

**Comments on the
proposed system for
Individual Electoral Registration
in Great Britain**

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Readers are reminded that the views expressed in this paper are those of the author and are not necessarily endorsed by the Trust or its Trustees, but are commended as a contribution to the public debate.

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About the author

Pat Bradley was Chief Electoral Officer for Northern Ireland from 1980 to 2000; a time of considerable political tension and social unrest. He introduced various operational techniques both to enhance the accuracy of the register and to identify actual and attempted abuse at electoral registration and absent voting. In annual reports to Parliament he expressed the concerns and difficulties being experienced in dealing with planned, concerted attempts at electoral fraud, particularly in marginal seats. Subsequently, the legislation was amended so as to require each elector at a polling station to produce one of a number of specified documents as proof of identity. Various operational schemes were set up to address the remaining issue of absent voting fraud by actively monitoring, in real time, all the applications received.

For over twenty-five years he has been invited to advise and assist in the introduction of good electoral practices in countries coming out of conflict or dictatorship, as well as in former member states of the USSR. He also has had a wide range of experience abroad in the overall design and management of the democratic process. For example, his experience has included a period as Deputy Head of the International Mission in Bosnia-Herzegovina and Chair of the Electoral Commission there, Technical Advisor to various Electoral Commissions, UN Electoral Commissioner in East Timor and the UN external, periodic assessor of the progress and standards of the democratic arrangements being set up in Kosovo. The countries involved range throughout Africa, Eastern Europe, the Middle and Far East, Central Asia and South America. He has also carried out various Needs Assessment Missions.

About the McDougall Trust

McDougall Trust is a small charity whose purposes are for the public benefit to advance knowledge of and encourage the study of and research into:

- political or economic science and functions of government and the services provided to the community by public and voluntary organisations.
- methods of election of and the selection and government of representative organisations whether national, civic, commercial, industrial or social."

To this end, the Trust promotes and supports research and dissemination of information on issues of electoral studies, representation and democracy more widely.

The Trust's current activities include: a programme of Workshops led by experts on topical and historical aspects; publications including (through Routledge Taylor & Francis) the peer-reviewed journal *Representation* –

the journal of representative democracy which covers topical and practical issues of relevance to the study and understanding of electoral systems and forms of government, including recent changes in UK electoral law and the debate on electoral and constitutional reform in the UK, while also having regard to the wider national and international democratic context in which they operate; and the maintenance of a research reference library on elections and electoral systems incorporating material from the mid 19th century to the present. The Trust commissions occasional papers from experts on electoral issues of topical concern. The views expressed in this paper are those of the author and are not necessarily endorsed by the Trust or its Trustees, but are commended as a contribution to the public debate.

Foreword

The principle of Individual Electoral Registration has been on the British political agenda for some years and, in general terms, has all-party support. The coalition government conducted a public consultation based on a White Paper and Draft Bill in 2011, and indicated its intention to introduce legislation in 2012.

Whilst that consultation confirmed general support for the proposed change, a number of substantial problems were raised. There was widespread agreement that the goal of a complete and accurate electoral roll was highly desirable but many questions were raised regarding the likelihood of either being (at least largely) achieved. The debates over implementation will therefore continue within and beyond Parliament during 2012-2013.

The McDougall Trust therefore commissioned a paper by one of the UK's most experienced electoral administrators as a contribution to this debate. The Trust is extremely grateful to Patrick Bradley for undertaking this task at relatively short notice and is delighted that he has agreed that it should publish his paper. His expert appreciation of the many issues involved in the implementation of Individual Electoral Registration deserves wide circulation.

Michael Steed
Chair, McDougall Trust

Preface

In June 2011 the Government presented draft legislation to Parliament on speeding up the implementation of Individual Electoral Registration (IER) so as to make it compulsory from 2014. One of the stated reasons for doing so is that:

*We think that the current system of electoral registration is unacceptably exposed to the risk of fraud.*¹

The author wholeheartedly concurs with that perception. There is the clear need whilst enhancing or changing the existing electoral registration system to take into account the changes that have taken place in society. Whichever process is to be introduced it is essential that it be both accessible to, and easily understood by, the wide range of qualified individuals whatever their ability, socio-economic status, cultural background, gender or age.

Appropriate and effective legislation forms but one of the necessary pillars. Good as it may be in itself, successful implementation depends on having the required level of staffing coupled with adequate resources and timely finance.

