accurate and to contact parties if there are queries or to obtain missing information. Given the proximity of the Quarter 1 2010 reporting deadline to the date of the election, we published the returns on Tuesday 4 May, one working day after receipt, so that voters would have this information available to them before going to the polls. We also published each of the five weekly reports during the election campaign within 24 hours of the deadline for

¹⁸ The Electoral Commission, *Better regulation of party and election finance* (June 2009) paragraphs 3.15–3.18.

¹⁹ Since 1 January 2010, parties must report any donation or loans above £7,500 made to the central party, or donations or loans exceeding £1,500 made to a local accounting unit.

²⁰ Parties in Great Britain that we expect to report income in excess of £250,000 for 2009.

submission of the returns by parties, to ensure that the information was available to voters as soon as possible.

Table 2: Donations and loans to selected parties since July 2009²¹

Party	Quarter 3 2009 (Jul–Sep) (£)	Quarter 4 2009 (Oct–Dec) (£)	Quarter 1 2009 (Jan–Mar) (£)	Weekly (6 April– 6 May) (£)	Total (£)
BNP	13,805	0	0	0	13,805
Christian Party “Proclaiming Christ’s Lordship”	0	20,000	100,000	60,000	180,000
Conservative Party	5,378,354	10,481,949	12,357,714	7,317,601	35,535,619
Co-operative Party [The]	90,163	204,735	477,545	33,745	806,189
Jury Team	0	0	19,500	0	19,500
Labour Party [The]	3,046,377	4,968,385	4,070,432	5,283,198	17,368,392
Liberal Democrats	873,405	1,151,851	1,931,147	724,000	4,680,403
Green Party [The]	78,844	89,182	59,650	0	227,677
Scottish National Party	17,236	26,110	5,123	10,000	58,471
Plaid Cymru – Party of Wales [The]	13,250	11,617	98,002	0	122,869
UK Independence Party (UKIP)	88,755	197,150	106,547	0	392,452
Total	9,600,192	17,150,983	19,225,660	13,428,546	59,405,381

3.12 The requirement to report donations received and loans entered into on a weekly basis applies to all registered parties unless they apply for an exemption on the grounds that they do not intend to contest the election. We were aware that some parties were unfamiliar with this obligation and went to considerable efforts to contact all registered parties to provide information about how to apply for an exemption, including follow-up letters and calls to some parties. However, 29 registered parties failed either to apply for an exemption or to provide weekly

²¹ Figures exclude public funding and impermissible donations. Totals may not match precisely because of rounding.

returns. We are following up these cases to ensure that returns are submitted where relevant, and to emphasise the need to comply with the rules in future. Fines will be pursued where appropriate. We will also look closely at why the compliance rate for weekly returns was lower than the compliance rate for quarterly returns, and whether the current requirements are appropriate for smaller parties.²²

Reporting on spending

3.13 All those parties that contested constituencies in the election are required to send details of their campaign spending to us for publication. Returns covering spending up to the value of £250,000 must be sent to us by 5 August 2010, and returns covering spending above this value (which must be independently audited) must reach us by 5 November 2010. We will publish the returns as soon as practicable after we receive them. We will also publish a report on campaign expenditure by parties, candidates and third parties in the elections across the UK in early 2011.

Dealing with breaches of the rules

3.14 We are responsible for monitoring compliance with the rules on donation reporting, and campaign spending by political parties, third parties and candidates. We will review the campaign spending returns of political parties, third parties and candidates when they become available, and this may result in future investigation and enforcement activity.

The experience of candidates and political parties

The nomination process

3.15 The vast majority of agents who responded to our survey (95%) thought the nominations process was well run, and there was little variation between agents from different political parties. Overall, the nominations process itself was also seen as straightforward by nearly 90% of candidates who responded. Around seven out of 10 candidates surveyed said that they had looked to their election agent or party officials as the main source of information about the nomination process.

The count

3.16 There was some dissatisfaction with the transparency of the count among agents, and more so among candidates. Sixty per cent of candidates agreed with the statement 'Elections staff made it clear what was happening at all

²² Average compliance rate for weekly returns over a five-week period is 73.2%. Average quarterly compliance since Quarter 1 2009 is 97%.

stages of the count,' but over a quarter (26%) disagreed, making this one of the most notable areas of dissatisfaction identified in our survey of candidates.

3.17 Comments from candidates identified a number of other issues related to the count process. A number reported frustration with how long the verification and count process took. Some candidates attributed delays to the effect of more than one election being held on the same day, but others expressed the view that the count was disorganised. Some candidates who provided feedback also expressed concern that they had not been kept well-informed about count progress.

Confidence in the integrity of the elections

3.18 Candidates and agents were also asked how concerned they were about electoral fraud or abuse having taken place in their constituency. Just under a quarter (24%) said that they were very or fairly concerned, although only 15% of election agents said they were similarly concerned.

3.19 In terms of the general safety of voting from fraud and abuse, candidates were less confident than electors, with 28% saying that they thought voting was fairly or very unsafe. This was also reflected in feedback from candidates, a small number of who expressed concern that electoral fraud may have taken place in their constituencies, while others stated that they believed the postal voting system to be open to abuse.

3.20 Although not directly comparable, because the questions vary and the sample size is different, these levels of confidence in the integrity of the UK general election are broadly consistent with the levels of confidence expressed by candidates at the 2009 English local elections, where 80% of those who responded to our survey did not think that electoral fraud in Great Britain is a big or very big problem.

4 Registering to vote at the 2010 UK general election

Registering to vote

We want people across the UK to be confident that registering to vote is straightforward, accessible and secure. We want to make sure people know how to register to vote and encourage them to do so.

At the 2010 UK general election:

- The electoral registers for the UK general election contained just fewer than 45.6 million entries, an increase of 1.3 million since the 2005 UK general election.
- The registers for the areas of England where local government elections also took place on 6 May contained 21.3 million entries.
- The eligible electorate increased by over 700,000 between publication of the 1 December 2009 registers and the close of registration on 20 April 2010. This increase was made up of attainers on the registers who turned 18 by polling day and people who registered to vote after the annual canvass.
- Over two million visits were made to our public information website www.aboutmyvote.co.uk, 500,000 registration forms were downloaded, and a further 10,000 forms were sent out from our call centre in Great Britain. In Northern Ireland 5,150 forms were downloaded from the website or sent out from the call centre. We are aware that some of these forms went to voters who were already registered, and we will use the feedback from Electoral Registration Officers to improve this service and minimise duplication.
- Of the people we surveyed, 86% reported that they were fairly or very satisfied with the process of registering to vote. Satisfaction was higher among voters than non-voters, and was also higher among older than younger people.

