HOUSE OF LORDS

Select Committee on the Electoral Registration and Administration Act 2013

Report of Session 2019–21

An electoral system fit for today? More to be done

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CONTENTS

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Q in footnotes refers to a question in oral evidence.

The prefixes ZRA and ERA refer to items of written evidence. The prefixes are interchangeable and the same evidence will be found under each number in both series.

SUMMARY

Electoral registration is key to a robust and resilient democracy. The measure of an effective electoral registration system is how complete and accurate the registers are. If completeness levels are low it means there are eligible voters who are not registered and therefore disenfranchised. If the registers are not accurate the system will be vulnerable to fraud. Unchecked, disenfranchisement and weak safeguards against fraud can undermine trust in democracy.

The Electoral Registration and Administration Act 2013 was a major reform and modernisation of registration in Great Britain. The Act abolished the Victorian-era system of registration by 'heads of household', meaning that for the first time registration was placed in the hands of individuals, with stronger checks on identity and a new online application system to make registering more straightforward and accessible.

The Act also provided for a range of administrative reforms to the running of elections, including changes to the annual canvass system used by Local Authorities to maintain their registers. Together, these reforms were intended to help improve the accuracy and completeness of registers and support Electoral Registration Officers (EROs) in managing elections, helping to ensure that the democratic integrity of the system was improved and maintained.

The Act has been tested by a frequency of major electoral events unprecedented in recent British history, including three general elections and the EU membership referendum. While many aspects of the new system have worked well, it has also brought challenges, particularly the administrative burden of managing the system at election times and of maintaining accuracy and completeness at other times. We gathered evidence on these and other points regarding the system during our inquiry.

One of the Government's main reasons for introducing the Act was to reduce opportunities to commit electoral fraud through the registration system. We took the opportunity to assess this as well as the wider issues relating to electoral fraud and malpractice, including the Government's proposals for stronger regulation of postal and proxy voting and their plans to bring in mandatory voter ID at polling stations.

We conclude that there is more to be done as a matter of urgency to build on the 2013 Act. Our recommendations range across the scope of the Act and related issues, but there are key matters where we believe action is especially urgent and where our recommendations are therefore particularly worth highlighting.

Firstly, we heard that while the system had helped to improve the accuracy of registers, completeness had stayed at around the same level and has not improved in subsequent years. This means that millions of eligible voters may still be missing from registers, risking disenfranchisement and damaging the integrity of elections. In taking steps to improve accuracy and completeness the Government should have reference to international good practice from countries such as Canada, which has achieved significantly higher levels of both completeness and accuracy at recent elections. The Government must ensure that it treats improving accuracy and completeness as a major priority in future reforms to electoral registration and administration.

Box 1: Key recommendations of the Committee

1. The Government must ensure that it treats improving accuracy and completeness as a major priority in future reforms to electoral registration and administration.

2. The Government should pursue further modernisation of registers, including piloting automatic registration for attainers and introducing assisted registration to prompt eligible voters to register when accessing other public services.

3. We call on the Government to publish targets for improving registration rates among under-registered groups and to work closely with the Electoral Commission, Electoral Registration Officers, local communities and third sector organisations to hit those targets, with a focus on civic education and effective, long-term engagement.

4. As part of an overall simplification of processes for both voters and Electoral Registration Officers, we recommend that the Government urgently explore options for introducing an online registration checking tool, with reference to international good practice.

5. The invitation to register process is cumbersome for administrators and confusing for voters. Simplifying this process should be prioritised as part of annual canvass reform.

6. We share the perspective of the Law Commissions on the need for overall reform and streamlining of electoral law. We urge the Government to adopt their proposals at the earliest opportunity.

Second, we were told that the system of registration needs further modernisation. Many countries have systems of 'automatic' registration, by which eligible voters are added automatically to the register through verification from other databases, or 'assisted' registration, in which voters are prompted to apply to register when accessing other public services or making online applications. Measures such as these would have a further positive impact on accuracy and completeness and therefore the democratic integrity of the registration system. The Government should pursue further modernisation of registers, including piloting automatic registration for attainers and introducing assisted registration to prompt eligible voters to register when accessing other public services.

Third, we were concerned to hear about ongoing under-registration among particular demographic groups. We call on the Government to publish targets for improving registration rates among these groups and to work closely with the Electoral Commission, EROs), local communities and third sector organisations to hit those targets, with a focus on civic education and effective, long-term engagement.

Fourth, we were told that a major deficiency of the current system was the absence of an online registration checking service. At present, applicants to register online are unable to use the service to check whether they are already registered. This leads to huge numbers of duplicate applications at election times, running into millions nationwide. Each of these applications has to be processed by an administrator in the same way as a legitimate new application, wasting time during an already busy election period. As part of an overall simplification of processes for both voters and EROs, we recommend that the

Government urgently explore options for introducing an online registration checking tool, with reference to international good practice.

