

The March 2017 Northern Ireland Assembly election

May 2017

Introduction

On 2 March 2017 an election to the Northern Ireland Assembly was held. As with previous Assembly elections we sought the views and experience of voters, based on public opinion research and electoral data provided by the Electoral Office for Northern Ireland, as well as feedback and views about the administration of the election from candidates and agents, those responsible for delivering the poll, and other participants.

We published our report on the May 2016 Northern Ireland Assembly election in September 2016¹, making a number of recommendations to the UK Government and the Chief Electoral Officer. Since then, in addition to the Northern Ireland Assembly election which took place in March, a UK Parliamentary General Election will take place on 8 June 2017 and it is possible that another Assembly election may take place later this year. This paper provides a summary of the issues that emerged at the March 2017 election and an update on the progress on recommendations that we made last September.

The March 2017 Northern Ireland Assembly election: key findings and recommendations

Our research with voters and campaigners found high levels of confidence that the Northern Ireland Assembly election held on 2 March 2017 was well-run:

- More than 812,000 votes were cast at the election, representing a turnout of 64.8% - the highest level of turnout since the first Assembly election in 1998
- More than 8 in 10 people (82%) said they were very or fairly satisfied with the process of registering to vote
- Nearly 9 in 10 people (86%) said they were satisfied that the elections were well-run

¹ https://www.electoralcommission.org.uk/data/assets/pdf_file/0013/215041/2016-NI-Assembly-election-report.pdf

- Nearly all those voters who responded to our survey (95%) said that they found it easy to fill in their ballot paper
- More than 9 in 10 candidates and election agents (91%) said that they were satisfied with the overall administration of the election

People in Northern Ireland cannot yet apply to register to vote online, although legislation allowing online registration has been passed. We want to see progress by the Chief Electoral Officer towards implementing this important change after the June 2017 UK Parliamentary general election, to make it easier for people in Northern Ireland to maintain and update their registration details.

As also outlined in our report on the May 2016 Northern Ireland Assembly election we continue to want to see increased transparency on how political parties are funded in Northern Ireland, to help increase public confidence in the democratic process. We look forward to progress being made on this issue and are ready to work closely with the UK Government to support their development of the necessary legislation.

About the elections

On 9 January Martin McGuinness resigned as deputy First Minister. As required by law the Assembly needed to elect a new First Minister and deputy First Minister within seven days. By 16 January the Assembly had not elected a First Minister and deputy First Minister and the Secretary of State for Northern Ireland was therefore required by law to call an Assembly election, which he did for Thursday 2 March 2017.

The Assembly Members (Reduction of Numbers) Act 2016 reduced the number of Assembly members returned from each of the 18 constituencies from six to five. Although the next scheduled Assembly election had been due to be held in May 2021, the 2016 Act required that the changes would come into effect at the first election after the May 2016 poll. This meant that there was an overall reduction from 108 to 90 MLAs to be elected at the March 2017 election.

Registration and turnout

A total of **1,254,709 people were registered to vote** in the Northern Ireland Assembly election on 2 March 2017.² **812,783** votes were included in the count, representing an overall turnout of 64.8%.³ This was a 10 percentage point increase compared with May 2016 and was the highest turnout since the first Northern Ireland Assembly election in 1998.

² To vote in a Northern Ireland Assembly election a person must be registered to vote and also be one of the following: a British, Irish, qualifying Commonwealth or EU citizen living in Northern Ireland.

³ Turnout figure includes valid votes and those rejected at the count.

Figure 1.1: Turnout at Northern Ireland Assembly elections 1998-2017



The Chief Electoral Officer for Northern Ireland

The Chief Electoral Officer for Northern Ireland is the registration officer and returning officer for all elections in Northern Ireland. Virginia McVea took up this position on 1 February 2017. Her predecessor Graham Shields began planning for the election before his departure, largely replicating the model that was used for the May 2016 election. This transition worked well and no issues emerged with the leadership of the Electoral Office for Northern Ireland during this busy period. Overall the Chief Electoral Officer delivered a well-run poll, particularly in light of the short notice. As outlined in our report in 2016 we will continue to work with the Chief Electoral Officer to look at how further improvements can be made to the delivery of elections in Northern Ireland.

