

Electoral  
 Reform  
 Society

# Missing Millions:

Individual Electoral Registration  
Roundtable

Briefing by the  
Electoral Reform Society,  
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# Foreword

The Electoral Reform Society is working with the UK Government, Parliament, all political parties, electoral registration officers and civil society to help ensure the Cabinet Office's emerging plans for Individual Electoral Registration are effectively and fairly drafted and implemented.

To inform our ongoing dialogue with the UK Government, the Electoral Reform Society convened a roundtable with electoral registration officers working 'at the coalface' together with parliamentarians, statutory bodies, civil society groups and academics to examine the strengths and weaknesses of Cabinet Office's existing plans.

It is from this base of expertise and experience that the Electoral Reform Society has generated a set of tests by which the final legislation will be judged a success.

The Electoral Reform Society shares the UK Government's analysis that our political system is broken and we welcome the introduction of Individual Electoral Registration as an important step towards repairing our politics. However, as outlined in this paper, the Electoral Reform Society shares the views of electoral registration officers and others that existing plans have failed to sufficiently guard against a drop in the completeness of the register, and that in particular, traditionally disadvantaged groups within society risk further exclusion from the political process.

We look forward to working with the UK Government, political parties, parliamentarians, civil society groups and others to help ensure the final legislation improves the accuracy and completeness of the register.

Katie Ghose  
Roundtable chair and  
Chief Executive, Electoral Reform Society

# ERS' position

The Electoral Reform Society welcomes the introduction of Individual Electoral Registration (IER), but we remain concerned that whilst the White Paper sets out some positive measures that will address the inaccuracy of the register and fraud (*accuracy*), the UK Government's plan fails to sufficiently guard against a projected drop in the number of registered individuals (*completeness*).

## Key Points

### **Reduction in the number of people registered to vote**

- Any measure that leads to a significant reduction in levels of voter registration runs counter to the UK Government's stated aim of distributing power and opportunity to people (outlined in its programme for government);
- Traditionally marginalized groups in society are at increased risk of 'dropping off' the register. The UK Government has yet to publish plans on how it will avoid at risk groups dropping off the register.

### **Opting out will drive down registration**

- By enabling individuals to 'opt out', the UK Government's existing plans risks a reduction in the number of individuals registered to vote. The Electoral Commission estimates that a new register could be as low as 65% complete. Certain parts of the UK Government's plans are compulsory, whilst other parts are voluntary: this contradiction risks confusion amongst voters and potentially, Electoral Registration Officers;

### **Ending of threat of fine will further drive down registration**

- Many Electoral Registration Officers report that the threat of £1,000 penalty acts as a drive for ensuring people register to vote. Again, the UK Government's plans to drop the threat of penalty will further suppress registration levels.

### **At risk groups: no government plans to address concerns**

- The UK Government needs to undertake further work to ensure its plans do not disadvantage particular social and economic groups. In particular, the impact on people with disabilities, older people, armed forces personnel and their families, and students in higher education; as well as certain black and minority ethnic groups;

### **Scrapping household canvas: negative impact for voters and boundary review**

- The UK Government intends to redraw parliamentary constituencies on the basis of numbers registered to vote, rather than population. This will mean areas with lower-registration levels (communities with particularly transient populations, like inner cities, seaside towns, and settlements with concentrations of students, black and minority ethnic, and poorer people) will be under-represented;

- The UK Government's current planned transitional arrangements from the existing Household Registration system to Individual Electoral Registration risks further compounding the problem of 'completeness'. Without a full household canvass in 2014, the 2015 register (the first register operating under the new system) risks being significantly incomplete. This will further disenfranchise voters and mean the 2015 boundary review of parliamentary constituencies is based on flawed data;

# Roundtable discussion and findings

- **Introduction**

Welcoming participants, Katie Ghose, Chief Executive of the Electoral Reform Society and chair of the meeting outlined why getting Individual Electoral Registration was of fundamental importance to the wider democratic process, in particular for those individuals and groups who are traditionally excluded. Katie outlined the meeting purpose as follows:

- to help deepen and broaden understanding of the key issues;
  - to facilitate an exchange of views and perspectives and to suggest improvements
  - and capture these into a report that can be disseminated more widely;
  - to plan how we can work together over the next few months to get the best possible outcome
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- **An Electoral Registration Officer view: Michael Summerville, London Borough of Hackney**