Our agenda for the next five years

We want the UK Government to implement the change approved in the Political Parties and Elections Act 2009 to provide a system of individual electoral registration in Great Britain which ensures that:

- everyone eligible to take part in elections in Great Britain can be registered to vote

- no one ineligible to vote is included in an electoral register
- changes to the system are easily explained to, and understood by, electors
- personal data is properly managed and protected
- changes to the registration system are made efficiently, without a detrimental impact on the existing duties and responsibilities of Electoral Registration Officers

We want the UK Government to address the key policy challenges which we identified in our March 2010 electoral registration research report:

- Consider the timing of the annual canvass in order to best ensure complete and accurate registers for elections, and what role it will have once individual electoral registration has been fully implemented in Great Britain.
- Capture population movements between each annual canvass more swiftly and accurately, and consider the potential for access to new data sources to improve the completeness and accuracy of electoral registers.
- Review the current allocation of resources for electoral registration, to ensure that where there is greater risk of incomplete or inaccurate electoral registers, Electoral Registration Officers are better equipped to tackle those risks.

The register for the May 2010 UK general election

Who could vote

4.1 For the UK general election, the following people were eligible to vote if they were aged 18 or over and on the electoral register on polling day:

- British or qualifying Commonwealth citizens²³ resident in the UK
- citizens of the Irish Republic resident in the UK
- British nationals living overseas who moved up to 15 years ago, and who had previously been registered in the UK
- service or Crown personnel serving in the UK or overseas in the armed forces or with Her Majesty's Government

4.2 For the local government elections in England, the following people were eligible to vote if they were aged 18 or over and on the electoral register on polling day:

²³ Including Rwanda which became a Commonwealth country in March 2010. Qualifying Commonwealth citizens who have leave to remain in the UK or do not require such leave.

- British or qualifying Commonwealth citizens resident in the UK
- European Union citizens resident in the UK
- service or Crown personnel serving in the UK or overseas in the armed forces or with Her Majesty's Government

Compiling the electoral register

4.3 In order to vote in a UK general election, people who are eligible must first ensure they are included in the electoral register. Electoral Registration Officers are responsible for compiling and maintaining electoral registers in Great Britain. In Northern Ireland, this is the responsibility of the Chief Electoral Officer (CEO).

4.4 The main focus of electoral registration activity in Great Britain is the registration of electors within households that takes place every autumn (commonly known as the 'annual canvass'). The purpose of the annual canvass is to check the entries on the register and update them if necessary. Individuals can also register or change their existing details at any time of the year, usually as a result of moving home or having missed the annual canvass.

4.5 Northern Ireland uses a system of continuous individual registration. There is no annual canvass, but people can apply to be included in the electoral register at any time. Applicants must provide personal identification information including their date of birth, National Insurance number and signature. Names stay in the electoral register until the CEO is told that someone is no longer entitled to be registered at the listed address, either because they have moved away or because they have died.

4.6 The UK Parliament passed legislation in July 2009 to introduce individual electoral registration in Great Britain by 2015.²⁴ Following the UK general election, the UK Government has indicated that it intends to implement individual electoral registration more swiftly than the current timetable set out in legislation. We welcome the commitment to moving to a system of individual electoral registration in Great Britain, and we look forward to the publication of the Government's detailed plans for implementation. We will continue to monitor proposals for the successful introduction of this framework, so that people are served by a secure and convenient registration process that produces electoral registers, which are both complete and accurate.

Promoting electoral registration

Promotion of electoral registration by Electoral Registration Officers

4.7 Complete and accurate electoral registers are the bedrock of secure elections. Since the end of 2006, Electoral Registration Officers in Great Britain have had a duty

²⁴ Provisions contained in the Political Parties and Elections Act 2009.

to proactively take steps to increase registration rates, and all Electoral Registration Officers should have a public awareness strategy in place to deliver this.

4.8 In the months leading up to polling day, many Electoral Registration Officers in Great Britain carried out activities to promote electoral registration for the 6 May 2010 elections. These included writing to all non-respondents to the annual canvass and directing them to their council's or our website; canvassing or setting up a registration point on university campuses; publicising the election in local authority magazines, on their websites and via Facebook and Twitter; sending text message reminders; and displaying posters in a range of community locations such as schools, hospitals, train stations, and on buses.

4.9 Targeted advertising such as adverts in Asian magazines and discussions with students were also carried out in some areas to target black and minority ethnic communities and young people.

The role of the Electoral Commission in promoting electoral registration

4.10 We ran one public awareness campaign across Great Britain in advance of the local government and UK general election on 6 May. We ran a separate campaign in Northern Ireland. The campaigns aimed to increase the number of eligible people to register to vote and ran over a range of media including television, press, radio and online. The campaigns were particularly targeted at under-registered groups, including young adults, students, home-movers, private renters, and certain black and minority ethnic groups.

4.11 The campaigns encouraged people to make sure they were registered to vote by visiting our website, www.aboutmyvote.co.uk, to download a registration form, or by contacting our telephone helpline.

4.12 The campaign was successful in reaching its target audiences, particularly black and minority ethnic groups. There were over two million visits to our website, www.aboutmyvote.co.uk, and more than 500,000 registration forms downloaded. Our call centre in Great Britain answered over 22,000 calls and sent out 10,000 registration forms. In Northern Ireland, the call centre answered over 5,000 calls and sent out more than 3,800 registration forms, and more than 1,350 forms were downloaded from the website.²⁵

4.13 While the campaign was clearly successful in raising awareness of registration among the target audience, initiating and prompting requests to be registered, it is not possible to tell how many unregistered people became registered as a result. Anecdotal feedback from some Electoral Registration Officers suggests that some of the forms they received were from people who were already registered, or from people who were registered at a previous address in the same authority and needed to update their registration details.

²⁵ Figures are for the period 1 April 2010 to 6 May 2010.

4.14 Electoral Registration Officers have provided us with helpful feedback on the campaign and have suggested ways in which it could be improved to increase voter understanding of the registration process, avoid duplicate registration applications and to make it easier for them to deal with the returned forms. We will take this into account in planning any future campaigns and continue our efforts to encourage people to register to vote for future elections, making best use of data sources to effectively target people missing from the register.