To assist in the successful delivery of the election the Chief Electoral Officer established a Strategic Election Planning Group to oversee the management of the election. The group consisted of senior staff from the Electoral Office and representatives from the Northern Ireland Office and the Electoral Commission. The group monitored and reviewed progress made on all aspects of the election planning.

The experience of voters

Overall the evidence from our public opinion research suggests that most voters had a positive view of the electoral process and most were confident that the election was well-run. Most of the views expressed were consistent with those

received after the May 2016 election. More detailed analysis of the research is available to view on [our website](#).

Registering to vote

Our research shows that there is clearly an appetite from the public to move to the online electoral registration system that operates across the rest of the UK, with 77% of respondents agreeing you should be able to register to vote online.

However in spite of this there still continues to be high levels of satisfaction with the current process for registering to vote. Only 3% of those surveyed expressed dissatisfaction with getting their name on the electoral register compared to 83% who said they were very or fairly satisfied.

Why did people vote?

As was the case at the May 2016 Northern Ireland Assembly election, the most common reason given for voting at the March 2017 election related to civic duty (68% in 2017 and 67% in 2016). However there was a significant increase in the number of people who said they voted to 'get a change', rising from 7% in May 2016 to 25% in March 2017. It is possible that this may have contributed to the higher turnout at the March election.

As was the case in May 2016 many of those who didn't vote in March 2017 gave circumstantial reasons for not making it to the polling station, such as not having the time or having been too busy (51%). However there was an increase in the number of people who claimed they didn't vote in March 2017 because they were not registered to vote (16% compared to 5% in May 2016). This may have related to the number of people removed from the electoral register in December 2016. We address this issue below on page 6.

People's experience of voting

Voters continue to remain very positive about their experience of voting, whether in person at a polling station or by post. Nearly all (97%) of those respondents who voted in person at a polling station reported that they were very or fairly satisfied with the voting process. All respondents who voted by post (100%) reported that they were satisfied with voting in this way.

The majority of voters at the Northern Ireland Assembly election were also satisfied that the elections were well-run; 86% of respondents to our survey said they were confident that the election was well run. This was a slight decrease on the 2016 Assembly election (when 93% of respondents said they were confident).

The ballot paper

As was the case in May 2016, almost all respondents to our survey (95%) said it was easy to fill in the ballot paper with 79% saying it was 'very easy'. Only 2% said they found it difficult.

A total of 9,450 ballot papers were rejected at the count by the Deputy Returning Officers, representing 1.2% of all votes cast. This is almost the same as the number of rejected ballot papers at the May 2016 election (9,425 representing 1.3%).

A total of 6,836 ballot papers were rejected because there was a first preference for more than one candidate. Based on our observations at count venues this is because the voter had marked the ballot paper with multiple 'x's rather than using numbers. Whilst a single 'x' on a ballot paper could be considered as a valid first preference, once a second 'x' is placed on the ballot paper the voter's intention becomes unclear. We will consider what more can be done through our future public awareness activity to raise awareness amongst the public on how to correctly complete the ballot paper.

Electoral integrity

Over a quarter of respondents to our public opinion research thought that fraud took place at the election (28%), including 9% who said they thought that a lot of fraud took place. This was largely consistent with findings from our research following the 2015 UK Parliamentary General Election and the 2016 Northern Ireland Assembly election. There no complaints or reports of electoral fraud made before or after polling day to the Commission.

Those respondents who said that they thought electoral fraud had taken place at the election on 2 March were asked which, out of a list of options, described why they thought this.⁴ The main reason given by people who thought that fraud had taken place was that this was due to a general impression that fraud was a problem (46%).

Overall however 84% of respondents saw voting in general as being safe from fraud and abuse.

The Police Service for Northern Ireland provide data to the Commission on alleged cases of electoral fraud on an annual basis, which we then report on. We will report on any alleged cases at the Northern Ireland Assembly election in early 2018, when we will also report on any alleged cases relating to the UK Parliamentary election and other elections that took place across the UK in 2017.

