

women's aid
until women & children are safe

The
Electoral
Commission

Anonymous registration: Supporting survivors of domestic abuse to register to vote

March 2018 Update

Produced in partnership between the Electoral Commission and Women's Aid

This leaflet reflects the anonymous registration system in England, including the changes introduced in the Representation of the People (England and Wales) (Amendment) Regulations 2018, the Representation of the People (Scotland) (Amendment) Regulations 2018 and the Representation of the People (Scotland) Amendment Regulations 2018. For information about anonymous registration in Northern Ireland, Scotland or Wales, please contact the Electoral Commission on 0333 103 1928

Introduction

In order to vote in UK elections, your clients will need to make sure that they are **registered to vote** by providing some personal details to their local Electoral Registration Officer (ERO). Some women who have experienced domestic violence may miss out on voting because they are worried that perpetrators will be able to trace them by searching the electoral register for their new address.

This short guide is aimed at professionals working with domestic violence survivors and tells you how you can support your clients to **register to vote anonymously** so that they can vote *without* their name and address appearing on the electoral register and can be sure that their personal details will be kept confidential.

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1. Anonymous registration – what it is and how it works

What is anonymous registration?

Anonymous registration was set up to help individuals whose safety would be at risk (or where the safety of other people at the same address as them would be at risk) if their name or address was listed on the electoral register – for example a person who has fled domestic abuse.

How registering anonymously works

All voters are required to give basic personal information to their local Electoral Registration Officer (ERO) so that the ERO can check that they are eligible to register to vote. The difference between a standard and an anonymous registration is how these details then appear on the electoral register and how the ERO communicates with you.

Examples of electoral register entries

This is how entries usually appear on the electoral register:

| | | |
|-------|-----------------|---------------|
| BC412 | Vella, John | 59 Green Lane |
| BC413 | Vella, Veronica | 59 Green Lane |

This is how **anonymous entries** appear on the electoral register:

| | |
|-------|---|
| BC602 | N |
|-------|---|

The 'N' signifies that this entry relates to an anonymously registered voter. If your client is registered anonymously their name and address will not appear on the electoral register. Anonymous registration is a safe and secure way for your clients to register to vote. There is information in section 3 about how your client's details will be securely stored within a local authority and who will have access to them.

2. Making an application

How do you make an application to register anonymously?

To register anonymously, your client will need to complete an [anonymous registration application form](#). They will need to explain briefly why their safety (or the safety of someone in the same household as them) would be at risk if their name and address appeared on the electoral register (for example, they fear that any disclosure of their address could increase their risk). They also need to provide **documentary evidence** to support their application, comprising of either:

1. a court order; or
2. an attestation

The application must then be submitted to the Electoral Registration Officer (ERO) at the local council.

It is important that you make contact with your local electoral services team as soon as possible in order to establish a link with your ERO. You can find their details on www.yourvotematters.co.uk/. They will be happy to provide application forms for you to distribute to your clients as well as answer any questions you may have. This is especially important ahead of an election as they will be able to advise you of the relevant registration deadlines and advise you about any arrangements locally. This should then help to avoid any unnecessary delays in applications being processed.

What supporting evidence needs to be provided with an anonymous registration application?

All applications must include evidence that the applicant's safety or the safety of someone in their household would be put at risk if their name and address appeared on the register. Any of the following can be accepted as evidence:

- 1) A current court document including an injunction, restraining order, non-harassment order, a domestic violence protection order, a female genital mutilation protection order, and an interdict. Full details of the relevant court documents are included on the **anonymous registration form** and in section 6 of this leaflet. The list of accepted court orders for anonymous registration is set out in law, and therefore other types of court orders cannot be accepted as evidence.
- 2) An **attestation** from a **qualifying officer** supporting the application

An **attestation** is a statement that if the applicant's name and address were on the register, the applicant's or another member of the household's safety would be at risk. Attestations must be in writing and must be signed and dated by the qualifying officer who must specify a period between one and five years for which it has effect.

A **qualifying officer** can be any of the following (anywhere in the UK):

- a refuge manager
- a registered medical practitioner e.g. GP
- a registered nurse or midwife
- a police officer of or above the rank of inspector in any police force in the UK
- Director General of the Security Services or the National Crime Agency
- Director of Adult Social Services or Children's Services in England,
- a Director of Social Services in Wales,
- a Chief Social Worker in Scotland (who may authorise in writing another person to attest an application for a person aged under 16)
- a Director of Social Services of a Health and Social Services Board or an Executive Director of Social Work of a Health and Social Services Trust in Northern Ireland

If the applicant has any questions about providing a court order or attestation, they should contact the Electoral Registration Officer for advice.

Making an attestation

As a refuge manager, you are able to provide attestations for your clients.