Registration levels

4.15 This was the first UK general election where voters could register to vote after the election had been announced, following changes introduced in the Electoral Administration Act 2006.²⁶ Previously, the deadline for new or changed registration applications had been up to a month and a half before polling day.

4.16 The electoral registers for the 2010 UK general election included nearly 45.6 million entries, an increase of over 1.3 million since the last UK general election in 2005. In those areas of England where local government elections were also held in May 2010 (164 local authorities in total), the registers included approximately 21.3 million entries.

4.17 The registration deadline for both the UK general election and local elections in some parts of England was midnight on 20 April 2010, just over two weeks before polling day. The number of entries included in the registers of Parliamentary electors increased by over 700,000 between the publication of the register on 1 December 2009 and the close of registration on 20 April 2010. This figure includes those attainers on the register who would have turned 18 and been eligible to vote by 6 May; this figure is estimated at over 200,000.

4.18 In March 2010, we published our report, *The completeness and accuracy of electoral registers in Great Britain*.²⁷ Based on new analysis of existing data as well as new primary research in eight local authority case studies, the report concluded that Britain's electoral registers have now stabilised after a period of decline since the late 1990s.

4.19 However, the findings suggest growing local and regional variations in the completeness and accuracy of the registers, with the highest concentrations of under-registration most likely to be found in metropolitan areas, smaller towns and cities with large student populations, and coastal areas with significant population turnover and high levels of social deprivation.

²⁶ Previously, electors had to be on the register when Parliament was dissolved before the election. In effect this meant electors would have had to be on the register as it stood at 1 April for an election that was called in April, and held in May.

²⁷ The Electoral Commission (March 2010), *The completeness and accuracy of electoral registers in Great Britain* available at www.electoralcommission.org.uk/_data/assets/pdf_file/0018/87111/The-completeness-and-accuracy-of-electoral-registers-in-Great-Britain.pdf.

4.20 Based on these findings, we have identified key actions for Electoral Registration Officers and policy makers, including the importance of using data-mining techniques to identify possible anomalous entries in electoral registers and consideration of whether the annual canvass should continue to be carried out such a long time in advance of scheduled elections.

4.21 We are also aware from data provided by Electoral Registration Officers that a relatively small number of people attempted to register after the deadline in Great Britain, an average of 145 per constituency, representing roughly 0.2% of the total number of entries in the registers for the UK general election.²⁸

4.22 Other factors may also have had an impact on the number of people registered to vote at the 2010 UK general election. This year, for the first time, televised debates were held between the leaders and senior representatives of the main political parties in England, Wales, Scotland and Northern Ireland in the run-up to the election, provoking a great deal of media and public interest. The first debates in England, Wales and Scotland were all held before the deadline for registration on 20 April, and may have encouraged people to register. The closure of UK airspace in mid-April, following a volcanic eruption in Iceland, resulted in a backlog of air mail, which may have delayed some registration applications.

People's experience and satisfaction with registering to vote

4.23 Our public opinion research carried out in the weeks following the election found that 97% of people asked believed they were registered to vote, either at their current address or at another previous address.²⁹ The most commonly mentioned reason for not being on the register was not being eligible to vote (mainly for reasons of nationality), followed by not being bothered or not seeing the point in registering to vote.

4.24 Satisfaction with the electoral registration process was generally very high. Our public opinion research found that 86% of people were satisfied with the procedure for registering to vote. Satisfaction with the registration process increases with age, with 94% of people aged 55 or over reporting that they were very or fairly satisfied, compared with 75% of those aged 18–34. People who said that they had voted in the 2010 UK general election were also more likely to report that they were very or fairly satisfied with the process of registering to vote (90%) compared with non-voters (66%).

4.25 In 2009, 87% of people said that they were very or fairly satisfied with the electoral registration process, with more than half (54%) reporting that they were very satisfied. Only 2% were dissatisfied with the registration process.

²⁸ This average is based on returns from 500 constituencies in Great Britain.

²⁹ Ninety-three per cent reported that they were registered at their current address and 4% said they were registered at another address. This registration level is based on self reporting, which previous research has shown to overestimate the proportion of people actually registered. This figure should therefore be treated with caution.

4.26 Further research carried out on behalf of the Commission in December 2009 suggests that people are generally confident that they know how to register to vote: 88% of respondents said that they were fairly or very confident that they knew how to register to vote, compared with only 10% who said that they were not very or not at all confident. There appears, nevertheless, to be some underlying confusion among the public about electoral registration. Our post-election survey asked people a series of 'true or false' questions on statements about electoral registration to gauge awareness of the rules. More than two in five (43%) incorrectly believed that registration is automatic for anyone aged 18 or over; three in 10 (31%) incorrectly believed that people would be automatically registered if they paid council tax; and one in four (25%) incorrectly believed that you can register until the day before an election. Just over one in 10 (12%) correctly answered that you may be fined if you don't register to vote.

5 Taking part and voting in the 2010 elections

Taking part and voting

- The majority of the people in the UK were satisfied with the procedure for voting.
- Three-quarters (75%) of people asked (including those who said they did not vote) were very or fairly satisfied with the procedure for voting, with 13% saying they were dissatisfied.
- Among those who said they had voted, 80% said they were satisfied with the voting process.
- Satisfaction levels were highest among those aged 55 and over (83%), compared with 67% of 18–34-year-olds who said they were very or fairly satisfied.

Our agenda for the next five years

We want the Government to bring forward proposals for a comprehensive electoral modernisation strategy to set out how it intends to address significant policy issues, including:

- improving voting opportunities for service personnel and other overseas electors
- further strengthening the security of postal voting, in particular by requiring the personal identifiers on all returned postal voting statements to be verified before ballot papers are counted
- lengthening the timetable for UK Parliamentary elections and bringing key deadlines into line with those for other elections
- considering what role advance voting might play in helping to provide more flexible options for people wanting to vote
- reviewing the case for requiring proof of identity for voters at polling stations

We want the Government to change the law to make clear that eligible electors who are entitled to vote at a polling station and who are in the queue to enter the polling station at the close of poll will be allowed to vote.

We have also identified a number of problems with the current legal framework for electoral administration that impact upon voters. These include poorly-designed ballot papers and voter materials, the description and emblems for joint party candidates, emergency proxy votes not being available for employment related reasons, Returning Officers unable to request refresher signatures from absent voters and the limited number of suitable buildings that can be used as polling stations. We want the UK Government to address these problems as soon as possible.