*"We have spent years building up the register. We're concerned that all that work will be undone. We could be looking at a 20-30,000 drop from a register of 165,000."*

Michael Summerville's presentation focused on five points based on his experience of working in an inner city London borough. Michael:

- 1) Expressed concern that progress made in previous years improving the completeness of the register could be reversed by the current proposals;
- 2) Outlined the difficulty in ascertaining the potential drop off in numbers of voters registered but estimated a 20,000-30,000 drop off from a register of 165,000 in his borough;
- 3) Questioned whether people would feel encouraged to undertake more direct forms of action rather than using the ballot box if they feel their vote has been denied them.
- 4) Questioned the impact on young people and the important role many parents currently play in registering their children;
- 5) Expressed concern regarding 11 day registration and the huge challenge should there be no rolling registration process (with people not being encouraged to register throughout the year).

Michael also cited resources as a huge issue for all local authorities and one that could determine the success or otherwise of the proposed changes. Scepticism was expressed as to whether appropriate resources would be made available to make IER work, given cuts in public spending. Michael added that IER will prove a "huge

challenge" for authorities such as his which faces not only cuts of £65 million but also combined European and local elections in 2014.

*"I don't see how we'll have the time to prepare for IER on the back of the 2014 Elections. We're already losing resources."*

Serious concern was expressed regarding the timing in light of the combined elections in June 2014 for the European parliament and local elections (both borough and mayoral) as well as a likely General Election in 2015; and whether current plans for the implementation of IER will prevent all forms of fraud.

- **Lewis Baston, Senior Research Fellow, Democratic Audit**

Opening, Lewis highlighted the consensus that existed amongst political parties in favour of IER and consequently the need to ensure the effectiveness of the new system.

Lewis discussed the Northern Ireland IER example which, he said, saw a "big initial drop and considerable year to year instability".

Expressing concern regarding the opt-out, Lewis explained why he thinks that opting out as a matter of personal choice that "only affects you" is misguided, citing evading jury service and affecting the size and shape of the constituencies as two examples of where 'personal choice' had a wider social impact. Lewis voiced concern that parliamentary boundaries will be drawn on electoral register, describing it as "utterly frightening". Lewis outlined further concerns that if after 2015 the register is purged of the last household canvass this will make the next boundary review taking place in 2016-2018 incomplete.

Other areas of concern included:

- The data matching pilots that would be going on at the same time as Parliament considers the legislation ( providing no "get out" or Plan B);
- The potential contradiction of a compulsory canvass but a voluntary invitation to register.
- The powers granted to ministers to abolish the canvass by statutory instrument under the current draft legislation
- The Electoral Commission's estimate of a potentially 65% complete register and the consequential impact on boundaries

Finally Lewis noted that the idea that political parties will pick up some of the slack on voter registration is worrying, not least of all for their limited capacity to do so. This compounded with severe local authority cuts, makes this a project that carries a lot of concerns

- **Chris Ruane MP (Vale of Clwyd)**

Chris outlined the background to his parliamentary work on the issue of completeness, and remarked that historically many constitutional reform issues have been handled over time in a genuinely cross party way, expressing the view that this time the approach feels rushed.

Chris detailed his concerns the current proposals would have on the completeness of the register. Moving the start of IER from 2015 to 2014; the insertion of the opt-out box on the form; and the dropping of the threat of a £1000 penalty and his concern that a severely depleted register has major implications for the next boundary review. . Chris concurred with the Electoral Commission's estimate of the potential drop-off from the current average of 92% registration to around 60% and that this fall will predominantly affect poorer, black or ethnic minority people and those in social rented housing.

*"The people who are going to be left off are poor, black and ethnic, and living in privately rented and social housing. We're going to return to electoral registration rates like Alabama in the 1950s."*

Allied to Chris' concerns regarding the removal of the threat of penalty, he outlined his opposition to the proposed opt-out, which he felt reflected a shift from civic duty to "lifestyle choice". Chris cited the example of Rhyl West , the most deprived ward in Wales, in his Vale of Clwyd constituency. The ward includes some of the most difficult to reach people and yet in one year (2007) the local authority was able to increase registration rates from 2,500 – 3,500. This was managed by a rigorous approach and the threat of the £1000 fine.

Concluding, Chris illustrated the enormity and fundamental importance of the issues, suggesting that the level of awareness within parliament and amongst wider society was still low. Chris argued that if numbers on the electoral register declined substantially and if constituency boundaries continue to be based on the register then it was conceivable that there could be further reduction of parliamentary seats from 600 to possibly 400 by 2020.