The introduction of individual electoral registration will be a challenging operation for all concerned.

Increased accuracy in the electoral registration process is to be welcomed. However, that by its self will not address another, and very much related, dimension of the electoral process that is also giving cause for concern – the failure of a significant percentage of those who are registered to vote.

Key Findings

- Individual Electoral Registration (IER) can, in principle, address the justifiable concerns about the level of inaccuracies in, and lack of completeness of the electoral register. Much will depend not just on the appropriateness of the legislation but also on adequate and timely provision of the necessary funding, other resources and sound strategic planning. The latter should include appropriate back up arrangements in case crucial elements of the system fail.
- The introduction of IER provides the ideal opportunity to obtain a common, consistent approach to registration throughout the whole of Great Britain, thus remedying the existing variations. That should include a fixed timetable for the various stages coupled with a related GB wide publicity campaign, supplemented by more localised publicity.
- The electoral register to be prepared in the autumn of 2013 will be the foundation upon which IER is to be constructed. In the circumstances, the proposal to drop the full household canvass that year is ill advised. A full household canvass should be carried out.
- The electoral register plays an important role in the work of the Boundary Commissions and in jury selection. The proposed option to enable persons to opt out of inclusion is wholly inappropriate.
- With the increased mobility of the population there is the need for a central clearing house, or other methodology, for the exchange of information between EROs both to avoid duplicate entries and to assist in the registration of those who have only recently moved address.
- There is also the need to address concerns about the security and privacy of the data held. To assist in that, the sale of the edited register should be discontinued.
- The White Paper proposes that a signature should not be required on a completed IER application form. The availability of such a signature can, as evidence from Northern Ireland indicates, assist both in the identification of fraudulent postal voting applications and their rejection. It is most important that there is the requirement of an applicant to sign the form.
- Access to the registration process via the internet or telephone would be very much in line with the developments in other aspects of life. It is to be welcomed provided there is both adequate security and a sufficient audit trail. Their introduction may best be left until the IER system has bedded down.

Setting the scene

The changed society

Much has changed in society in the intervening period since the foundations of the present electoral registration process were laid in the early part of the 20th Century. Those changes include, for example:

- increase in population mobility
- increased number of elderly
- increased, and more diverse, range of cultural identities
- reduction in the status of the nuclear family
- increased emphasis on the rights of the individual
- data protection and the right to privacy
- reducing voter turn out.

The registration process is not a particularly complex one but its role in the democratic process is significant. Because of that there is the need to update the registration process so as to bring it more into line with the needs of present day society. That is one where there is an increasing use of electronic methods both in communicating and carrying out transactions. The new technologies have been willingly embraced in both the public and private sectors and successfully employed in the interface with the general public. The experience gained elsewhere in their introduction and the public's reaction thus obtained are of direct relevance to the current debate. That is especially the case in relation to the design, range and duration of any transitional arrangements. The security of the process is critical.

Experience in change elsewhere within the public sector also indicates that in the introduction of new processes there is always the danger of projected timetables and desired outcomes not being obtained despite considerable investment; sometimes well over and above the projected figures.

There is general agreement of the need for the process to be made more effective. A more successful enrolment of all those eligible for registration is seen as necessary whilst equally, at the same time, ensuring the removal of all those no longer eligible for registration under former addresses. A principal aim is a reduction in the scope for abuse.

A household canvass has been the long standing method of ascertaining each autumn those qualified for inclusion in the new electoral register to be published in December. The canvass operates through postal enquiry, household visits or both. The postal canvas has become the mainstay of the system, with household visits generally being operated only as and where necessary.

Some may view the retention of the concept of the present household canvas, updated to take into account the needs of present day society, as the appropriate way forward. Others may see that approach as ineffectual and more expensive. The coalition government's view is contained in the White Paper laid before parliament outlining the proposed introduction of a system of Individual Electoral Registration (IER). The

system would place the responsibility for registration in the hands of each individual as opposed to that of the householder. The purpose of this paper is not to rehearse the various arguments for and against the proposed change. Rather, it is to comment in general and on specific proposals contained in the White Paper.

The Fixed-term Parliaments Act 2011

The Fixed-term Parliaments Act 2011 is now in force and, aside from two stated and specific exceptions, sets the date for future Westminster parliamentary elections as 7 May 2015 and on the first Thursday in May in every fifth year thereafter. The Act also provides for the next elections to the Scottish Parliament and National Assembly for Wales to be held on 5 May 2016 and the term in office for each to be increased from four to five years. The net result is that in a five year cycle there will be three consecutive years during which there will not normally be any of those general elections and two consecutive years in which there will be.