Any future changes to electoral law must be developed in an open and consultative way, and implemented in good time before the next UK general election, so that the rules allow people to plan no later than six months before polling day.

Turnout and participation

5.1 A total of 29.7 million valid votes were cast in the UK general election, an overall turnout of 65.1%. Compared with the 2005 UK general election, when turnout was 61.4%, this represented an increase of approximately 2.5 million additional voters. Turnout varied quite significantly between constituencies: the lowest turnout was in Manchester Central constituency (44%), while the highest turnout was in East Renfrewshire constituency (77%).

5.2 A total of 5.5m valid postal votes were received. More than 220,000 returned postal votes were not included in the count, following checking of the signatures and date of births provided as identifiers, the reasons for which are set out in paragraph 5.22. In addition, approximately 80,000 ballot papers (representing around 0.3% of the total issued) were not included in the count because they had no votes marked, more votes than permitted or the voter's intention was not clear, or they did not include the official mark, or they contained any mark or writing that might identify the voter.

5.3 Turnout in England, Scotland and Wales increased compared with the 2005 UK general election, but turnout in Northern Ireland decreased by just over 5% from nearly 63% to under 58%.

5.4 Turnout at the local government elections in England did not differ significantly from turnout at the UK general election. Our public opinion research found that 16% of voters in these areas said that they would not have voted in the local government elections if the UK general election was not on the same day, while only 2% said they would not have voted in the general election if the local elections were not on the same day.

5.5 Turnout among postal voters was higher compared with those who voted at polling stations: 83% of people who were sent a postal ballot pack voted, compared with 63% of those who were required to vote at a polling station.

Participation among different groups at the 2010 UK general election

5.6 It is not possible to analyse demographic trends in participation using official data, since no personal data such as age or gender is recorded in the electoral register.³⁰ However, based on analysis of their voting-intention surveys conducted in the run-up to the election, Ipsos MORI has been able to make some estimates of participation among different groups. In particular, participation appeared to be highest among older voters, with three-quarters (75%) of people aged 55 or over saying that they had voted in the UK general election, compared with only 44% of those aged 18–24.³¹

5.7 Our public opinion research after the elections asked why people had not voted in the May 2010 elections. About one-third (31%) said that circumstantial reasons prevented them from voting. The main circumstantial reason related to lack of time or being too busy (12% of non-voters). A further 13% noted their non-voting was because of administrative factors, such as not being registered, or not having received a polling card or postal vote. Just under one in five (18%) said that they did not vote because they did not like the parties or candidates standing at the elections, and only a very small proportion (2%) specifically cited criticism of MPs' expenses as a reason for not voting.

How people cast their vote

5.8 Electors were able to cast their votes either in a polling station on polling day, or by post during the two weeks before polling day. Since 2000, all registered electors in Great Britain have had the option to vote by post if they choose to. In Northern Ireland people may only vote by post if they have a valid reason why they will be unable to vote in person at their local polling station.

5.9 If an elector had a valid reason why they were unable to vote in person, such as illness, physical incapacity, work commitments, or that they live overseas, they could appoint a proxy to vote on their behalf, either in a polling station or by post.

Voting at polling stations

5.10 Polling stations across the UK opened at 7am on 6 May 2010 and closed at 10pm. The majority of votes at the UK general election were cast in polling stations: in total more than 22 million votes (representing just over 82% of all votes) were cast in around 40,000 polling stations across the UK.

5.11 During the final hours of polling on 6 May, there were reports of queues forming outside some polling stations, and it was later reported that some people in those queues were unable to vote when polls closed at 10pm. Our

³⁰ Date of birth is recorded in the electoral registers in Northern Ireland.

³¹ Ipsos MORI's aggregated data is based on more than 10,000 interviews across Great Britain, and therefore provides a reliable indicator for looking at turnout among different groups.

report on those problems estimated that just over 1,200 electors were affected at 27 polling stations across 16 constituencies.³²

5.12 Our report on the problems at polling station provides more information about these occurrences, and what needs to change. The UK government in particular must address the rules on participation at the close of poll and the current complex structures for delivering elections. Returning Officers must ensure they plan appropriately, and provide the level of resources needed for well-run elections.

5.13 We are also aware of some isolated reports that voters at a small number of polling stations may also have experienced other problems. These included:

- polling station staff that didn't arrive to open the polling stations on time, insufficient numbers of staff
- inappropriate polling places
- the wrong ballot papers or electoral registers being delivered to the polling station
- polling stations where supplies of ballot papers ran out during polling day before being replenished.

5.14 While limited in number, these occurrences represented unacceptable levels of service to the voters who were affected.

5.15 While electors in Northern Ireland were required to present a valid form of photographic identification when voting at polling stations, no such identification was required for electors in Great Britain. We have received feedback from a small number of electors who complained that they had been unable to vote as someone else had already been issued with a ballot paper in their name. Some electors and candidates also expressed concern that people who were legitimately registered as electors in more than one place (for example, second home owners or students) could have voted more than once in the UK general election because there is no mechanism to prevent this. There is currently no coordination between the different electoral registers which would enable Returning Officers to detect and prevent this.

Voting by post

5.16 There has been a steady increase in the take-up of postal voting in Great Britain since 2000, when this option was made available to all electors. Between the 2001 and 2005 UK general elections, the percentage of the electorate issued with a postal vote rose from 4% to 12%. Some 15% of eligible electors (approximately 6.9 million people) were issued with postal votes at the 2010 UK general election.

³² The Electoral Commission, *2010 UK Parliamentary general election – Interim report: review of problems at polling stations at close of poll on 6 May 2010* (20 May 2010) available at www.electoralcommission.org.uk/_data/assets/pdf_file/0010/99091/Interim-Report-Polling-Station-Queues-complete.pdf.

5.17 The constituencies with the highest proportion of postal ballots issued were Newcastle Upon Tyne North (40.6% of electors) and Houghton and Sunderland South (38.9% of electors). Those (outside of Northern Ireland) with the lowest were Hull North (5.9% of electors) and Hull East (6.7% of electors).

5.18 The proportion of electors in Northern Ireland who were sent a postal vote for the UK general election (1.4%) – was much lower than elsewhere in the UK. Postal voting is only available to those who are unable to vote in a polling station, rather than to any elector.