Fifth, we took evidence on the Government's plans for annual canvass reform, which are due to be implemented in 2020. The proposed reforms were widely welcomed as a way to ease administrative bureaucracy and to enable electoral staff to focus on eligible electors who are less likely to be registered. Nonetheless, we believe further reforms are necessary to improve the system, in particular to the two-stage 'invitation to register' process whereby new voters identified through the canvass are contacted separately to encourage them to register. The invitation to register process is cumbersome for administrators and confusing for voters. Simplifying this process should be prioritised as part of annual canvass reform.

Finally, we heard evidence on the need for wider reform and consolidation of electoral law. We were told that the current system is confusing for administrators, campaigners and voters, with rules spread out over a number of different statutes and important matters not properly clarified in legislation. The Law Commission of England and Wales and the Scottish Law Commission recently published a report on the urgent need for reform. We share the perspective of the Law Commissions on the need for overall reform and streamlining of electoral law. We urge the Government to adopt their proposals at the earliest opportunity.

At a late stage of our inquiry our work was interrupted by the COVID-19 pandemic. While this came too late for us to gather evidence on its implications directly, we are aware that the administration of elections and registration will be affected in the short term and potentially the long term by its impact. In particular, it will have consequences for demand for postal voting and other absent voting options as well as for conducting the annual canvass. We hope that, in responding to our recommendations and when proposing further reforms to the system, the Government and the wider electoral community takes full account of these impacts and works closely together to ensure they are mitigated so far as possible.

An electoral system fit for today? More to be done

CHAPTER 1: INTRODUCTION AND BACKGROUND

Introduction

1. Electoral registration is key to a robust and resilient democracy. The measure of an effective electoral registration system is how complete and accurate the registers are. If completeness levels are low it means there are eligible voters who are not registered and therefore disenfranchised. If the registers are not accurate the system will be vulnerable to fraud. Unchecked, disenfranchisement and weak safeguards against fraud can undermine trust in democracy.

2. Across the democratic world, registers are used to confirm and regulate eligibility to vote. Registers typically consist of the names and addresses of voters and can also be used for secondary purposes such as credit checks, the drawing of electoral boundaries, and selection for jury service. Electoral registration in the UK differs from many democracies in that it is not linked to any national or local population register, neither of which exists in the UK.

3. The Electoral Registration and Administration Act 2013 [the Act] was the latest of a series of measures intended to reform and modernise electoral registration and administration. It enabled the abolition of the 'household' registration system that had existed since the Victorian era, in which it was the responsibility of the 'head of household' to register all individuals residing at the address. This was replaced with a system by which every individual is responsible for their own registration; this system is known as Individual Electoral Registration (IER).

4. At the same time, the Act enabled an online registration system to be introduced, making the application process more accessible to electors. Together, these measures revolutionised the system of registration in Great Britain, bringing many advantages for the electoral process, but also accompanying challenges. The Act was the culmination of years of movement towards an individual registration system; this had first been proposed in the UK by the Electoral Commission in 2003, and was introduced on a voluntary basis by legislation in 2009.

5. The Act also introduced a number of general administrative reforms. Among the most notable of these were the provisions to reform the annual canvass, a long-standing system by which electoral administrators refresh registers by contacting all households in their area to confirm their details. The current process has been subject to regular criticism for its perceived excessive bureaucracy and administrative burden. Part 2 of the Act also introduced a range of administrative reforms designed to improve the running of elections in the UK.

6. A short history of electoral registration can be found at Appendix 5. A summary of the contents of the Act and its implementation can be found at Appendix 6.

The Electoral Registration and Administration Act 2013: why this inquiry now?

7. The Select Committee was first appointed in June 2019 to consider post-legislative scrutiny of the Electoral Registration and Administration Act 2013. We were reappointed in the new session of Parliament following the 2019 General election, with a reporting deadline of June 2020. Background to the post-legislative scrutiny process can be found in Appendix 7.

8. Since the Act was passed in 2013, its provisions have been tested by a succession of major electoral events unprecedented in recent British history. Even though the Act is still relatively recent it is, therefore, more than timely that its performance be assessed against its objectives.

9. The Act was intended in particular to provide for improvements to the accuracy and completeness of registers. An accurate and complete register is the bedrock of our democracy, and efforts to enhance accuracy and completeness must be made to ensure the integrity of the register year-round.

10. In assessing the quality of registration, we stress that electoral registers have multiple purposes and do not just exist to enable access to voting at election time. For example, registers are used to draw council and Parliamentary electoral boundaries, for selecting people for jury service and are used for credit checks. It is important therefore that registers are as accurate and complete as possible not just at election times but all year round.

