

Electoral Registration and Administration Bill

Committee stage briefing – day 2

The Electoral Reform Society welcomes the return of the Electoral Registration and Administration Bill. The ERS supports the introduction of Individual Electoral Registration (IER) and is concerned that progress is made to ensure a smooth and timely transition. It is important that the bill progresses swiftly to ensure a full transition in time for the next General Election.

Individual Electoral Registration recognises the need for individuals to have ownership over their vote and helps to guard against fraud. This is the right move but must be carefully implemented. We remain concerned about the potential for a collapse in registered voters in the run up to the 2015 General Election and beyond.

The Bill

- The Electoral Reform Society welcomes the removal of the 'opt out' proposals. An 'opt out' is at odds with registration as a civic duty.
- The Society also welcomes the introduction of a civil penalty. The current fine for non-response is a vital tool helping Electoral Registration Officers drive up registration and it is important that this last resort measure is carried over to IER.
- The first year of the introduction of individual registration and the year before a General Election is no time for shortcuts. We welcome the government's decision to move the 2013 canvass. A full annual household canvass should be conducted in 2014 to ensure high levels of completeness before the introduction of IER.

The Bill – in detail

Part 1

Schedule 3 – Civil penalty

The Society welcomes the introduction of a civil penalty. The current fine for non-response is a vital tool helping Electoral Registration Officers (EROs) drive up registration and it is important that this last resort measure is carried over to IER.

A poll carried out for the Electoral Reform Society by YouGov from 4-6 March 2012 [sample 2776 GB adults aged 18+] found that **45% of respondents thought the threat**

of a fine for not responding made them more likely to register. 31% said they would be 'much more likely'.

62% of 18-24 year olds and 52% of 25-39 year olds said that a fine would make them more likely to register¹.

Amendment 29 –

The Minister has stipulated that the fine will be between £40 and £130. It is important that the fine is meaningful in order to provide the right incentive to register and send the right message about the importance of registering. Too minor a fine may not provide EROs with the appropriate tool they need to complete their job.

Clause 6 – Power to amend or abolish the annual canvass

Part 1, clause 6 gives ministers power to abolish the annual canvass (and reinstate it). This power enables the minister or Secretary of State to replace annual canvass with other arrangements for identifying eligible voters.

Personal canvassing is known to raise response rates and the annual canvass (either in person or by letter) is currently the primary means of reaching voters.

Amendments 30-33 –

The ERS supports the principle behind these amendments which would prevent the abolition of the annual canvass. The annual canvass is currently the central tool in the registration process. A suitable alternative has not yet been found with the effectiveness of datamatching on a national scale still to be fully tested. The ERS does not support powers to abolish the canvass without a rigorously tested and equally effective replacement.

Causes 8 and 9 enable the minister to run a pilot scheme to test changes to the annual canvass.

The Society would want to see that any alternative(s) to the annual canvass are rigorously tested and demonstrate that they will reach all groups equally, ensuring those who are less likely to be registered are not further distanced from the registration process.

The canvass remains an important method for reaching electors and should not be abolished without an appropriate and fully tested alternative.

¹ The polling question gave the following information on fines to respondents **“The electoral register is updated once a year by local councils sending a request for information to each property in their area. There is currently a fine of £1000 for failing to respond or giving false information.”**

Schedule 5 – transitional provisions to do with part 1

Part 2: removal of existing registrations by end of second new canvass

Paragraph 6 requires EROs at the end of the second canvass under IER (late 2015) to remove people who have not made an application under the new system or been confirmed by datamatching.

If a large number of people are removed at this stage it will have a huge impact on new parliamentary boundaries for 2020 which will be drawn on the basis of the 2015 register. By December 2015 electors will have been removed from the old system but not yet exercised their vote under new system and the next General Election will be five years away. The electoral register will be at its most variable at this stage.

Amendments 48 and 49

The ERS is concerned about the timing of the removal of carry forward and the drawing of Parliamentary boundaries for 2020. A substantial fall off in registered voters, weighted towards urban areas, would require the Boundary Commission to reduce the number of inner-city seats. This will create thousands of “invisible” citizens who will not be accounted for or considered in many key decisions that affect their lives, yet will still look to MPs to serve them as local constituents.

It is essential that the electoral register is as accurate and complete as possible when used to draw Parliamentary boundaries. Whilst we recognise the need for accuracy and security in the new register, given the inherent risks of drawing Parliamentary boundaries on inaccurate and incomplete registers, we feel an extended carry-forward should be considered. In the future the ERS would like to see alternative measures used for drawing Parliamentary boundaries.

Schedule 5, Part 3: Encouraging new applications

Paragraph 9 provides for the annual canvass to be postponed so that the 2013 canvass can be conducted in 2014 close to the introduction of IER. This is a welcome step.

It is critical that the electoral registers are as up to date as possible before the introduction of IER. The Electoral Commission estimate a 5-6 percentage point decay between December 2013 and the start of IER in 2014 with an estimated 2 to 3 million people moving during that time.

The first year of the introduction of individual registration and the year before a General Election is no time for shortcuts. We welcome the government’s decision to move the 2013 canvass. A full annual household canvass should be conducted in 2014 to ensure high levels of completeness before the introduction of IER.

Schedule 5, Part 4: Absent voting

Paragraph 17 requires postal and proxy votes to expire unless they have registered under the new system or been verified by datamatching.

During the transition phase, people *without* a postal or proxy vote, who fail to register under IER, will be carried forward to the 2015 register - enabling them to vote in the 2015 General Election. Those with proxy votes or postal votes will have to register under the new system from 2014 or be verified by datamatching, or they will forfeit their absent vote (and only be able to vote in person).