- **Open Discussion**

The following themes were then discussed in more depth:

- Civic duty or personal choice; the opt-out, the threat of a financial penalty, and incentives to register);
- Completeness and 'drop off' at-risk groups
- Risks around 2014 register;
- Data matching
- Unintended consequences, in particular boundary changes
- Resourcing and the costs of implementation

### **The opt-out**

The issue of the opt-out and whether registration is a civic duty or a matter of personal choice was one of the most controversial aspects of the proposed legislation discussed at the roundtable. Siobhain McDonagh MP said the register is a fundamental building block of our society and added that activities such as voting and jury service are civic responsibilities. Lewis Baston noted the decision by an individual not to be on the electoral register has far reaching consequences including affecting the pool of people to draw on for jury service; and the accuracy of neighbourhood representation in terms of

the drawing local authority and constituency boundaries. Therefore the argument that this should be about personal choice because it only affects that individual is erroneous.

Wayne David MP maintained that every academic that has studied the White Paper has drawn the same conclusion - that the draft bill will bring a sizeable reduction in the size of the electorate. Whilst roundtable participants recognized that this is open to some debate, there was a broad consensus that removing the compulsory element and making registration a matter of personal choice does risk a less complete register than in the past.

### **The threat of penalty**

Allied to the issue of the opt-out, is the proposal to remove the current threat of a £1000 penalty for failure to register. For many of the participants, particularly electoral registration officers the threat of penalty was one of the key elements to securing a complete register, particularly amongst at risk of drop-off groups.

A further discussion ensued exploring additional incentives to encourage electoral registration, assessing what would incentives young people, and whether there was sufficient understanding amongst the general public of the practical benefits of registration. The Electoral Commission highlighted its white paper consultation which included a practical initiative which could be deployed alongside the use of threat of penalty. The example of using prize draws for young people in Northern Ireland was cited as an example

Another concern was the incentives not to register (to avoid jury service, credit agencies or council tax).

Most parliamentarians knew where the geographic areas of low registration are and discussed whether the existing proposals will reach people in these locations. A number of essential factors were identified, including:

- The need for some degree of compulsion to assure accuracy and completeness;
- Clarity on the process for removing people from register? (Is it when they move house?)
- The need to consider registering everyone and let only eligible people vote;
- An assessment of additional incentives in addition to the existing incentive related credit rating;
- Use of additional low cost incentive schemes amongst certain groups;
- Assessment of linking registration with claiming benefits, entry into higher education, or application for a driving license?
- The role of parents in registering children should be acknowledged;
- Consideration of linking local public service usage with the condition of registering on the basis that it's generally hard to register people and often those hard –to-register have the most contact with their local authority
- Introduction of the 'obligation to remind' for citizen-facing public sector staff in local government;

- Assessment of opportunities to work through partner organisations and other service providers (such as the Post office);

*“The incentives to register have to outweigh the incentives not to register and the threat of a £1000 fine is an incentive to register”*

Chris Ruane MP

**Impact on Hard to Reach Groups and those most likely to “fall off” the register (including Older People, Disabled People including those in care, and Equality Impact Assessment)**

*“There won’t be the resources or the political will to deal with a massive democratic deficit.”*

Simon Woolley, OBV

Many expressed concern about the lack of political will or resources to ensure marginalised groups are targeted to register. Evidence shows that individuals from certain social and economic groups are more likely not to be registered, and that the current proposals risk a further “fall off”. The strong consensus from participants was that special consideration and attention needs to be given to addressing this challenge; especially if accuracy and completeness are at the heart of the proposals.

Participants from disability groups highlighted the need for dramatic reform, with RNIB, Scope, and Sense embracing some of the proposals and recognizing these proposals as an opportunity to improve disabled people’s access. A further opportunity exists to enable people with disabilities to be further involved in designing a new electoral registration and voting process.

Concern was raised regarding the impact the proposals may have with higher education students (block registration of students in university accommodation).

The role parents play in registering children, previously discussed at the event, was particularly important for young black men.

