

VOTER REGISTRATION – JOINT INQUIRY

Response by the Association of Electoral Administrators (AEA)

1.Introduction

The Association of Electoral Administrators was founded in 1987 and is the professional body representing the interests of electoral administrators in the United Kingdom. Its objectives include the offering of advice in connection with the organisation, administration and oversight of elections, electoral registration and any related activities within or outside of the United Kingdom. The Association has over 1300 members in the UK who have been at the forefront of implementing change in election and electoral registration during the last few years.

2.Executive Summary

The Association is committed to making registration as easy as possible for electors to ensure that all who want to participate in the electoral system have the opportunity to do so. It believes that accessibility and security have to be balanced so that the latter is not compromised by making the system more accessible.

There is concern that the introduction of individual registration could lead to a significant number of potential electors being omitted from the register without substantial resources being dedicated to tracing everyone eligible. Although it has been suggested that household registration could continue but with each individual elector signing the registration form, it is considered that this is too complicated and could lead to unacceptable delays in the form being returned. If individual registration is to be pursued, there must be safeguards for those:

with disabilities,

for whom English is not their first language

for those in care homes

for those at institutes of higher learning

for those with learning difficulties.

If individual registration is to be introduced, there will have to be identifiers included, and the National Insurance number appears to be the most appropriate. The National Identity Card scheme will take too many years to introduce, and it is important to initiate individual registration as early as practicable if electronic/internet voting is to be available in the near future.

There is a fundamental question as to whether registration should be compulsory or voluntary. There are currently a considerable number of individuals who have no interest in the electoral process, and never want to vote. The resources expended in persuading these individuals to register are out of all proportion to the benefits of including in the register for a service they have no desire to use. Although there are some prosecutions for the non-provision of information to the Electoral Registration Officer, it would be far too time-consuming for this to be undertaken on a much larger basis, and it does not have any perceived effect on others.

In a number of countries, registers are compiled specifically for each election. This ensures that it is up to date and that those who wish to vote are able to do so. Such a system would represent a fundamental change to the current practice, and is unlikely to find favour with the Government which has expressed its opposition to introducing consistent timetables for UK elections.

The current system of the register being locally maintained should be retained as it gives the elector a definable access point to which they are able to apply to be registered. There could be a case for a change in legislation to require all electors who change address to report, in person, by post or electronically to the relevant local authority to ensure that they register for services including electoral registration. The locally compiled register could then feed into a nationally maintained electronic register.

If electronic registration systems are to be introduced, there needs to be:

- Independent methods of verifying the accuracy of the data input as it could be too easy for the system to be corrupted
- A choice of methods for those who do not have access to internet or telephone connections
- An audit trail to ensure that all variations can be traced

The Association has long been concerned with the requirement to sell the register to commercial interests. The income derived from such sales is minimal, but more importantly, the electorate should be asked to provide their details solely for electoral purposes. This is especially important as they are statutorily required to provide the information. The register should be open for public inspection at the office of the Electoral Registration Officer, and available to political parties, candidates and elected members only.

One area of particular interest is the question of franchise. Currently, the franchise is restricted in the following categories:

E Peer of the Realm living overseas. Entitled to vote in European Parliamentary Elections

F British Citizen living abroad. Entitled to vote in Parliamentary and European Parliamentary elections.

G European Union Citizen, other than British or Irish. Entitled to vote in Local Government elections.

K European Union Citizen, other than British or Irish. Entitled to vote in Local Government and (by choice) European Parliamentary elections.

L Peer of the Realm. Entitled to vote in Local Government and European Parliamentary elections.

It is questionable whether there should be so many different categories. In the meantime, there are other foreign nationals who have lived in the UK for many years who are not permitted the right to vote despite paying taxes at both national and local level

3. Specific Comments:-

(a) Advantages of individual registration compared with existing system of household registration.

It is difficult to quantify advantages unless the data supplied is required for other purposes incidental to voting, i.e. personal information, such as identification features, nationality, date of birth and signature for the purposes of detection of fraud. Individual signatures would however provide a mechanism for the Returning Officer to check postal vote application forms and the authenticity of the Declaration of Identity at voting stages.

It would provide a far more accurate register if it was possible to achieve a high percentage return. It may encourage individuals to take an active part in the democratic process by completing a form that might then lead them to exercise their vote!!!

There are far more administrative disadvantages, such as increased costs of collecting returns, delays in response and a subsequent reduced electorate. The existing system provides for one person in the household supplying the details. Whilst the process is quite straightforward it does place a responsibility on the person completing the form to certify information that he or she might not be fully aware as to the accuracy of- particularly "opt out." Delays in completing a return is likely to arise from people temporarily absent from their normal place of residence, being overseas on duty, in hospital, in institutions and colleges, from the elderly and from communities containing large ethnic minority groups. The initial year would provide an exercise of "dead-wooding" resulting in many names being

removed from the register from non-responders.

(b) Strategies for encouraging registration, in particular among young voters, and tackling resistance to registration, and examination of the advantages and disadvantages of compulsory registration.