This is likely to have a significant impact on electors with a rolling postal vote, particularly older and disabled voters. Postal and proxy voters who are unaware of the need to re-register could be unintentionally disenfranchised. There is a clear need for awareness raising campaigns particularly amongst postal and proxy voters.

Whilst pre-verification through datamatching could reduce the number of postal and proxy votes which can't be carried forward, there is still potential to disenfranchise a large section of absent voters.

Amendment 50

The ERS supports this amendment which would prevent postal and proxy votes expiring in December 2014. Whilst we acknowledge importance of security in the absent voting process, absent voters should not be treated differently to other voters who will be carried forward. They have already proved their identity through the current absent voting process.

Queues at polling stations

Problems with queues at Polling stations during the 2010 General Election prevented a number of citizens from exercising their democratic right. The Electoral Commission has called for a change to the legislation that alongside good planning and management of elections, will ensure this situation does not occur again.

Amendment 53

The ERS strongly supports amendment 53 which provides for electors who are in a queue at the polling station at close of poll to still cast their vote. This is an important backstop to ensure all citizens are able to exercise their democratic rights. This bill present a timely opportunity to implement the change.

Weekend voting

Amendment 52 –

The ERS supports the aim of amendment 52 which would give the flexibility to hold General Elections at the weekend instead of a Thursday. There are many steps that could be taken to improve the voter experience and encourage participation and enabling a change of polling day should be considered. However, weekend voting is not a silver bullet for either. Commitments that would keep voters away from the polls during the week also occur at weekends. Multiple polling days would extend opportunities to vote but the balance of cost and benefit might not be advantageous. Inconvenience is not the only reason people stay away from the polls.

There are a number of ways of improving the registration process for voters which could improve turnout and are made possible by the introduction of IER.

Individual Electoral registration presents an opportunity for a registration revolution.

Next steps – a registration revolution

The introduction of IER makes it possible to integrate a number of innovations into the registration process.

Application for Registration

Individual registration makes it possible to integrate registration into other day-to-day transactions with the government. This is common in the United States where US citizens can register at their county or government registration office, their motor vehicle agency and at universities, schools and hospitals. Registering when applying for a driving license is the most common form of registration in the States with 37.1% of registrations made this way.

To increase registration, the government should consider providing as many opportunities to register as possible. Registration forms should be available at all government offices and Post Offices, and electors should be reminded to register to vote in official transactions such as when applying for a passport, drivers licence, social security and registering for council tax.

A poll carried out for the Electoral Reform Society by YouGov from 4-6 March 2012 [sample 2776 GB adults aged 18+] found that **38% of respondents said they would be more likely to register to vote if they could register when paying council tax, or applying for car tax etc.**

The Society welcomes the government's intention to look at making registration possible during citizen-state transactions.

Online registration

The Society welcomes the government's plans to introduce online registration. Comparative evidence shows online registration is both cheap and raises participation. Eleven US states allow registration online. Arizona has the highest number of online registrations with 24.4% of registrations completed in this way. In Maricopa County, Arizona, the introduction of online voting saved \$1 million over five years.

Online registration is also used in New Zealand. Since 2002 New Zealand has also allowed voters to text a free number to request a registration form. In the six months leading up to the 2008 election 37% of new registrants initially ordered their form by text.

A poll carried out for the Electoral Reform Society by YouGov from 4-6 March 2012 [sample 2776 GB adults aged 18+] found that **52% of respondents said they would be more likely to register to vote if they could do it online.**

Election Day Registration

Election Day Registration would allow voters to turn up at the polling station, register and vote all in one go. With the introduction of individual registration and personal identifiers, the potential for fraud is reduced.

Election Day Registration is an innovation that is increasingly being used in the US, and there is considerable evidence to show that it increases registration and turnout rates significantly. According to the U.S Election Assistance Commission, 2.4 million voters registered on US electoral rolls using same-day registration in 2010, even though only eight states and Washington DC use it for all elections. Canada also uses same-day registration and achieves 93% completeness levels.

The final weeks and days of the election campaign period are always the most intense and interesting. Electors are more alert to the need to be registered and are likely to be significantly more receptive to registration campaigns. It is important that unregistered electors do not lose their opportunity to vote.

Groups with lower registration rates see the largest gains through Election Day Registration, especially among those who have recently moved address.

Academic analysis of the equality impacts of voter registration reforms in the US found that motor registration (registration with driving license applications) increased political equality slightly and that same-day registration had a very significant impact on political equality. The report concluded that "Election Day Registration is the electoral reform that demonstrated the most equality in political participation"².

A report following the introduction of the National Voter Registration Act 1993 in the US found that Election Day registration increased turnout by 8.7% compared to the most restrictive thirty day registration deadlines implemented by some states³. The report argues that these reforms are important in reducing (down to one) the numbers of 'trips' a voter must make in order to vote. Similar studies have found that turnout is boosted by same-day registration by 3 to 9%.

For more information on Individual Electoral Registration visit [**Missing Millions**](#)

Or for further information, please contact Jess Garland on Jessica.Garland@electoral-reform.org.uk or 020 7928 1622

² Rigby, E., Springer, M. J., (2011) 'Does Electoral Reform Increase (or Decrease) Political Equality', *Political Research Quarterly*, 64 (2).

³ Highton, B. and R. Wolfinger. (1998) 'Estimating the Effects of the National Voter Registration Act of 1993', *Political Behavior* 20 (June):79-104.