5.19 As already mentioned, the deadline to apply for a postal or proxy vote in Northern Ireland was Tuesday 15 April, five days earlier than the deadline in Great Britain. The number of postal and proxy votes issued almost halved since the last UK general election in 2005 when 34,377 postal and proxy votes were issued compared with 18,071 at the May 2010 general election. The Chief Electoral Officer for Northern Ireland explained that the decrease was largely due to stringent measures put in place to detect fraudulent applications and that warnings about the consequences of fraudulent postal and proxy vote applications and robust counter-fraud measures were working.³³

5.20 In addition, 21% of all applications received in Northern Ireland for a postal or proxy vote were declined. Some of the most common reasons for declining these applications were due to incorrect or incomplete information supplied on the application form, such as the full name or National Insurance number not matching what was held on the electoral register. Almost 200 applications were also rejected because the signature contained on the form did not correspond with that in the electoral register

5.21 Across the UK approximately 5.5 million valid postal votes were received, representing just over 18% of all votes cast at the UK general election. More than 220,000 returned postal votes (representing approximately 3.8% of those returned) were not included in the count because the details provided on the postal voting statement (which voters are required to complete and return with their postal vote) could not be successfully checked against the details provided on their original postal vote application. This checking process is required to be carried out on a minimum of 20% of returned postal votes, and is intended to ensure that no fraudulently completed postal votes are included in the count.

5.22 Anecdotal feedback from Returning Officers and electoral administrators suggests that many returned postal votes were rejected because voters had inadvertently entered an incorrect date of birth, or that their signatures may have changed since their first application. While it is clearly important that measures are in place that are effective in detecting and preventing fraud, these measures should not inadvertently disenfranchise voters who simply make mistakes on their postal voting statements.

³³ Douglas Bain, Chief Electoral Officer, Electoral Office for Northern Ireland press release, 30 April 2010.

5.23 We have previously recommended to the UK Government a number of changes which would help to address these problems, including allowing the Returning Officer to request a refreshed identifying signature, and also provide electors with feedback if their identifier has been rejected. We expect the Government to explain how and when it intends to take these forward.

5.24 Poorly-designed voter materials can cause voter confusion and contribute to ballot papers being rejected, and postal voting materials should be designed in a way that makes them easy for voters to read, understand and follow. We set out in our *Making your mark good practice design guidance for electoral administrators and government policymakers* how postal voting statements and guidance should be designed so that they are user-friendly.³⁴

5.25 We want changes in electoral law and policy to ensure that voter materials are usable and accessible. Our guidance should inform design decisions by governments when drafting new legislation. It is too easy for those of us involved in elections to assume that everyone finds the process of casting their votes easy. We need to ensure that the process is clear and accessible, otherwise we may disenfranchise people.

5.26 Feedback from electors has also indicated that they experienced problems in some areas, including the late arrival of postal votes, in some cases after polling day, electors in areas with combined polls receiving postal votes for some but not all of the elections taking place, and electors not being successfully registered for a postal vote despite having claimed they submitted an application on time.

Voting by proxy

5.27 People who were unable to go to their local polling station for reasons such as illness, physical incapacity, work commitments, holiday arrangements, or living overseas, could appoint a proxy in advance to vote on their behalf. The deadline for appointing a proxy was 5pm on Tuesday 27 April 2010 in Great Britain, just over a week before polling day. After this time, anyone who was suddenly taken ill and unable to vote in person at their polling station could appoint an emergency proxy up to 5pm on polling day itself.

5.28 Across the UK more than 130,000 people appointed a proxy, around 0.3% of the total number of people registered. A somewhat higher proportion of electors in Northern Ireland (0.6%) appointed proxies compared with other parts of the UK.

5.29 Some Electoral Registration Officers told us that they were contacted after the proxy deadline by people who had to go away for work at short notice, and would be absent on polling day. The current emergency proxy provisions do not cover people who are away from home for employment reasons, and these

³⁴ The Electoral Commission, *Making your mark* (2009) available at www.dopolitics.org.uk/making-your-mark.

people were not able to appoint a proxy and therefore not able to vote. While fixed-term elections may help to mitigate the uncertainty for some workers, the Government should look at possible changes to the terms by which emergency proxy applications might be issued.

Service voters

5.30 Members of the Armed Forces (or the husband, wife or registered civil partner of a member of the Armed Forces) can register to vote as a service voter, which allows them to register in respect of a fixed address in the UK even if they have to move around for their job. Or they can register to vote in the normal way, as an 'ordinary' voter. In either case, as with other voters, they can either vote in a polling station, by post, or if they are away from home on polling day, they can appoint a proxy.

5.31 For the 6 May elections the UK Government put in place new arrangements to support service personnel in Afghanistan to register and to vote. Couriers and dedicated space on military flights were used to speed up the delivery of electoral registration applications and postal ballot packs to and from service personnel based in Afghanistan. The Government was supported by the Head of the Democratic Services Team at Rushmoor Borough Council in England, who acted as a central coordination point for the postal fast-track process.

5.32 The UK Government has indicated that 294 proxy voting applications were received and forwarded to Electoral Registration Officers through this initiative, and 217 postal votes were successfully returned from Afghanistan to Returning Officers in around 120 local authorities. We expect the Government to carry out a full evaluation of the initiative, and we look forward to considering the results of that evaluation.

Overseas voters

5.33 British citizens living overseas who had moved to another country within the last 15 years, and who had previously been registered in the UK, could register to vote in the UK general election as an 'overseas voter'. Overseas voters could choose to vote by post or appoint a proxy.

5.34 Some overseas voters who had registered for a postal vote have complained that they did not receive their postal ballot packs in time to vote in the election, or that they did not receive them at all. The election timetable meant that postal ballot packs could only be issued after 20 April 2010 at the earliest, leaving two weeks for ballot packs to be received by electors based overseas, completed and returned to Returning Officers in the UK before 10pm on 6 May.

5.35 It was clear at this election that the tight timescale for the issue and return of overseas postal votes meant that some people were not able to return their postal ballot packs in time for their votes to be counted. The UK Government must take into account these concerns as it considers rationalising the election

timetable as part of its planned introduction of fixed-term elections for the UK Parliament.