Our public awareness campaign

We ran a campaign to increase people's awareness of the Northern Ireland Assembly election and how to take part, including ensuring people knew they needed to be registered to vote by the 14 February deadline for registration applications. We updated our advertising from our 2016 Northern Ireland

⁴ Respondents were able to select more than one answer

Assembly election campaign. This included our TV, radio, press, out of home and digital adverts.

We also produced a suite of resources including a toolkit with examples of messages to share via websites, emails and social media channels, as well as poster templates and factsheets for use by other organisations to help promote electoral registration.

On 1 February Facebook promoted a message in the newsfeeds of all Facebook users in Northern Ireland reminding them to register to vote before the deadline. In addition to this they also created an 'I voted' tag on polling day.

Public information

We continued our long standing partnership with the Electoral Office for Northern Ireland in the provision of a public helpline throughout the duration of our public awareness campaign. In total the helpline handled over 27,000 calls from 23 January until polling day. This was an increase of almost 10,000 calls compared to the May 2016 campaign.

Over 11,000 calls related to electoral registration queries and a total of 3,981 registration forms were sent out as a result. A further 7,686 registration forms were downloaded from our aboutmyvote.co.uk website. Other common queries to the helpline related to absent voting (6,699 calls) and electoral ID (1,303 calls). In addition to this there were almost 80,000 visits to our public information website aboutmyvote.co.uk and a total of 20,375 registration forms downloaded.

The administration of the poll

By its very nature an unscheduled election creates an unexpected workload for electoral administrators. However both the Commission and the Electoral Office have contingency plans in place in the event that such a poll is called, and so were able to respond quickly to the announcement of the Assembly election.

In this section we cover some of the issues that arose during the preparations for polling day, on polling day and at the count.

The electoral register

In autumn 2013 a full canvass of electors took place across Northern Ireland. The canvass was called following a decline in both the accuracy and completeness of the electoral register in previous years. The legislation that allowed for the canvass to take place included a provision to allow the names of those who did not return a canvass form to be retained on the register for a period of two years, if the Chief Electoral Officer was satisfied that they were entitled to be on the electoral register. The purpose of this provision was to ensure that eligible electors could take part in elections in 2014 and 2015. This provision was extended for a further year as the Northern Ireland Assembly election was moved from 2015 to 2016.

Following this canvass in 2013, a total of 112,013 names were retained on the register despite not returning a registration form. Over the following years the Electoral Office contacted these people to advise them to update their details on the electoral register. The last letter sent in September 2016 advised that they would be removed from the register, as required by law, if they did not respond. Following this a total of 60,433 names were removed from the electoral register on 1 December 2016.

Following the announcement of the March 2017 Northern Ireland Assembly election on 16 January 2017, representations were made to the Electoral Commission, the Chief Electoral Officer for Northern Ireland and the Northern Ireland Office that all of these names should be brought back onto the electoral register for the Assembly election. There were also concerns over the fact that the 'late registration' period came into effect as soon as the election was called. Anyone registering 'late' is required to provide additional documentation to support their registration as there is insufficient time for applications to be checked against other public data available to the Chief Electoral Officer, such as from the Department of Works and Pensions. However, there was no legislative tool available to allow for such changes.

In our public awareness activity we continued to encourage people to make sure that they were registered to vote before the deadline of 14 February if they wanted to vote at the Assembly election. We are also promoting electoral registration ahead of the UK Parliamentary General Election on 8 June 2017.

On 23 February the total electorate for the March 2017 Northern Ireland Assembly election was confirmed as 1,254,709. This was 26,886 fewer than the electorate for the May 2016 Assembly election. However there had been an increase in the total electorate of 20,606 compared to the previous register published on 1 February 2017. By a means of comparison, in 2016 the total electorate increased by 8,899 from the 1 April electoral register to the register published for the election on 27 April 2016. Although this put greater pressure on the EONI, the 'late registration' process was completed successfully.

On polling day a total of 3,475 people attended polling stations in order to vote but were found to be not registered. The constituency with the highest number was Belfast West with 425 and the lowest was Lagan Valley with 109. As already highlighted we will continue to promote electoral registration as part of our future public awareness activity.