. A number of essential factors were identified, including:

- The need for further work to ensure the introduction of IER is a positive move for disabled people.
- The need for IER to reverse not reinforce the ‘democratic deficit’ experience by some individuals from certain black and minority ethnic communities;
- The specific needs of more transient populations need to be carefully considered such as travelling communities, students and armed forces personnel and families, who already experience difficulties registering; .
- A wider exploration of pro-registration initiatives such as registration rallies (held in the United States) and campaigns such as Rock the Vote?
- Whether there were mechanisms to incentivise local councilors to promote registration;
- The role of youth movement in encouraging registration;

- Use of the ‘obligation to remind’ to be at least targeted at hard to reach groups

### **2014 Canvass (completeness and accuracy in the future)**

*“What we’ve said in our submission (to the Cabinet Office) is that that we don’t think the canvass should be abandoned for the foreseeable future”*

Andrew Scallan, Electoral Commission

The concern over dropping the 2014 canvas was almost universally expressed by those attending the meeting but electoral registration officers in particular highlighted the risk of fall-off, The example was given of Tower Hamlets that has to deal with a transient population that’s continually moving and even with a full rolling registration the authority considers a completeness level of 65% a success.

The Electoral Commission stated in its submission that the canvass should be retained for the foreseeable future. Lewis Baston emphasised the point that abolition of the canvas is not a good way “of safeguarding the completeness of the register”; expressing concern that the proposals contained a measure to enable ministers to abolish the canvass through statutory instrument.

The Electoral Commission expects to see a decline in the completeness and accuracy of the register as they were at the time of the General Election in 2011 Previous research has shown that rolling registration is not keeping up with the annual canvass turnover and so the Commission will be wanting to identify who is missing off the register as well as who is on it.

A number of essential factors were identified, including:

- The annual canvass must remain or if not rolled out nationally local authorities could be given the choice to continue to do a full household canvass;
- Rolling over the canvass until May 2015 will mean that there will be unreliable and inaccurate registers under which the general election will be conducted;
- Abolition of the canvass by statutory instrument under the current draft legislation is wrong. Power to abolish the canvas should remain exclusively with parliament;

### **Boundary Review**

*“One of the key issues for me is the connection with the 2015 Boundary Review”*

Peter Facey, Unlock Democracy

Peter Facey raised concerns about the ongoing review of parliamentary boundaries and how the connection is problematic given the close proximity in terms of timings. A view was echoed that the timing of IER taken together with the boundary review could give rise to the perception that the reforms were motivated by partisan interests. As a result, some participants supported the view that either the introduction of IER or boundary review should be delayed.

Colin Dingwall reminded participants that both reforms were in the coalition agreement. Those who do not register in 2014 can be carried forward for register for May 2015 election. By December 2015 IER register will be complete and accurate. However, as one participant pointed out it could mean that in some areas the inflation of numbers will be much higher for 2015 election.

A number of essential factors were identified:

- Some participants questioned the if the electoral register should in future be used to determine parliamentary boundaries;
- The risk of running the 2015 boundary review on an incomplete register
- Some participants voiced a desire to delay either the introduction of IER or the boundary review.

### **Resourcing and Implementation Issues**

Participants discussed the challenge of IER implementation in the context of budget cuts; considering whether resources for electoral registration should be ring-fenced. Simon Woolley expressed deep concern that there is no evidence of any money for local authorities to enact these changes. The EROs remain concerned that local authorities won't be able to cope with the changes and any positive work done on registration in past few years may be undone. The changes were coming at a time when the cuts would be hitting local authorities hard - and those authorities with the most marginalised populations (and therefore with naturally low registration rates) tended to be the authorities taking the biggest hit with the cuts.

There was some discussion around data matching pilots and how successful these will be in assembling the necessary data. The experience of Northern Ireland was quoted by a few participants. It was noted that when Northern Ireland changed to individual voter registration there was a big initial drop and then considerable year to year instability. Those comparisons in terms of demographics are not helpful (Northern Ireland has a relatively stable population whilst London boroughs, for example, experience vast fluctuations of movement).

The Electoral Commission will be assessing at the effectiveness of data matching pilots and specifically if they have adding names and cost effectiveness.

There were a number of concerns expressed in the room that decision were being taken whilst research is still on going and specifically that research on data matching pilots will not be complete until the legislation is due to pass. .

One primary factor identified by the participants was that:

- IER will place considerable additional strain on electoral registration officers at a time when local government budgets are being cut. Consideration should be given to ring-fencing funding.

## **Response from Cabinet Office**

(Colin Dingwall had been asked by Mark Harper, Minister for Political and Constitutional Reform, to attend in his place. Colin is Head of Division in the Constitution Group - Electoral Registration Transformation Programme at the Cabinet Office).