This change in timing is subject to a review of the Act that the Prime Minister is required to establish in 2020. Whatever the outcome, the setting of fixed dates for those elections has significant benefits as regards detailed planning and the operational aspects of both electoral registration and general elections. The overall calendar of *all* types of general elections is more or less set and so enables Electoral Registration Officers (EROs) to plan ahead on a longer term basis in terms of manpower and facilities.

Uniformity of standards and approach

The same qualifications are required in all parts of Great Britain for registration as an elector at Westminster Parliamentary elections. A uniform application of the process is thus appropriate irrespective of where an elector resides. That is especially relevant in a constituency within which two or more EROs operate. (Differences of emphasis are of course appropriate to take into account, say, the differences between an inner city area and a rural area.) In some instances, not all of which are predictable, a very small number of votes can determine the result of an individual constituency election. Indeed the government emerging from a general election may only have a very narrow majority, which in part or in whole could be attributable to a handful of marginal seats.

The Electoral Commission provides EROs with advice and guidance. That should facilitate the standardisation of approach. In this respect it is appropriate to bear in mind that there are 380 EROs operating throughout Great Britain. The provision of an internal audit tool that EROs could themselves employ for their own individual use, as a quality control and management tool, is worthy of consideration. It could be a good litmus test to inform the individual ERO on how far compliance and effectiveness to GB wide standards are being attained. At the same time there is the need for an external authority to have the power to take corrective action whenever serious deficiencies in operation have been identified. In countries where, as in Great Britain, the Electoral Commission does not run the electoral process it is common practice for Electoral Commission to have such proactive powers.

Specific comments on the White Paper proposals

Voluntary registration

The White Paper proposes that eligible individuals should no longer be required to register; instead they should be able to opt-out of a particular registration canvass.² Two main reasons are offered for the proposed change:

[to] ensure that people are not repeatedly asked to register during a canvas period when they have no intention of doing so...

and

*that EROs direct their resources to finding eligible electors who want to be registered.*³

In practice, a significant number of eligible individuals may well exercise that option, if it is introduced. If so, there would be adverse consequences in relation to, for example, jury lists and the demarcation of electoral boundaries. Such an opt-out can be viewed as a derogation of civic duty. There are likely to be practical difficulties in endeavouring to ensure that such opt-outs do not become a permanent feature for the individuals involved, especially if they change address to a different ERO area. It would also appear that such individuals could opt-in at any time. That is more likely to happen at election times, a particularly busy period for all concerned. In addition it is probable that the overall *per capita* cost of dealing with each such individual who does so could well be higher than dealing with the others.

This proposal should be dropped.

The need for signatures

Fraudulent applications can be made at the point of registration, for absent voting or indeed for both. The former may be for electoral or other purposes such as validating fraudulent claims elsewhere in the public or private sectors. The sector most at risk from fraud, and which has indeed been seen to have been so abused, is postal voting. The majority of such applications are more likely to be received by EROs in the final run up to an election when there is already a heavy work load to be handled in a limited timeframe.

Only a small number of convictions for postal voting fraud have been obtained in the courts. That can, and has been used to support the argument that the level of such fraud is not significant enough to merit additional security checks. Such an argument is based on the assumption that there is already in existence an adequate process whereby most fraudulent applications are being identified, reported to the police and successful prosecutions obtained.

Even if the ERO has been able to quickly identify suspected fraudulent applications and report those to the police there are further hurdles to be cleared. The police have

then to investigate and afterwards decide whether or not there is sufficient evidence to refer the files to the Crown Prosecution Service (CPS). Then the CPS has to consider whether or not the evidence provides a reasonable chance of obtaining a conviction. If that is not the case, then the matter stops there. Hence the number of convictions obtained is not, *per se*, an appropriate measure of the overall level of abuse.

Past experience in Northern Ireland has shown that it is exceedingly difficult, where organised postal abuse is occurring, to relate a fraudulent application to any particular individual when the application has been delivered by post. That is the method of delivery by which the overwhelming numbers of applications are normally received. Should the fraud only come to light after the election then the chances of obtaining a linkage are reduced. Without “hot pursuit” the chances of success are not as good.