Absent voting

A total of 19,666 postal ballot papers were issued by the Electoral Office, an increase of 2,093 from May 2016. 86% of these ballot papers (16,186) were returned before the close of poll, of which 709 were rejected and therefore not included in the count. A total of 9,920 proxy voters were appointed at the Assembly election. This was an increase of almost 50% compared to 2016 when 6,644 proxies were appointed. Although the increased number of applications for

absent votes did place significant pressure on the EONI, the overall process ran well.

However the Chief Electoral Officer did express some frustration, as in previous elections that a large number of application forms were hand delivered by political parties on the day of the deadline. Whilst such applications are processed, should any errors be identified on the forms then it is not possible for a new or amended application to be made as the statutory deadline has passed. We will continue to monitor this process, particularly ahead of the June 2017 UK Parliamentary General Election.

Polling day

As was the case in May 2016, 619 polling places were used on polling day with a total of 1,380 polling stations used. No major issues were reported on polling day although there were some complaints received by the Commission and the EONI about the behaviour of both political party canvassers and non-party campaigners outside some polling places. All of the main political parties in Northern Ireland have agreed to a voluntary Code of Conduct produced by the Chief Electoral Officer on canvassing in the vicinity of polling stations, which is provided to all candidates. All campaigners should be mindful of and comply with this Code at future electoral events in Northern Ireland.

The count

The count was held at eight venues across Northern Ireland, with verification of the used ballot papers beginning at 8am on Friday 3 March. The approach to the management of the count replicated that used at the May 2016 election. In particular this included the continuation of a new approach to the verification and primary sort of ballot papers.⁵ As was the case in May 2016 this worked well with verification completed in all but one constituency by 11:15am (South Down was completed shortly after midday).

For the first time at a Northern Ireland Assembly election, all of the counts were completed without the need for a second day. By 11:00pm on 3 March, 11 counts were fully completed, while the last count to finish was Belfast South at 3:00am. Whilst it may be the case that the reduced number of candidates to be elected played some part in this, as well as the way the votes transferred in the later stages, it is clear that the overall management of the count continues to benefit from the changes made in 2016.

Feedback from candidates on the count was very positive. 89% of respondents to our candidate survey reported overall satisfaction that the verification and count process were efficiently run.

⁵ A detailed explanation of the count process is included in our report on the May 2016 Northern Ireland Assembly election.

As we previously recommended in May 2016 we would encourage the Chief Electoral Officer to build on this success and to consider further ways to improve the overall efficiency and management of the count. This should include looking at what more can be done to improve the latter stages of the count, given the changes already made at verification and at the first stage of the count.

Electoral observers

In our report on the May 2016 Northern Ireland Assembly election, we expressed our concern and disappointment that the Commission's accredited electoral observer scheme was being abused. At the time we identified a number of applicants who were clearly supporting a political party or candidate and were seeking entry to the count. As a result, a number of accreditations were rejected or revoked. Following this we advised all of the main political parties that the observer scheme should not be used by party supporters as a means to access the count; instead party supporters should seek to attend as a counting agent for a candidate they support.

Unfortunately a number of applicants for accreditation at the March 2017 Assembly election did not meet the political impartiality requirement set out in our Code of Conduct for electoral observers. In total we rejected 11 applications and revoked five accreditations. In total 40 of the 120 UK accredited electoral observers at that time were based in Northern Ireland.

As outlined in our 2016 report we will be conducting a full review of how we accredit electoral observers in the UK. We expect this to commence in early 2018, with any revisions to the process to be in place before the next scheduled elections in Northern Ireland in 2019.

Candidates and campaigners

A total of 228 candidates contested the 2017 Northern Ireland Assembly election, down from 276 at the 2016 election. A total of 21 candidates stood as an independent and 14 political parties put forward candidates (down from 21 in May 2016).

Overall feedback from candidates and their election agents was very positive. 91% of candidates who responded to our survey were satisfied with the overall administration of the election (compared to 94% in May 2016). All of those who responded to the survey found the nomination process to be straightforward and well run.

