

NATIONAL ASSEMBLY FOR WALES

LOCAL GOVERNMENT AND PUBLIC SERVICES COMMITTEE

Paper by R.J.B. Morris

This short paper is in response to the Committee's invitation to their meeting on 20th April 2005, and to the related request from Ms Virginia Hawkins to offer some views in advance.

Now retired from local government service (but still working as a consultant in electoral and other fields), I was directly involved in the management of elections for over thirty years, serving as a returning officer at both Durham City (1981-86) and Northampton Borough (1986-2004). Northampton is England's largest shire district, with a population of just under 200,000. I was the Regional Returning Officer for the East Midlands region for the European Parliamentary elections of both 1999 and 2004. As such I was a member of the Government's 2004 European elections project team, and gave evidence to the House of Commons Committee examining postal voting. This paper of course amounts only to brief notes about matters on which I shall be pleased to try to answer this Committee's questions.

The East Midlands was unique in the four all-postal pilot regions for 2004's European Parliamentary elections, in that I arranged regional contract (via the EU Journal procedures) which the forty Local Returning Officers could use for the provision of the 3.25 million or so postal packs required (39 did so). The practical issues and experiences this entailed may be of value to Welsh observers, and I would also draw attention to my paper of evidence (written very soon after the events) to the House of Commons Committee already referred to: see Postal Voting; Follow-up to the Committee's Seventh Report, Volume IV, pages 3-4 and Ev 1 (ODPM: Housing, Planning, Local Government and the Regions Committee – HC 400-IV published on 16th September 2004).

May I preface comments on the three headings specifically referred to me by Ms Hawkins with an observation which may have some value in considering other aspects of the Committee's terms of reference.

There is a clear and instructive distinction between attitudes to electoral and other transactions where identity is significant, and that distinction of approach greatly influences legal provisions, security considerations and public expectations alike.

On the one hand, the public are increasingly accustomed to electronic and on-line financial and similar transactions, and to the security safeguards which go with them to prove identity and creditworthiness.

On the other hand, where voting is concerned things are patently very different: politicians generally want as few barriers and formalities as possible to the process of voting, and so accept (other than in Northern Ireland, where practical considerations have been different) a say-so system with little security rigour, and little likelihood of being detected, let alone successfully prosecuted, for fraud or personation.

So, for instance, you may contrast buying a train ticket using a credit card with casting a traditional polling station vote. For the ticket, who you are is of no interest to the train company. Anyone can buy a ticket; they need identity and security details not really to prove who you are but to enable you to pay, and travellers accept this. For voting, however, the converse is the case. The right to vote is personal; who you are is crucial, but how you complete the process, ie. how you vote, is immaterial to the returning officer (who is in fact not supposed to know your choice). Similarly voters accept this too as the way things are done: they are not usually accustomed to think of the right to vote as of great value, either in financial or other terms. These contrasting attitudes, and differing levels of expectation from the system in place, are crucial to understanding how in Northampton in June 2004 we could simultaneously have been trialling "chip and pin" and universal postal voting.

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Ms Hawkins' request to me of 21st March 2005 refers specifically to three topics –

(i) Problems surrounding voter registration and turnout and any mechanisms you consider could be used to increase them. Continuing with household, as opposed to individual, registration seems increasingly anachronistic even without the recent postal voting problems, particularly since the rolling register has been introduced and projects like CORE canvassed. It may be considered by some as an unfortunate legacy that individual registration has echoes of the community charge/poll tax era of fifteen years ago, but if the right to vote is to be safeguarded properly it is hard to see how changes will not also be necessary in the way in which that right is obtained in the first place.

It would not be difficult to require every voter to register individually. The issue is about enforcement. National insurance and NHS numbers for everyone are accepted as of long standing. This is, I believe, as much a political as a technical issue. Technology will readily link these systems nowadays; more of a political issue may be public attitudes to data matching as opposed to data protection, and to the issue of identity cards as opposed to the issue of privacy. There is an expectation that, at least initially, individual registration would reduce the numbers of those registered. It would inevitably be more costly, and the present timetable implications would have to be reviewed to ensure that the process remained reasonably attainable. Many people who have no intention to vote would have to be brought into the process regardless of their wish to be recorded, opening expensive and contentious enforcement issues if there were not to be close linkages with other systems like National Insurance numbers. (These points are discussed in the papers put to the OPDM/Constitutional Affairs Committees joint inquiry by the Society of Local Authority Chief Executives and Senior Managers (SOLACE) and the Association of Electoral Administrators (AEA).

I have always been sceptical about allegedly low turnouts. Making voting as a process readily available to everyone entitled who wants to vote is not the same thing as either making everyone feel they want to vote or just simply making everyone vote. The 59% turnout at the 2001 General Election was, certainly, low in the context of General Elections, but it compares well with public reaction to many other events which supposedly engage the nation's attention like major televised sporting events or the fashion for popular phone-in voting.

Such comparisons may not be valid or meaningful, according to your point of view. To be sure, the all-postal pilot voting in the East Midlands in the European Parliamentary elections of June 2004 more or less doubled "turnout", or more accurately participation. This was no doubt largely due to the fact that the pilot arrangements more or less put a voting pack in every voter's hand – and yet three out of every five people still did not respond. Once Parliament, or here the Welsh Assembly, has made the voting system readily available and flexible, the rationales of any measures designed to increase use of that system must be clearly distinguished from those introduced to make that system universally and readily available.

(ii) Any issues you have encountered with voters whose first language is not English. My direct experience of this is relatively limited: although Northampton has around 8% of ethnic minorities in its overall population, and our recent practice has been to put up other-language posters and to make such other assistance available as might be required. In practice this has amounted to much less in Northampton than it will have done in other parts of the East Midlands region. I will simply add that we regarded signing for the deaf as a significant other language in this context.

(iii) Access issues for voters with disabilities. The availability of postal voting on demand has altered the situation markedly as regards the importance of physical access for voters (although many people still prefer to vote in person even when they have a postal or proxy alternative). In Northampton we surveyed all our polling stations – usually upwards of 150 - some years ago to minimise physical difficulties involving steps, steepness or distance from the road. The use of large print material and the so-called tactile voting device for the blind has also become normal, but Northampton has not been unusual in this respect except perhaps in employing a specialist Access Officer with particular expertise.

In the June 2004 European Parliamentary all-postal pilot elections, the number of people using the right given by the Regulations of a home visit for assistance in completing their postal vote was extremely small – two or three only out of an electorate approaching 150,000, and not dissimilar numbers I believe were experienced in other parts of the region.

My personal view for what it is worth is that, in June 2004 at least, physical access was a very limited area of difficulty. Far more of a deterrent was the appearance of the ballot pack itself as prescribed in great detail by the Regulations – a mass of small black print often unable to be fitted together at the size of typeface recommended, phrased in precise but off-putting legalistic wording, and presenting a complex, rather than an inviting or accessible, impression on first opening which frequently made potential voters put it to one side unread. There is little point in putting something into every hand if

instead of inviting ready use and participation it looks officious, hard to follow and complete properly, and easy to ignore – or worse, easy to give to someone else to fill in.

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I hope that the foregoing points and opinions are helpful, and I shall be pleased to answer the Committee's questions so far as I can.

Roger Morris