Not all fraudulent applications are made with the same intent and purpose. The commonly used medical terms, *benign* and *malignant* are useful metaphors in this respect. *Benign* can be used to refer to the situation where, say, a family member fills out an application for another household member who happens to be away during the period for absent voting application for a particular election but, in the event, the postal ballot itself is completed by the named elector. *Malignant* clearly describes the situation where the fraud perpetrated involves multiple false applications with the aim of distorting the result of the poll. Such abuse, as the term used itself implies, poses a significant danger to both the electoral process and the public perception. If left undetected, or without an adequate penalty, it can act as an incentive to even higher levels of abuse at following elections.

Postal voting does contribute to easier access to the ballot. In some instances it provides the only practical means of access. Together with its counterpart, proxy voting, postal voting on demand can certainly assist in the attainment of a higher turnout than would otherwise be the case. Without adequate safeguards it can also provide an open season for abuse.

The public perception of the political process is certainly not enhanced by evidence emerging from courts of concerted abuse. There needs to be sufficient linkage between the registration and the application processes to enable effective control. It should be a requirement that IER forms be signed. Also anecdotal evidence indicates that having to sign a document does tend to discourage people from submitting incorrect information.

There is already relevant experience in the prevention of fraud elsewhere in both the public and private sectors. That includes the type and range of personal identifiers that have been found to be appropriate and secure. Experience will also indicate that the level of security attained is not always as high as first projected. For example in the banking sector additional checks have had to be introduced where an “unusual” pattern of transactions or even a single, much higher amount than usual is involved. In the case of electronic transfer such a check will take place even though the correct security details have been given. Those checks usually involve the account holder being contacted by telephone so as to ensure that the transaction is indeed genuine.

The general public has become accustomed to the use of personal identifiers in other aspects of life. Thus it would be appropriate to consider any proposed electoral

identifiers, and any required combination of them, in that context so as to have a common approach overall. That would make for easier understanding for all concerned and enable common publicity campaigns covering various uses. There may well be potential, substantial savings in the longer term. It would also advance the process towards more joined-up government.

The White Paper states:

*We anticipate ... that in the early period of IER the process for electoral registration will require each person to register individually and to provide EROs with their National Insurance Number (NINO) and their date of birth (DOB).*⁴

It also indicates that every eligible individual who wants to be on the electoral register should be able to register easily and simply. However, at the same time the White Paper indicates that an appropriate balance must be struck between security and accessibility and whilst the registration process must remain easy to understand and be universally accessible it must also be sufficiently robust to tackle fraud. There is a clear dichotomy here and one that is not easily addressed; the higher the bar is set the more likelihood there is of individuals being disenfranchised, the lower the bar the more potential for abuse. The system needs to take into account the disparities within society that can affect access to, or of the operation of any system. In so doing there has to be a trade off between principle and pragmatism. One size does not fit all. The balance has also to take into account the practicalities involved in endeavouring to prevent abuse not in abstract terms but in the context of the available timeframe laid down and the level and extent of resources made available to those who have to operate the system.

The White Paper indicates⁵ that it is the intention not to require the provision of a signature on an IER application form. The reason stated is that the provision of a signature neither adds any significant security nor is there the facility to verify its authenticity. Nevertheless there is to be a provision to enable the requirement for a signature to be prescribed under regulations. There are sound reasons why the provision of a signature can provide enhanced security and means of access. Signatures are still in wide use as a security check in many sectors. The range of documentation requiring them includes passports and, not least of all, cheques.

Last June the Payments Council, whose membership includes the major banks, announced the intention to dispense with the use of cheques.⁶ As a result of adverse public response research was commissioned. Following on from that the decision was then taken to retain the use of cheques. It was also decided to launch a publicity campaign, with particular reference to the elderly, to highlight the availability of the pin and signature facility which up to then was only being used in small numbers. That is a good example of due cognisance being taken of the need to facilitate a particular section of society whilst at the same time endeavouring to further enhance the use of technology.

As indicated above, experience gained in Northern Ireland indicates that there are methods whereby the use of signature comparison can raise reasonable doubt whilst dealing with postal voting applications or at least can identify applications that merit

special attention.⁷ The identification, on a real time basis, of a number of individual doubtful applications from a particular ward or wards may well assist in highlighting and preventing systematic postal vote abuse. Additionally, it provides the police with more timely information for any investigation. The IER form currently in use in Northern Ireland does require a signature.