11. Given the importance of fraud in the Government's decision to introduce the Act, we have also given this issue much consideration, assessing how far the Act has been effective in tackling fraud. In addition, the current Government has committed to introducing legislation to require compulsory voter identification at polling stations, and to tightening procedures for postal and proxy voting.[1] We have considered these measures as part of a wider assessment of fraud and electoral malpractice in the UK.

12. In publishing this report we hope not just to set out priorities for legislative and policy action, but to provide guidelines for how registration and administration might be further improved in what is likely (but not certain) to be a relatively calmer period for administrators, legislators and voters with regard to major electoral activity.

How we approached the inquiry

13. The principal objective of any post-legislative scrutiny inquiry is first to assess the Act under scrutiny and to determine whether it has achieved its stated objectives. As indicated above, noting that a key priority of the Government in initiating the legislation was to tackle fraud, we have also devoted the later chapters of our report to assessing this subject, including an assessment of the Government's proposals for mandatory voter ID.

14. We are also aware that debate over reforms to registration and administration takes place in the context of a wider debate around reform and streamlining of electoral law overall. A recent report from the House of Commons Public Administration and Constitutional Affairs Committee highlighted that

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1   Prime Minister's Office, *The Queen's Speech December 2019: Background Briefing Notes* (December 2019) p 126: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/853886/Queen_s_Speech_December_2019_-_background_briefing_notes.pdf [accessed 20 May 2020]

electoral law needs urgent review; law is currently spread out over multiple overlapping pieces of legislation, making it extremely complex to navigate for campaigners, administrators and voters.[2] Similarly, the recent report of the Law Commissions on electoral law noted its complexity and made wide-ranging proposals for reform.[3] Although this question was not within the specific remit of our inquiry, it was necessary to acknowledge this wider context and we consider this issue in Chapter 3.

15. We published two calls for evidence and undertook 16 public evidence sessions with a total of 30 witnesses. We received a total of 42 written submissions.

16. Our inquiry was interrupted by the UK Parliamentary election on 12 December 2019. We decided to gather specific evidence on the election, firstly by holding a seminar with Electoral Registration Officers (EROs) shortly after our reappointment, and then by issuing a second call for evidence inviting respondents to offer their reflections and evidence on matters to do with the running of this election. We have also sought to draw on evidence of what works with regard to accurate and complete registration from abroad, in particular holding an evidence session with the Chief Electoral Officer of Canada. Within the UK we have also considered the system in Northern Ireland, where IER and voter ID have been in place since 2002.

17. We were also keen not to confine our evidence-gathering to Westminster and so visited the London Borough of Tower Hamlets, which has experienced the challenges of maintaining a complete and accurate register in an inner city context, as well as having dealt with particularly notable levels of electoral malpractice. We spoke with their Chief Executive, Head of Electoral Services and political leaders to discuss these experiences and what lessons and ideas may be drawn from them.

18. At a late stage of evidence-gathering our inquiry was interrupted by the COVID-19 outbreak. Social distancing measures meant that we were obliged to cancel our final four oral evidence sessions, with political party representatives, charities, the Electoral Commission and the Minister of State for the Constitution Chloe Smith MP. In each case, we received written submissions in lieu of this evidence.

Structure of the report

19. The report comprises five chapters including this introduction, and is structured as follows.

20. Chapter 2 focuses on the Individual Electoral Registration system introduced by Part 1 of the Act, including its implementation, accuracy and completeness issues, administrative and financial burdens, options for further modernisation, and the role of education and civic engagement in reaching under-registered groups.

21. Chapter 3 covers the issue of annual canvass reform, including the invitation to register process, learning from pilots, and proposed data sharing mechanisms. It then goes on to cover the administrative reforms included in

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2 Public Administration and Constitutional Affairs Committee, *Electoral Law: The Urgent Need For Review* (First Report, Session 2019, HC 244)

3 The Law Commission of England and Wales and the Scottish Law Commission, *Electoral Law: A joint final report* (Session 2019–20, HC 145)

Part 2 of the Act, before discussing the issue of wider reforms to electoral law and provision for overseas voters.

22. Chapter 4 focuses on electoral fraud, discussing its overall incidence, the effectiveness of the Act in tackling it, wider electoral fraud issues going beyond the Act, and the handling of fraud complaints.

23. Finally, Chapter 5 focuses on the Government's plans to bring in mandatory voter ID, including views on its importance, implementation issues, potential impact on electoral turnout, and debates around a national identity card system.

Key recommendations

24. Our report covers a large number of issues in relation to the Act and makes a series of recommendations for improving electoral registration and administration in future. While we believe all are important, there are a series of changes that we believe in particular would improve the administrative and registration process, enhance democratic integrity, and help EROs, their staff and the voting public during election periods.