As every householder is under a statutory duty to supply the information required on the form this implies that registration is compulsory. The only exception to this applies to British Citizens resident overseas, members of Armed Forces and homeless people. There is little point in having compulsory registration unless it is properly enforced ideally without having to revert to the courts. For compulsory registration to be undertaken in a thorough manner it will be necessary for adequate resources and funding to be provided to enable a proper door-to-door canvass to be carried out, and for a common standard being applied throughout the UK. The "resistance attitude" to registration by the younger generation and by ethnic minority groups will need to be overcome and enforcement by law may be a way of achieving this although the benefits of registration, voting and being involved in democracy is the real issue and one which needs to be addressed robustly.

Improved and modernised registration methods (by telephone, email , text messaging etc) may attract young persons. Consideration should also be given to consolidating the information provided to Councils. An application for varied purposes (electoral registration, council tax, housing, leisure and libraries etc) would reduce the bureaucracy.

Consideration could be given to making it a condition of applying (and being granted) a National Identity Card that the person (if eligible) must be included in the register of electors.

(c) Issues of geographic and ethnic variations in levels of voter registration

There may be a perception by some that despite being a Commonwealth or European Citizen the British registration system is for UK Nationals only and as such others do not register or even recognise their eligibility.

Employing people from within those ethnic minority groups and geographical areas to undertake the door-to-door canvassing work has proved to have a certain amount of success and perhaps should be encouraged with proper training provided in canvass techniques and collection of returns. This will however have a significant resource implications.

(d) Advantages or disadvantages of electronic rather than paper-based registration systems

Most forms of application are now available electronically. In time people will expect this to be the main registration method. Electronic registration can be faster, more efficient and cost effective.

Automated telephone response systems currently being experimented with appear to be working reasonably well and is resulting in reduced costs, time and administrative resources. There is likely to be, however, concerns about accuracy and whether the system and data provided remains secure. There may also be issues relating to data protection and/or human rights over these practices.

(e) Difficulties for the disabled and others unable to complete forms

Certain categories of people with disabilities, whether physically or visually handicapped would have difficulty in completing a return without assistance, regardless of whether it is paper-based or electronic. A door-to-door canvasser would be able to assist those people in need of assistance where a family member, social worker or colleague is not available. Most Electoral Registration Officers offer a helpline and large print forms and guidance in Braille. These facilities should overcome individual difficulties.

(f) Availability and confidentiality of the register

Many organisations, the Electoral Commission included have called for the Register of Electors to be used for electoral purposes only.

Since the decision in the ‘‘ Robertson ‘‘ case the knowledge by electors that this data is provided for commercial and profitable purposes has led to a negative response by some.

If the Register was compiled for purposes of entitlement to vote only, and not made available for other statutory purposes, there would be no need for consideration of having anonymous registration for specified groups of citizens, and avoid the need to compile a separate register for re-sale purposes. However, under present legislation for the sale and use of the register it is desirable that provision should be made for anonymous registration being restricted to particular people in certain circumstances or occupation. Such persons could be registered in pursuance of an annual declaration, and not being entered on the annual householder/individual form. They should be entitled to vote by post or proxy only with their entry being listed at the end of the register under the heading of "Anonymous or Other Electors". The issue of the marked copy of the register used at an election should be restricted to registered political parties on application within a specified period and to candidates or their election agents for use in connection with that election. Any list of returned postal voters should be made available only to registered political parties or candidates or their election agents on application within a specified period following the election.

(g) Basis for individual registration e.g. address-based or on personal criteria such as NI number or birth date

The principle of using NI numbers might well be seen as an obvious way forward. How many people do not have a NI number? Would persons without a NI number be omitted from the system? Could other Government Departments assist in supplying names and addresses and other relevant details that may be

required for voting purposes.?

Individual registration should be the responsibility of local Electoral Registration Officers and continue to be address based and carried out at local level with guidance from the Electoral Commission. To assist with the compilation of the register, electoral registration officers should be given power to access information on an individual as held for statutory purposes by a local authority or Government Department, including the DVLA and Passport Office.

(h) The desirability of a national electoral register

It is doubtful whether a national electoral register, such as CORE, will be of much assistance to the maintenance or updating the electoral register. It may assist in identifying people who have registered for a change of address without notifying the electoral registration officer of the previous address. It might also identify possible duplicate entries, but even that would necessitate enquiries being made by the electoral registration officer for confirmation – a time consuming task. There would still remain the need for the electoral registration officer to seek application for registration from each individual.

A significant benefit of a national electoral register would be the platform for e-voting; to enable an elector to record their vote from outside the area where they are registered for voting. It would cause concern if the ultimate intention was that electors could update their entry on line , as this would remove the opportunity for entries to be questioned as to their accuracy and authenticity.

(i) Means of ensuring the security of the register: PIN numbers, electoral voting cards, signatures

The essential requirement is to ensure the person who is registering and indeed voting is that actual person. Appropriate security mechanisms need to be in place as well as the ability for the ERO to make security/validation checks. Appropriate ‘‘Offences’’ with realistic penalties need to be introduced.

PIN numbers are fine in principle as long as adequate and additional identifiers are in place to validate the users entitlement.