The Electoral Administration Act 2006 introduced a new offence of providing false information when applying for a postal or proxy vote. It extended the time frame for police investigation into electoral fraud from one to two years. The combination of the newly prescribed offence, coupled with more timely notification to the police of apparent absent voting abuse should greatly assist in the attainment of a higher level of convictions than hitherto. To assist in that process the Electoral Commission has produced guidance on checking signatures and dates of birth at postal vote openings.⁸

The fact that an absent voting application submitted bears the name and address of a registered elector does not in itself identify it as a genuine application. For example it could be a fraudulent application using the details of a registered elector who has moved address. Thus, checking the signature on it with the signature on the documentation sent back along with the ballot paper is not as definitive as may first appear. Comparison of the application signature with a signature from the relevant IER form would constitute a much better safeguard both in the prevention of fraud and in enabling early police investigation; a good reason why there should be the requirement for IER applications to be signed. The intent to make registration available on-line or by telephone does not negate that argument. There can be two or more avenues for registration just as there are, and indeed found necessary, for purposes such as banking.

The White Paper proposes that any elector who fails to register under IER in 2014 will automatically lose the right to use absent voting. In such instances the ERO is to notify each elector of the removal. In so doing the elector is to be informed that, if reinstatement is desired, a fresh application will be required upon being registered under IER. The notification is to be accompanied by a copy of each of the forms. A change is also to be made in regards to the qualification required of a proxy: in addition to being an elector for the particular election the nominated proxy must also have been registered under IER. Both of those measures are very appropriate and welcomed.

Cross checking between EROs

Inaccuracies in the register do provide ammunition that can be used for fraud, especially in the retention of the names of those who have changed address. (They also can mask the omission of individuals who were eligible for inclusion.) The White Paper comments that in a combined Metropolitan Police and National Fraud Initiative analysis of 29,000 strands of identify data found on forged and counterfeit documents showed that 45.6% of these were positive matches on electoral entries.⁹

Following on from the example of Northern Ireland the household registration form currently in use in Great Britain asks householders who have changed address inside the past twelve months to state the previous address. When the annual canvas was in

operation in Northern Ireland the area registration office adding names to the register would, when a previous address outside its registration area had been included on the returned household form, send the names and the new and former address details to the registration office covering the previous address. That enabled redundant names to be removed and so lessened the potential for fraud.

The system was successful in two ways. As well as removing the names from former addresses it also highlighted those specific addresses for special attention by the household canvassers as there was more than likely to be new residents there. The information so gained had a positive knock-on effect over a number of addresses. A central clearing house was then set up to manage the exchange of that information between offices.

Clearly the volume of such changes will be considerably higher in Great Britain and in addition there are 386 separate registration offices involved. The Electoral Commission has estimated that approximately 5 million entries are changed in electoral registers each year and that the annual canvass is responsible for the vast majority of those including the addition of new electors and changing the entries for home movers.¹⁰

There is much to recommend a clearing house or other method of information exchange between EROs. Indeed in the context of a much mobile society it seems to be a prerequisite to an accurate register. It could also facilitate the removal of the names of recently deceased where the death and its registration have occurred in a different ERO registration area. The receipt of a polling card addressed to a deceased family member can cause some distress and it is difficult for the family concerned to understand why it has occurred when the death has been registered.

After its first year in operation it could then be decided as to whether or not it should not continue in future years.

The use and availability of copies of the register

For a considerable period of time the use of the register was mainly confined to the electoral process, the selection of jury panels and boundary commissions. Then provisions were introduced requiring its sale on request to a range of users. Thus it became a popular tool for the credit industry, amongst others. As already indicated above there are both positive and negative outcomes to that increased use.

Individuals who in the past had no interest in being registered suddenly applied to do so after they had ascertained that consideration of their request for a loan or a mortgage, to name but a few, included a check as to whether or not the applicant's name was included in the electoral register. Other individuals, on the other hand, sought to have a fictitious name included to support a fraudulent application. There would appear to be some members of the community who, because of the perceived breach of their privacy by having the register so available, have become antagonistic to the registration process.

Two separate editions of the register are now for sale. One is the full or complete register whose availability is restricted. Credit references agencies can use it to confirm the addresses supplied by those applying to open bank accounts, obtain personal loans, credit cards and mortgages. The other is the *edited* edition which does not contain the names of those electors who have indicated that they wish to opt out of inclusion in it. The edited edition is more widely available and is used for purposes such as direct mailing and surveys, not particularly welcomed by many and especially so by those who value their privacy.