Royal Mail

Royal Mail delivered over 1.2 million poll cards and over 6.6 million items of candidate literature, a decrease from 8.3 million at the May 2016 Northern Ireland Assembly election. This was to be expected given that fewer candidates were standing

Monitoring and compliance

As was the case in May 2016, we took a proactive approach in raising awareness about the rules for candidates and agents, political parties and non-party campaigners. This included sending the guidance to parties and non-party campaigners, including information in nomination packs and a pre-election seminar for candidates and agents.

We also continued to carry out desk-based monitoring of party and non-party campaigns at the Assembly election. The purpose of this work was to promote compliance by gathering information on campaigns and taking action if necessary at the time, and also to assist us to when checking statutory returns. It also helped identify non-party campaigners who appeared to be working together, or who were supporting or campaigning against particular parties, or categories of candidates. In the summer we will publish details of what political parties spent where their spending was below £250,000. Parties that spent over £250,000 have longer to make their returns to us but no party spent over this amount at the May 2016 election. Candidate returns were made to the Chief Electoral Officer and are available for public inspection at the Electoral Office upon request.

Campaign issues, trends and developments

During the run up to the 2017 Northern Ireland Assembly election we identified a number of compliance issues that also arose at the May 2016 election. These covered issues such as imprints, social media and online campaigning. Given the short space of time between the elections in May 2016 and March 2017, little progress was made on the legislative framework on these issues but we will continue to work towards such changes being made ahead of future elections.

Looking ahead

In our report on the 2016 Northern Ireland Assembly election, we made ten recommendations for the Chief Electoral Officer, the UK Government and the Commission itself, which covered issues such as online electoral registration, the introduction of performance standards for the Chief Electoral Officer, and changes to the regulatory framework for political finance. Given the short time that has elapsed since the May 2016 election and the March 2017 election, we will continue to prioritise these recommendations during the next five years until the next scheduled Assembly elections.

However in this section of the report we have provided an update on some progress that has been made since our previous report in September 2016.

Donations and loans to political parties in Northern Ireland

On 5 January 2017, the Secretary of State for Northern Ireland announced that he had written to the political parties in Northern Ireland seeking their views on whether the time was now right to move towards full transparency of donations and loans to political parties. The response to this consultation has not yet been

published given the ongoing political talks around the restoration of the devolved institutions.

Increased transparency of donations and loans emerged as a significant issue during the 2017 Assembly election campaign and all of the main political parties in Northern Ireland expressed a commitment to move towards full transparency.

As outlined in our 2016 report we have consistently called for increased transparency on how political parties are funded in Northern Ireland. We are clear that such a move will only help to increase public confidence in the democratic process. For our part we look forward to progress being made on this issue and are ready to work closely with the UK Government to support them with developing the necessary legislation.

Online electoral registration

On 12 December 2016 the Representation of the People (Electronic Communications and Amendment) (Northern Ireland) Regulations 2016 passed both Houses of Parliament. The Regulations allow for the introduction of digital electoral registration and will come into force once the necessary technical requirements are in place for the system to operate in Northern Ireland.

The Chief Electoral Officer had originally intended for online registration to be launched by the end of 2016. However a number of technical difficulties began to emerge during testing of the system and how it would work in collaboration with the current online portal that exists in Great Britain. As such the launch was delayed until early 2017.

Following the announcement in January 2017 that a Northern Ireland Assembly election would be held in March 2017, the Chief Electoral Officer postponed the scheduled introduction of online registration. There remain a number of technical difficulties that need to be addressed, and it is now likely that online registration will be introduced in autumn 2017.

Future electoral events

On 18 April, following a vote by the House of Commons in support of a motion for an early UK Parliamentary General Election, the Prime Minister confirmed that an election will take place on 8 June 2017. We have already produced guidance documents for the election and have launched another public awareness campaign to encourage people to check that they are registered to vote. We will also be reporting on the election which will give us the opportunity to return to some of our longer term recommendations in Northern Ireland and across the rest of the UK.

We are also conscious that there is the possibility of another Northern Ireland Assembly election taking place later in the year. Should this be the case we will continue to work on the lessons learnt at the last two Assembly elections to support the delivery of an election should one be called by the Secretary of State.