People's experience of voting at the elections

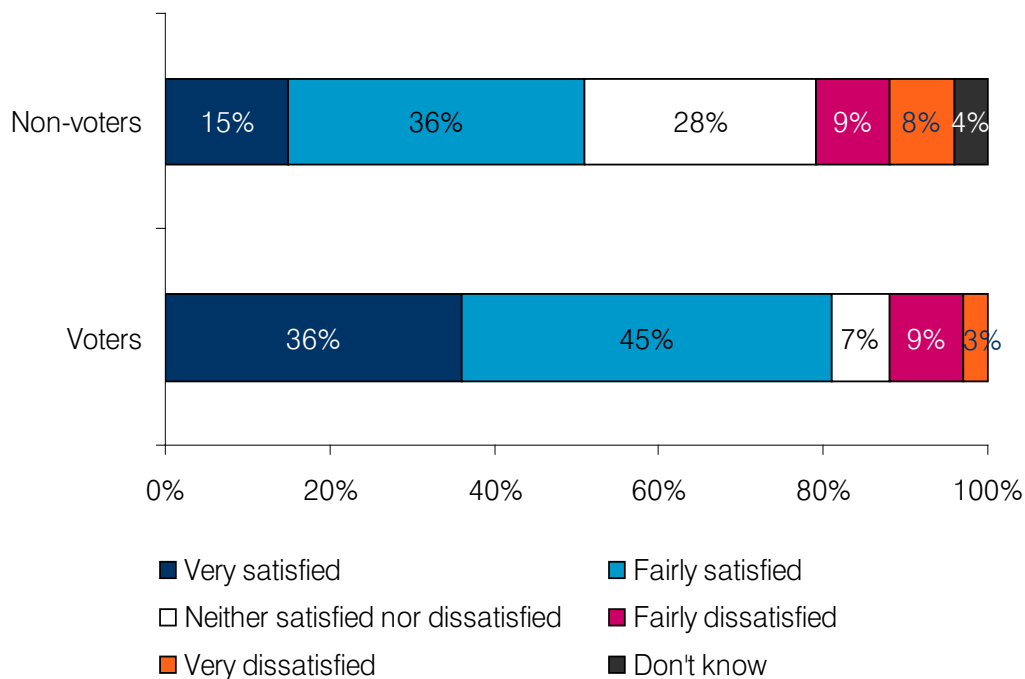
5.36 Elections are relatively infrequent events that take place only once a year in most parts of the UK, and less often in some parts. People's experiences of the electoral process, and in particular their experience on polling day itself, can have a significant impact on their views of the electoral process as a whole and also on the results of the elections themselves.

Satisfaction with the voting process

5.37 Our public opinion research carried out after the election showed that the majority of the people in the UK are satisfied with the procedure for voting.³⁵ Three-quarters (75%) of people asked (including those who said they did not vote) were very or fairly satisfied with the procedure for voting, with 13% saying they were dissatisfied. Among those who said they had voted, 80% said they were satisfied with the voting process. Satisfaction levels were highest among those aged 55 and over (83%), compared with 67% of 18–34-year-olds who said they were very or fairly satisfied.

³⁵ All research findings are UK-wide unless otherwise stated.

Chart 2: Satisfaction with procedure for voting



Source: Ipsos MORI, *May 2010 Post-election survey UK general election and local elections in England*

Question: Generally speaking, how satisfied or dissatisfied are you with the procedure for voting in elections in Great Britain/Northern Ireland?

Base: Voters (1,790), Non-voters (1,796) UK

The experience of people who voted in polling stations

5.38 People generally consider voting in polling stations to be a convenient way to vote. Nearly three-quarters (74%) of people (including those who told us they did not vote) said that voting at the polling station on May 6 was convenient. This figure is higher among those who actually voted (80%) compared to those who didn't (48%). Of people who went to vote in person at their local polling station, 93% were very or fairly satisfied with the process.

5.39 At the last UK general election in 2005, a survey of those who had voted in person at polling stations had found that 97% of them rated polling stations as convenient. Eighty-nine per cent of those surveyed were satisfied with the guidance and assistance they received at the polling station.³⁶

5.40 Of the people we asked, 90% said it was or would have been easy to get to their local polling station, and 5% that it was or would have been difficult. Non-voters (14%) and those with a disability (15%) were more likely to report difficulties. Having arrived at their polling station, nearly all voters (97%) said that

³⁶ British Election Study, 2005.

they found it very or fairly easy to get inside to vote, with only 2% reporting that it was fairly difficult.

The experience of people who voted by post

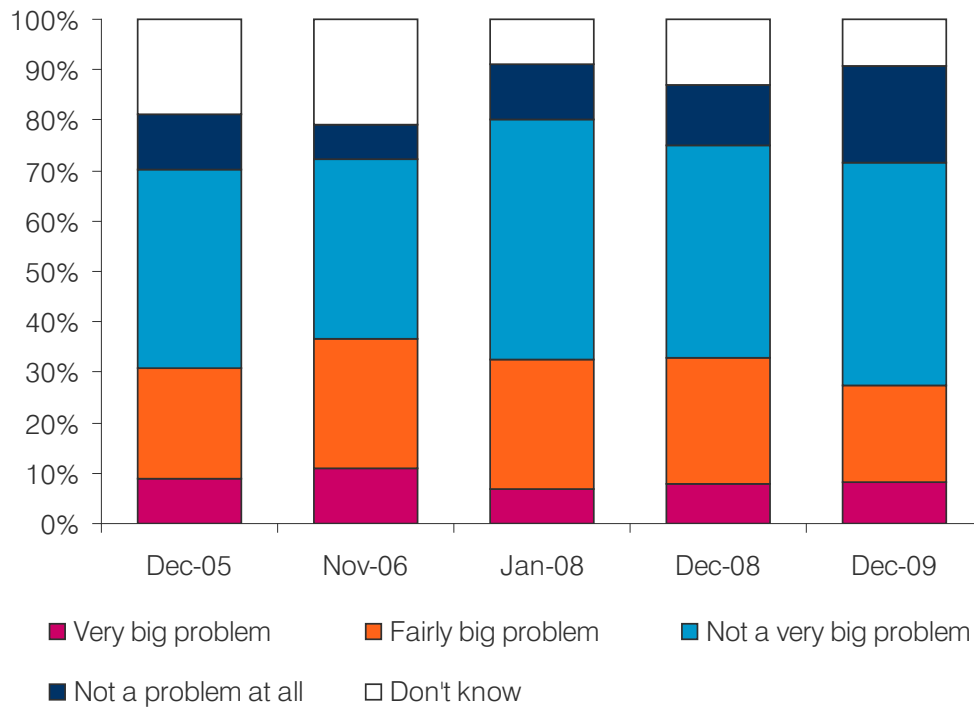
5.41 The most popular reason people gave for choosing to vote by post related to convenience: 58% said it was more convenient for them than voting in person, and 12% that they would have had difficulty getting to their polling station on polling day.