The credit industry plays an important role within the economy. There is the need for some UK wide reference source that can be employed in the prevention of financial fraud in whatever guise. However, some are of the view that the register should not be the vehicle for such purposes. Assuming that IER does indeed result in a much more accurate register than that hitherto, then the register will be more beneficial to the credit industry in its attempts to reduce losses incurred through fraud. A significant increase in accuracy could possibly even result in a reduction in the number and range of other checks presently required for credit purposes. The question arises as to whether or not those who use the register for such purposes should make a contribution towards any increased cost incurred in the preparation of the register. An increase in the purchase price, based more towards the intrinsic value of the data supplied, would be one method of doing so.

A different perspective can be applied to the availability of the edited version of the register. Here the reasons are less significant. Indeed there is anecdotal evidence of public concerns about the uses to which it is put, especially junk mail. That has affected the public confidence in the way their personal details are being handled. The availability of the edited version should cease.

The 2014 canvass

It is, to say the least, highly desirable that the data base on which the changeover is to be initiated be as complete, accurate and up to date as is possible. The White Paper identifies the starting point as the canvass commencing on 1 July 2014. The register to be utilised for the canvass will be the one prepared in the autumn of 2013, published in December that year and then updated by rolling registration up to and including 1 July 2014. (Hereafter referred to as the baseline register).

Commencing on 1 July 2014 a personally addressed IER application form will be sent to each person on the baseline register. Non-responders are to be sent at least one reminder and receive a visit from a doorstep canvasser if no response is received. Where a known household address is not listed in the register then a household enquiry form (HEF) will be sent so as to identify potentially eligible electors. Where no reply to the HEF is received then a follow up will be undertaken and that could include a visit by a canvasser. (The same procedure will operate where the ERO is aware that an existing entry on the baseline register is not correct.) Where an ERO has been able to obtain details from other sources such as data matching, of the occupants of an unlisted residence then individual personally addressed IERs may be used instead.

The name of any one on the baseline register who does not respond to the canvass, or who responds but does not complete the registration process successfully, will be carried over to the 2014 register. The stated purpose of continuing the carry over for that register is to have *....a safeguard for the General Election in 2015 so that existing electors who fail to register under IER in 2014 are not removed from the register.*¹¹ Such concern is understandable but it will result in inbuilt inaccuracies, the level of which is not yet determinable.

As indicated above, this paper argues for the need of commonality of approach throughout Great Britain in the operation of the canvass. The Electoral Commission has collected information on various facets of the preparation of the electoral registers. The analysis indicates that the vast majority of changes made to the register each year, some 5 million approximately, are as a result of the annual canvass.¹² It also indicates that, in general, rolling registration accounts for around 3% of the changes made overall. In other words some 97% of all the changes are made during the canvass period.

Should that continue to be the trend then some 97% of the baseline register's entries will have been determined in the autumn of 2013. Of that 97% some 3% to 4% of the names will have been included not as a result of a response to the canvass but under the carry over procedure.¹³ The last response gained from them will, at best, be that obtained at the canvass this autumn, 2012. In some cases the last response could even have been the previous autumn, 2011, if the carry over period operated is for two years. The carry over could be even longer in some instances. Having said that, it has to be recognised that secondary checking of other sources is used in relation to the carry over process and that EROs will not carry over non-responders where it can be determined that the registration is ineligible.

The Commission's survey of EROs asked about the practices operated.¹⁴ The feed back indicated that of the EROs surveyed 48% would retain only the names they could find for the registered address in another data base. In other words if, say, there were four names on the register under the address from which no response has been obtained but only two found in another record the two "missing" names would be deleted. In sharp contrast, 57% of EROs surveyed indicated that they would retain all the entries for a particular address if even only one could be found on the other records consulted. In addition they also indicated that there was no limit imposed on the number of years the carry forward is used. Clearly, as the survey itself recognises, the scale of inaccuracies will also depend on whether carry over is being applied for one year only or is extended beyond that period. The longer the period the greater is the potential for more inaccuracies.