The Political and Constitutional Reform Select Committee will publish its report on Pre Legislative scrutiny in the next 7 weeks (end November beginning of December). This will inform the final legislation introduced into parliament.

The decisions for IER were outlined in the coalition agreement last May. The Government accepts the challenge with these proposed changes but the view that there could be a 30% drop in the electorate is acknowledged by the Commission to be a worst case scenario. We need to “manage” the risk through Outreach and Publicity. Online registration can help and data will be available from authorities to inform then how to.

There is recognition by the government that people should be actively encouraged to register and as the Minister said to the Political and Constitutional Reform Committee, we will reflect on the language used. The issue is now not about principles but the details – the “how you do it”. Completeness and accuracy are at the heart of this.

The Electoral Commission is carrying out research on the current levels of completeness and accuracy of the electoral register and this will inform the debate. We can learn from Northern Ireland (N Ireland outreach work in schools is very effective for example) plus unlike Northern Ireland, we will not introduce IER overnight and are taking steps to manage the risks.

If people don't register in 2014 you can be carried forward for register for May 2015 election. By December 2015 IER register will be complete and accurate. Inaccurate entries should be removed by Individual Registration. The Government will also be looking at options of student enrolment process as a trigger for registration. Government working with areas of high student population and currently looking at options of student enrolment process as a trigger for registration.

## **Future plans and actions**

Summarising, Katie Ghose stated that any move to IER must ensure “devastating drop off” in registration rates does not occur. The following subjects were identified for more in-depth consideration:

- Concern about opt-out and a welcome for the Government's signals this could be reconsidered.
- retaining a full household canvas – especially in 2014
- retention of financial penalties
- A fuller equalities Impact Assessment for IER and consideration of the implications for boundaries
- access for disabled and/or older people in particular
- the need to do out reach work with younger people, especially 16 – 24 year olds
- targeting of the student population to avoid their disenfranchisement

# Key Tests

To ensure the final legislation establishes IER in an effective and fair way, the ERS argues the UK Government must address the following outstanding points:

## Overall approach

***The Bill must ensure a balance between improving the accuracy of the register and countering fraud; against the completeness of the register – particularly amongst those groups that are traditionally excluded from society;***

- The UK Government must present a more robust business case as to how the proposed changes will reduce fraud.
- The coalition should be mindful of the perception held by some that the motivation for the introduction of IER is based on gaining electoral advantage, rather than improving the democratic process. This perception is held not just by opposition parliamentarians, but also some within civil society and academia. The UK Government should therefore make efforts to widely engage stakeholders throughout the forthcoming legislative process (mechanism may include the re-convening of the ERS roundtable).

## Current offences / opt-out

***The Bill must not contain an opt-out from the electoral register, and maintain the threat of a £1,000 penalty for non-registration.***

- Final legislation must not contain an opt out. An opt out would reduce the completeness of the register. There is a civic duty attached to the ability to vote, which is the foundation stone of our democracy;
- Further, for the many people who already are, or are at risk from democratic exclusion, the incentives of not being on the register may out-weigh the incentives of being on the register;
- The consensus amongst electoral registration officers was that the current offence and fine must be kept within legislation, and that the threat of a fine was a driver for completeness in some areas;
- Removal of the fine further tips the incentives for people to not register to vote.

## Annual Canvass

***A full annual household canvass should be conducted in 2014 to ensure the even completeness of the register across the UK.***

***The Bill must ensure the power to abolish the Annual Canvass must not be transferred from parliament to ministers.***

## Impact on Hard to Reach Groups (Older People, Disabled People including those in care, and Equality Impact Assessment)

***Prior to the introduction of the Bill to parliament, the UK Government must convene a Task & Finish Group with representatives from the Electoral Commission, the Equalities & Human Rights Commission, and expert and representative groups from civil society and political parties. The Task & Finish Group should consider the impact of IER on different social groups, and make recommendations as to how registration and participation can be increased. The task & Finish Group's final report should be presented to parliament.***

### **Boundary Review**

***The Bill should give serious consideration to redrawing parliament boundaries from numbers on the electoral register back to population ahead of the scheduled 2020 general election.***

### **Electoral Participation Fund and resourcing of EROs**

***The Bill must ensure an appropriate level of resourcing is providing to electoral registration officers and place on a statutory footing the Electoral Participation Fund.***