Electoral law defines a 'refuge' as accommodation together with a planned programme of therapeutic and practical support for victims of, or those at risk of, domestic abuse or violence.

By providing an attestation, you are certifying that the applicant's, or another member of the household's, safety would be at risk if their name or address appeared on the register.

How do you make an attestation for your client?

To make an attestation for your client you can complete the template attestation included on the [anonymous registration application form](#).

Alternatively, you can provide this in any other form, so long as it is in writing, signed and dated by you as the qualifying officer, and specifies how long it has effect for (a period between one and five years).

Who can you provide an attestation for?

The law doesn't require that an attestor has a direct relationship with the applicant. This means you are able to attest for individuals that are not accessing the services at your organisation, provided that you can **truthfully say that the applicant's safety, or the safety of someone in their household, is at risk if their name and address appears on the register.**

Do you have to provide an attestation?

You are under no obligation to provide an attestation. If you are not in a position to certify that the applicant's safety, or the safety of someone in their household, would be at risk if their name and address appeared on the register. then the applicant can approach alternative qualifying officers who may be able to do so.

Knowingly providing false information to an Electoral Registration Officer for any purpose connected with the registration of electors is an offence under Section 13D of the Representation of the People Act 1983. If convicted in England or Wales you could be imprisoned for up to 51 weeks and/or face an unlimited fine. If convicted in Scotland you could be imprisoned for up to six months and/or face a fine of up to £5,000.

How long after making an anonymous registration application will the registration come into effect?

Once the application has been processed, and assuming that the application is successful, an individual will be anonymously added to the register when the next update to the register is published.

If there are any problems or questions with the application the Electoral Registration Officer will contact the applicant directly.

How long does an anonymous registration remain valid?

Registration lasts for 12 months from the day the anonymous entry is first made on the register. After the 12 month period is up, your client will need to re-register anonymously. The Electoral Registration Officer will contact them in good time to tell them what information they need to provide to enable the registration to continue for a further 12 months. Provided it remains valid, the same evidence or attestation can be used to renew your client's anonymous registration.

Does the applicant receive confirmation when they have been added to the register as an anonymous elector?

Once an applicant has been added to the register, the Electoral Registration Officer will send them a signed 'certificate of anonymous registration' by way of confirmation and this can be used as proof of registration if required (for example, by a credit reference agency).

3. Keeping your client's personal information safe

Access to your client's anonymous registration record

Electoral Registration Officers (EROs) are very aware of the sensitivity of information from individuals when they receive anonymous registration applications and treat the information accordingly. The ERO and their team will provide help and advice in confidence to individuals wanting to register anonymously.

The ERO and their team are bound by data protection legislation, and also by electoral legislation, which requires that electoral data (including personal details) is only used for specific electoral purposes set out in the regulations. The ERO will not provide your client's details to anyone unless they are legally required to do so.

Practical arrangements vary between local authorities but some Electoral Registration Officers insist that all staff dealing with electoral data are DBS checked. Access to anonymous registration forms in all cases will be tightly restricted, with many authorities keeping hard copy only applications in a locked cabinet and only a small number of senior members of the team able to access these records. You should contact your local Electoral Registration Officer for more information about how they manage sensitive information locally and you can find their contact details at www.yourvotematters.co.uk

4. Voting

How does an anonymously registered elector cast their vote at an election?

An anonymously registered elector has the same options for voting at an election as other electors. They can vote in person at a polling station or they can apply to vote by post or by proxy.

If they vote in person they will receive a poll card before the election. The poll card will be sent in a covering envelope. An anonymously registered elector **must** take this poll card to the polling station and will not be able to vote without it.

If the elector wants to vote by post or by proxy, they should tell the Electoral Registration Officer who will provide them with an application form or they can download the forms from www.yourvotematters.co.uk.

5. FAQs

My client lives in a refuge and the address cannot be made public. Are they still required to give the address of the refuge on their application?

The application for anonymous registration requires the applicant to provide details of the address at which they are living. This is so that the ERO can be assured that your client is entitled, by virtue of their residential address, to vote in a particular electoral division and it is therefore not possible to include a PO Box address in lieu of a postal address. The address will be kept confidentially by the Electoral Registration Officer and will **not** be published or disclosed.

On the application form the person applying to register can ask for any correspondence from the Electoral Registration Officer – for example, poll cards - to be sent to an address which is different from the address they are living at.

If a person is registered anonymously, does it mean that they will have difficulties obtaining credit?

The electoral register is used by credit reference agencies as an important part of proving people's identity and deciding on whether to give individuals credit facilities. As an anonymously registered elector's name and address will not appear on the register it may affect their ability to open a bank account or make other financial arrangements.

The elector may find it useful to contact the credit reference agencies to add their name to their special anonymous elector database. They can show the credit reference agency a copy of their 'certificate of anonymous registration' (see information on the certificate earlier in this leaflet).