The figures quoted above are overall figures for Great Britain. The Commission's findings indicate that the difference in the level of carry over between individual areas is considerable. The range is 0% to 17%. That probably reflects, to some extent at least, the varying nature of the areas involved in addition to the policies and practices of the various EROs involved. The Commission has identified large urban areas, where there tends to be a higher mobility of the population, as having a much higher than average carry over, with Bolton, Glasgow, Luton, Redbridge, Rhondda Cynon Taf, Slough, Sunderland and Tower Hamlets having rates in excess 10%. It may be the case in those large urban areas where the response rate is low that the

individual ERO has more accurate and complete secondary sources. On the other hand the higher mobility of the population in such areas would suggest that the maintenance of up to date secondary records used by EROs would be more difficult than elsewhere.

The concern about the danger of effectively disenfranchising such existing electors at the 2015 General Election, even through they have failed to respond to the canvass, is understandable. The end result will be the retention on the register of an unknown number of names of those who have moved address or otherwise no longer eligible for inclusion. The decision to do so can be viewed as the lesser of two evils. Having said that, it is particularly difficult to justify the inclusion in the carry over of the names where no response has been obtained for two, three or more years and where confirmation of residence cannot be confirmed from secondary sources. That is especially the case when the practice is not universally applied throughout GB and in view of the parliamentary general election to take place during the currency of the new register.

The Electoral Commission's study of the accuracy and completeness of the GB registers, as at April 2011, shows that, whilst the number of electors listed is higher than ever, registration levels have not kept up with the rising population. The gap in the register published in December 2010 is estimated to be at least 6 million people.¹⁵ In addition, the White Paper Impact Assessment Notes comment that some 20% of people eligible to reregister under IER may not be invited to register individually under the first write-out in 2014.¹⁶ In the circumstances a full household canvas is required in the 2014 canvas so that all households are sent a HEF and not just those addresses that are not on the existing register. That would be followed up with an IER being sent to each individual shown on the returned HER. In addition there should be a greater emphasis, where necessary, on household visits.

The White Paper expresses the view that that *...as well as being more expensive, and compressing the timetable for registration ahead of the 2015 General Election, a canvass followed by invitation confusing people who may not respond to an IER invitation having already responded to a canvass – believing that they have done enough to register.*¹⁷ The argument about the possible confusion arising could equally be applied to the procedure to be employed in 2015. There, where a HEF is received back indicating a change in occupancy an IEF will be sent out to each of the new occupants involved. Admittedly the numbers involved will be much less but the perceived confusion would surely still apply in those particular cases.

The question of cost is particularly relevant in the present economic climate. There is a value judgement to be made here: the additional cost of the household canvass versus the potential for failure in the proposed method for meeting the stated objectives and the additional costs that may accrue in undertaking corrective action if it fails to do so. The immediacy of the general parliamentary election and potential adverse effects to it are of consequence.

Another matter of concern is the proposed method of dealing with those applications for IER registration that have not been initiated by the ERO. Such an application could arise, say, online. The chosen method has been designed to obtain an audit trail that will connect the applicant to the particular address. The proposed means is by

sending a document containing a unique identifying number (UIN) or code in the post to the applicant. The applicant will then be required to return the UIN or code to activate the registration. The proposed method of dealing with them may well be impracticable as it is likely that a significant number of them will be received close to the deadline for registration at a particular election. If so, it is far from assured that the designated action can be completed in time for all such applications. This proposal should be reconsidered.

The 2015 canvass

Unlike the proposals for 2014 a full household canvass will take place. As the first stage, each ERO will despatch a HEF to every residential property in his/her area. The HEF will have, pre-printed on it, the names of those currently registered at the address. Where the feed back on the HEF indicates changes, such as new occupants, then the ERO will follow up by sending an IER form pre-printed with the name to each of the individuals concerned. Those electors already on the register, as a result of having completed an IER the previous year which has been verified, will not have to take any action unless the ERO has reasons to query their continuance on the register.

Where the HEF indicates a deletion of one of the pre-printed names then the ERO has to consider whether or not to remove that name from the register, bearing in mind any information from sources. Where the returned HEF indicates no change then the names will be retained on the register unless the ERO has evidence that each of the individuals is no longer eligible for registration under that address.

In the case of non return of a HEF the ERO will be required to follow specific steps laid down including sending the form out more than once and having a door step canvasser to visit the premises. The general principle to be employed is that a non response should not automatically result in eligible electors being removed from the register without appropriate investigation. That should include the inspection of those records to which the ERO is entitled to have access. Similarly any non-response to the despatch of an IER application should be followed up in the same way.