5.42 When we asked voters and non-voters about the convenience of voting by post, around six in 10 (62%) said that voting by post was a very or fairly convenient way to cast their vote. Almost all (99%) of those who said they had voted in this way were satisfied with the voting process, and 77% of them were very satisfied.

Confidence in the integrity of elections

5.43 It is important that people in the UK have confidence that taking part in elections is secure. Confidence in the voting process in the UK is generally high, with more than three-quarters of people (77%) saying that voting in general is very or fairly safe from fraud and abuse. Just over one in 10 (11%) people responding to our survey said that they thought voting is fairly or very unsafe. Chart 3 shows how perceptions of the extent of electoral fraud have changed over time.

Chart 3: Whether electoral fraud is a problem



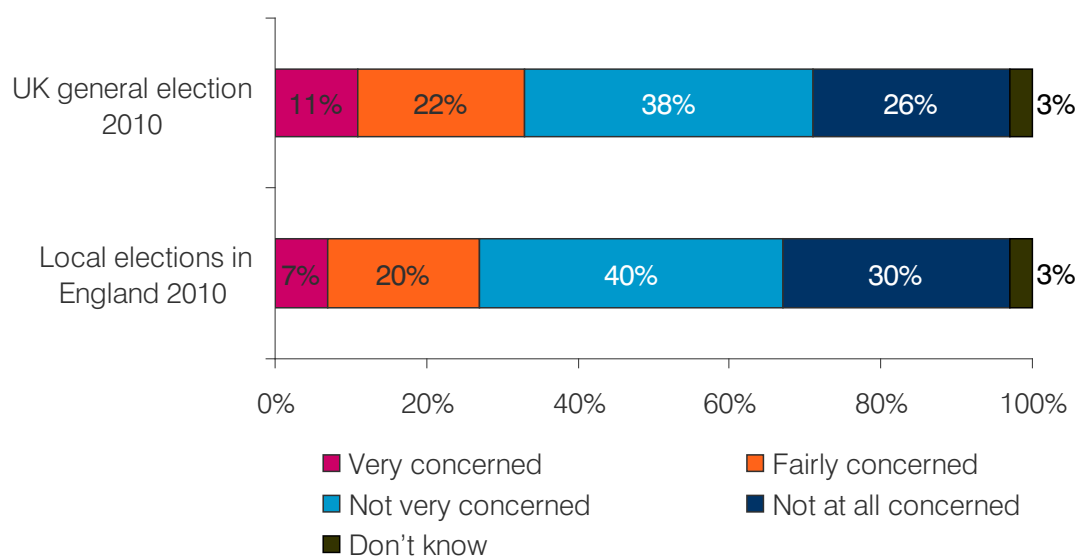
Source: Ipsos MORI, *Winter trackers 2005–9*

Question: As you may know, there are many types of fraud such as benefit fraud and insurance fraud. How much of a problem, if at all, do you think electoral fraud, that is fraud relating to elections and voting, is in Great Britain/Northern Ireland? Do you think it is...

Base: All respondents UK

5.44 When asked specifically about the 2010 elections, however, just over a third of people (34%) reported that they were very or fairly concerned that electoral fraud and abuse took place (see Chart 4 below). In 2009, following the European Parliamentary and English local elections this figure was 27%.

Chart 4: Concern that fraud and abuse took place at the 2010 UK general and local elections



Source: Ipsos MORI, *May 2010 Post-election survey UK general election and local elections in England*

Question: How concerned, if at all, are you that electoral fraud and abuse took place at the UK general election/local council elections on Thursday 6th May?

Base general: All respondents (3,586) UK

Base local: All respondents in local election area (541)

5.45 There were marked differences, however, in perceptions of the security of different voting methods. A small minority (6%) of people said that they thought voting at polling stations was fairly or very unsafe from fraud and abuse, while just over a quarter (26%) thought postal voting was fairly or very unsafe. Just under one in three people (29%) said that they were not very or not at all confident that voting by post ensures that votes are kept secret, compared with just 8% of people who said that they were not very or not at all confident that voting in person at a polling station ensures that votes are kept secret.

5.46 The reasons people gave for being concerned that fraud took place varied, and several related to a general disapproval of fraud and abuse in any form (for example, people saying that fraud is generally a bad thing, or always possible). However, one of the most common reasons given, by 16% of those who said they were very or fairly concerned about fraud and abuse having taken place, was that people were not able to vote. This suggests that the queues at polling stations, which were widely reported in the media, may have damaged public confidence in the integrity of the 2010 elections.

People's priorities for voting

5.47 People told us that what matters to them most when voting is the safety and security of their vote. One-third (33%) prioritise their vote being safe from fraud or abuse, a similar proportion to those that value secrecy of the ballot as the most important feature of voting (31%). Ease of voting was also important, though less of a priority: 19% said that voting being easy or convenient was most important, and 14% said that their priority was having a choice of methods to vote.

5.48 We also asked people whether they would be more likely to vote if certain changes were made to voting. For most of the options, the changes would have made no difference to the majority of people who did not vote. However, non-voters said they would have been more likely to vote on 6 May if it was easier to get a postal vote (38%); they could have voted at the weekend (30%); or they could register to vote at the polling station on election day (24%). In Great Britain, 85% of people (both voters and non-voters) said that having to show photographic identification at the polling station would have made no difference to their likelihood of voting, while just over one in 10 (11%) reported that it would make them less likely to vote and 4% more likely.

Accessibility of the voting process

Polling stations

5.49 Taking part in elections in the UK should be straightforward and accessible, and voters should be confident of receiving a consistently high quality service wherever they live. Our observations of polling stations across the UK suggest that the vast majority were accessible. This meant disabled entrances were well signposted with usable ramps in place, low polling booths were available for wheelchair users, and large-print ballot papers and tactile voting devices were available for voters with visual impairments. We are also aware that many electoral services managers have been more proactive in including access issues as part of their polling station staff training.