As this involves handing their details to a third party they should only do this if they are confident about the process the company has to keep their data secure.

I know that the ERO is required to publish two versions of the register – the electoral register and the open register. Can you confirm whether an anonymous register entry appears in both the electoral register and the open register?

There are two registers. Why?

Using information received from the public, registration officers keep two registers: the electoral register and the open register (also known as the edited register).

The electoral register

The electoral register lists the names and addresses of everyone who is registered to vote in public elections. The register is used for electoral purposes, such as making sure only eligible people can vote. It is also used for other limited purposes specified in law, such as:

- detecting crime (e.g. fraud)
- calling people for jury service
- checking credit applications.

The open register

The open register is an extract of the electoral register, but is not used for elections. It can be bought by any person, company or organisation. For example, it is used by businesses and charities to confirm name and address details. Your name and address will be included in the open register unless you ask for them to be removed. Removing your details from the open register does not affect your right to vote.

You can find out more information about both registers and how they may be used at www.gov.uk/register-to-vote

The electoral register is the list of everyone who is registered to vote in public elections. Only the elector number of an anonymous elector is included in the electoral register, NOT their name or address.

No information about an anonymously registered elector appears in the open register.

Is any other individual permitted to attest an anonymous registration application apart from those 'qualifying officers' listed earlier in this leaflet?

Only the individuals named as 'qualifying officers' in the list above are permitted to attest anonymous registration applications.

'Qualifying officers' for anonymous registration applications are set out in law which means that the Electoral Registration Officer has no discretion to be flexible about who may attest an application.

The attestation cannot be delegated from a qualifying officer to a more junior member of staff in the organisation.

The Electoral Registration Officer has advised an individual applying for anonymous registration that a particular court order submitted as evidence cannot be accepted. Why is this?

The types of court order or injunction which are eligible to support an anonymous registration application are set out in law. This means that an Electoral Registration Officer has no discretion to vary from the law on which types of court order or injunction are acceptable.

6. Court orders that can be used as evidence to support an application for anonymous registration

- an injunction for the purpose of restraining a person from pursuing any conduct which amounts to harassment granted in proceedings under Section 3 of the Protection from Harassment Act 1997 or under article 5 of the Protection from Harassment (Northern Ireland) Order 1997
- an injunction granted under Section 3A(2) of the Protection from Harassment Act 1997
- a restraining order made under Section 5(1) of the Protection from Harassment Act 1997, or under article 7 of the Protection from Harassment (Northern Ireland) Order 1997
- a restraining order on acquittal made under Section 5A(1) of the Protection from Harassment Act 1997, or under article 7A(1) of the Protection from Harassment (Northern Ireland) Order 1997
- a non-harassment order, interdict or interim interdict made under Section 8 or 8A of the Protection from Harassment Act 1997
- a non-harassment order made under Section 234A(2) of the Criminal Procedure (Scotland) Act 1995
- a non-molestation order made under Section 42(2) of the Family Law Act 1996, or under article 20(2) of the Family Homes and Domestic Violence (Northern Ireland) Order 1998
- a matrimonial interdict within the meaning of Section 14 of the Matrimonial Homes (Family Protection) (Scotland) Act 1981
- a domestic interdict within the meaning of Section 18A of the Matrimonial Homes (Family Protection) (Scotland) Act 1981
- a relevant interdict within the meaning of Section 113 of the Civil Partnership Act 2004
- an interdict that has been determined to be a domestic abuse interdict within the meaning of Section 3 of the Domestic Abuse (Scotland) Act 2011
- any interdict with an attached power of arrest made under Section 1 of the Protection from Abuse (Scotland) Act 2001
- a forced marriage protection order or interim forced marriage protection order made under Part 4A of the Family Law Act 1996, or under Section 2 of, and paragraph 1 of Schedule 1 to, the Forced Marriage (Civil Protection) Act 2007, or under Section 1 or Section 5 of the Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011
- a domestic violence protection order made under section 28 of the Crime and Security Act 2010 or section 97 of, and paragraph 5 of Schedule 7 to, the Justice Act (Northern Ireland) 2015
- a female genital mutilation protection order made under section 5A of, and paragraphs 1 or 18 of Schedule 2 to, the Female Genital Mutilation Act 2003.

Useful links

[24 Hour National Domestic Violence Helpline](#) (run in partnership between Women's Aid and Refuge) 0808 200 247

Women's Aid [Domestic Abuse Directory](#) - to find your local services.

National Stalking [Helpline](#) 0808 802 0300

[Rape Crisis England and Wales](#)

[Anonymous registration application form England](#)

Search facility for Electoral Registration Officers' contact details
www.yourvotematters.co.uk