The resulting register, comprised solely of electors who have registered individually, will be published by 1 December. As of now it can be updated under rolling registration.

The timing of the canvass and relevant publicity

For both 2014 and 2015 the canvass is to commence on 1 July each year. It is axiomatic that a well managed, well timed and comprehensive publicity campaign would ensure a more effective introduction of IER. That will require the timely and adequate provision of funds for the initial planning, the overall design, tendering and implementation.

As the change over affects all of Great Britain, and as the same legislation will apply, then a GB wide campaign would be appropriate, including a concerted and focused targeting of those groups which are less likely to be on the electoral register. That, in turn, could be supported by more localised involvement in the press, radio stations and other publicity channels with the involvement of EROs, and others, putting a

local flavour on it. To maximise the effect of the publicity campaign a common delivery frame could be arranged with Royal Mail.

The timing of the set delivery period could profoundly influence the public rate of response. Whilst holidays nowadays are taken throughout the year, the months of July, August and early September still continue to be peak holiday periods. Those having children at school are more restricted as to when they can arrange for the family holiday. The later in the overall timeframe set for the despatch of the forms the better the rate of response is likely to be. At the same time EROs require sufficient time to enable the checking and processing of the documentation and finalising the register so that it is available for publication by 1 December.

The trial use of mobile information/operational units in those large urban areas, or indeed elsewhere, where the rate of registration has consistently been lower than average, is worthy of consideration. Such units could even be used to obtain completed IER application provided that the linkage between the individuals and the stated addresses can be verified by data comparison or documentation.

A brief look ahead

The results and experience gained in 2014 and 2015 will clearly colour the decisions to be made for the future. There will be lessons to be learned. Thus it is wholly appropriate, even though it is clearly stated that there is currently no plan to change the canvass arrangements, that the draft legislation contains a provision to permit the amendment or abolition of the annual canvass.

In Northern Ireland the prescribed period for a canvass is every 10 years or as deemed necessary.¹⁸ However there are significant differences from Great Britain. To give but just two, at the registration stage the Chief Electoral officer may ask an applicant to produce definitive proof of name and date of birth such as a driving licence, passport or birth certificate. There an elector is required to produce one of a number of prescribed identification documents before a ballot paper can be issued at a polling station.

As regards Great Britain the success or otherwise of data matching will be relevant to any decision on whether or not the annual canvas should be abolished. If it is found that the routine annual canvas can be dispensed with, that does not necessarily imply that the canvass as such should be done away with completely. There may well be the need to periodically refresh the register by having a canvas held at certain fixed intervals. That could be tested by having a canvass carried out in the latter part of 2019. The gap of 5 years between the previous canvass combined with the run up period for the 2020 parliamentary general election would make it an appropriate time for such a test. The level of additions and deletions resulting would inform the overall debate.

Hopefully the introduction of IER will substantially enhance the accuracy and completeness of the register. In analysing the outcome it is important not just to zone

in on the increased number of registrations. There is also the need to ensure equable representation across the whole of society and, geographically, across all of Great Britain. Research by the Electoral Commission has identified particular groups which, currently, are less likely to be on the electoral register.¹⁹ The groups identified include:

- Young people (17-24 years olds)
- Private sector tenants
- Black and minority ethnic British residents

If, after the initial implementation of IER, those groups remain under represented then special targeting measures should be implemented. Particular areas, such as large urban areas, may lend themselves more amenable to certain micro methods of high visibility canvassing such as the use of mobile combined publicity and registration stands, referred to above. As well as visiting shopping centres, community centres and the like they can be utilised in specific projects such as school visits.

The use of online registration is likely to be more attractive to young people and also to many who were the youth of yesterday. Recent revelations of mobile phone hacking have highlighted potential insecurity in their use. Advances in the security of this sector may quickly speed up in the next few years. That, coupled with the declared intention to have more joined up government, may bring forward the time when the use of such technology can afford an easier, more convenient and secure method of electoral registration.

Notes

References are grouped together under each number in the order of the textual superscripts.

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9. White Paper, *ibid*, pp.9-10
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18. The Northern Ireland (Miscellaneous Provisions) Act 2006
19. The Electoral Commission (2005) *Understanding electoral registration: the extent and nature of non-registration in Britain*,. www.electoralcommission.org.uk