5.50 SCOPE, the disability rights organisation, published in June 2010 the findings of its own survey of polling station accessibility. SCOPE's assessment was that there had been a small improvement overall in the accessibility of polling stations since the 2001 and 2005 UK general elections. While it reported that only one in three polling stations included in its survey were fully accessible, SCOPE also indicated that just under one in four polling stations had only missed the basic accessibility criteria by one feature, including no tactile voting device to help visually impaired voters to vote independently, no large-print version of the ballot paper, or no level access into the polling station, including an adequate ramp when required.

5.51 Well-designed layouts for polling stations and polling places are important not only for those with limited physical mobility, but also help to ensure a smooth flow of voters through the polling station. Our May 2010 report³⁷ on the queues experienced at some polling stations on 6 May identified that poor layout and cramped environments inside some polling stations may have impeded access for voters, and limited the actions that Returning Officers were able to take in response to reports of queues building up. We have recommended that Returning Officers should be given powers to use any public building as a polling station.

Ballot papers and voter materials

5.52 Voters should be able to vote easily and confidently, knowing that their vote will be counted in the way they intended. In October 2009 we published our *Making your mark design guidance*,³⁸ aimed at improving the usability and accessibility of voter materials used at elections across the UK. It included recommendations for changes to the design and presentation of voter materials, including the voter guidance and information displayed in polling stations and polling booths. We also produced user-friendly versions of these notices that electoral administrators could download and print for use in polling stations.

5.53 At the time of publishing *Making your mark*, we did not recommend that the UK Government should make any legislative changes in terms of voter materials for future elections, as there was not sufficient time for these to be in place for planning six months before the election. We did, however, encourage electoral administrators to use the guidance and the templates we provided to help ensure that their voter information for the 2010 elections was usable and accessible.

5.54 Our public opinion research carried out after the 2010 elections suggests that voters are generally confident that they know how to complete and cast their vote: 94% of voters said that they were very or fairly confident about filling in the ballot paper when elections are held; 74% of people who voted at a polling station said that help or support from polling station staff was very or fairly useful and 72% said that written instructions at polling stations were very or fairly useful; 97% of people who voted by post said that it was very or fairly easy to understand what they had to do to complete and return their postal vote.

³⁷ The Electoral Commission, *2010 UK Parliamentary general election – Interim report: review of problems at polling stations at close of poll on 6 May 2010* (20 May 2010) available at www.electoralcommission.org.uk/_data/assets/pdf_file/0010/99091/Interim-Report-Polling-Station-Queues-complete.pdf.

³⁸ The Electoral Commission, *Making your mark* (2009) available at www.dopolitics.org.uk/making-your-mark.

Appendix A

List of Constituencies that had submitted statements in accordance with the requirements of Rule 53ZA (1)(b), Schedule 1, Representation of the People Act 1983 (as inserted by Section 48 of the Constitutional Reform and Governance Act 2010).

* denotes planned Friday Counts:

- Argyll and Bute*
- Basildon and Billericay
- Berwick upon Tweed*
- Bexleyheath and Crayford
- Blyth Valley*
- Broadland*
- Buckingham*
- Cheltenham*
- Chorley
- Copeland*
- East Ham
- Erith and Thamesmead
- Greenwich and Woolwich
- Hexham*
- Hornsey and Wood Green
- Huntingdon*
- Ilford North
- Ilford South
- Kenilworth and Southam*
- Lancaster and Fleetwood*
- Lewisham Deptford
- Lewisham East
- Lewisham West and Penge
- Meon Valley
- Mid Sussex
- Morcambe and Lunesdale*
- North Cornwall*
- North East Hampshire*
- Norwich North*
- Old Bexley and Sidcup
- Penrith and the Border*
- Richmond Park
- Saffron Walden*
- Skipton and Ripon*
- St Austell and Newquay
- St Ives*
- Torridge and West Devon*

- Truro and Falmouth
- Twickenham
- Wansbeck*
- Warrington South
- Warwick and Leamington*
- West Ham
- Westmorland and Lonsdale*
- Winchester

Appendix B

Research methodology

Public opinion survey

Ipsos MORI interviewed a representative quota sample of 3,586 voters and non-voters across the UK by telephone on 7–23 May 2010. The sample breakdown is as follows: England 1,023, Wales 1,032, Scotland 1,017 and Northern Ireland 514. The data were weighted to the known national population profile in each country; for UK-level findings each of the four countries' data were aggregated and then weighted to their representative level for the population of the UK. Findings are statistically significant at the 95% confidence level or above. A technical report is available upon request.

Caution should be taken when inferring any statistical trends from two separate surveys (for example, Winter tracker and post-election survey) due to possible differences in methodology, sampling, changes in question wording and at what stage in the electoral cycle the question was asked. It should also be noted that the characteristics and views of voters in the 2009 and 2010 post-election surveys may vary due to the different types of elections held and demographics of those who voted at each of these elections.

Electoral data

Professors Colin Rallings and Michael Thrasher at the Elections Centre, University of Plymouth collected and collated data on our behalf, including data relating to electoral registration, turnout, absent voting and rejected ballots. Data was collected from Returning Officers in Great Britain and the Electoral Office for Northern Ireland.

As of mid-July 2010, no electoral data had been returned for eight Parliamentary constituencies in England. Some (Acting) Returning Officers were also unable to provide some of the electoral data which we requested from them. We have indicated in the report where data is missing from significantly more than eight constituencies.

Survey of electoral agents

We included questions on a survey of electoral agents conducted by Professor Justin Fisher (Brunel University), Professor Ed Fieldhouse (University of Manchester) and Dr David Cutts (University of Manchester). Surveys were issued by post to a total of 1,995 Conservative, Labour, Liberal Democrat, Plaid Cymru and SNP party agents in 632 constituencies in Great Britain. Figures given here are based on the 613 responses received from Conservative, Labour and Liberal Democrat party agents by 23 June and should not be considered to be representative of the views of all agents. We will publish a report later in 2010 that sets out the final data from the survey.

Survey of Parliamentary candidates

We issued a postal survey to a total of 2,081 candidates in the week after the election. We randomly selected 417 constituencies in Great Britain for our sample and sent surveys to all those candidates for whom we had address details (we obtained addresses from published statements of persons nominated and from lists supplied by a third party for the three largest parties in the UK Parliament). We also sent surveys to 108 candidates in the 18 constituencies in Northern Ireland. Figures given here are based on the 729 responses received by 2 July and should not be considered to be representative of the views of all candidates.

Further findings from our general election research will be available on our website later in the year.

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see inside back cover for details.

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