   - The Government must ensure that it treats improving accuracy and completeness as a major priority in future reforms to electoral registration and administration;

   - The Government should pursue further modernisation of registers, including piloting automatic registration for attainers and introducing assisted registration to prompt eligible voters to register when accessing other public services;

   - We would like to see a significant uplift in registration rates among under-registered groups. We call on the Government to publish targets for improving registration rates among these groups and to work closely with the Electoral Commission, EROs, local communities and third sector organisations to hit those targets, with a focus on civic education and effective long-term engagement;

   - As part of an overall simplification process for both voters and EROs, Government should urgently explore options for introducing an online registration checking tool, with reference to international good practice;

   - The invitation to register process is cumbersome for administrators and confusing for voters. Simplifying this process should be prioritised as part of annual canvass reform; and

   - We share the perspective of the Law Commissions on the need for overall reform and streamlining of electoral law. We urge the Government to adopt its proposals at the earliest opportunity.

Impact of COVID-19

25. As noted, our inquiry was interrupted by the COVID-19 pandemic. A notable immediate impact of the pandemic was the cancellation of the local and regional elections that were due to be held in May 2020. It is also clear that

the pandemic may have short term and potentially long term consequences for the running of elections. These might include:

- A significant increase in applications for postal voting;

- Provision for distancing measures in polling stations; and

- Increased difficulty in recruiting polling day volunteers.

26. The outbreak occurred towards the end of our evidence-gathering programme and so we did not take specific evidence on its impact. Nonetheless, we are aware that the pandemic and its consequences will have a considerable impact on electoral administration and our recommendations should be considered in this light, particularly with regard to the workload of administrators, election day management and the use of postal voting.

27. Any further reforms to the system of electoral registration and administration should only be implemented in close collaboration with administrators, so that any additional challenges relating to COVID-19 can be effectively identified, addressed and managed.

Acknowledgements

28. We are grateful to everyone who submitted written evidence or took the time to appear before us. Their knowledge, expertise and experience were invaluable in informing our investigations and the conclusions and recommendations in this report.

29. In particular, we heard a considerable amount of evidence from EROs across the UK, in public evidence sessions, written submissions, our post-election seminar and our visit to Tower Hamlets. Their representative body, the Association of Electoral Administrators (AEA), was also a regular source of advice, assistance and support and we are grateful to them for their help as well as for the evidence they gave to the inquiry directly.

30. We would also like to acknowledge more generally the exceptional professionalism with which administrators have dealt with the unprecedented series of major electoral events that have taken place in recent years, while also managing the implementation of the new registration system and navigating the legal and administrative challenges of existing electoral law. It is clear that, where the system of running and managing elections works well, it is due in large part to their dedication and hard work.

31. We were also given considerable assistance throughout the inquiry by the Cabinet Office and Electoral Commission and are grateful for them for supporting and providing information to us.

32. We would also like to thank our two specialist advisers, Professor Maria Sobolewska and Dr Stuart Wilks-Heeg, who provided invaluable guidance and advice throughout the inquiry.

CHAPTER 2: THE INDIVIDUAL ELECTORAL REGISTRATION (IER) SYSTEM

Introduction

33. Following the passage of the Act, individual electoral registration (IER) was introduced on 10 June 2014 in England and Wales and on 19 September 2014 in Scotland, immediately after the Scottish independence referendum. A transition phase then began with voter details verified through data matching. The transition period ended on 1 December 2015, when all unverified entries were removed from registers.

34. This chapter first assesses the implementation of IER and the issues and challenges that were encountered during the process. It then goes on to discuss the rise of 'event-led' registration, with surges in applications around major electoral events, and how this has affected administration. The third section discusses the two key components of register quality—accuracy and completeness—and assesses the effect of IER on these.

35. The chapter then discusses in further detail the experience of IER for administrators. It proceeds to cover the debates and options around further modernisation, before concluding with a consideration of the role of citizenship education and public engagement, and of efforts to register under-registered groups.

Issues and challenges around the implementation of Individual Electoral Registration

Box 2: Cabinet Office role in IER implementation

The post-legislative scrutiny memorandum published by the Government in March 2020 sets out some of the steps it took to smooth the process of transition.[4] These included:

- hiring experienced electoral administrators as regional delivery managers;

- designating Authority Lead IER Trainers in each Local Authority who would be trained in IER and cascade their training to election teams; and

- providing Election Management Software training on the new functionalities that came with IER.

A web monitoring portal was also established to track the progress of each local authority in preparing for the change.[5]

36. The implementation of IER in 2014–15 involved a number of administrative, technical and political decisions; some uncontroversial, others attracting debate. These included the delay to the annual canvass, the data-matching

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4   Cabinet Office, Post-legislative Scrutiny of the Electoral Registration and Administration Act 2013: Memorandum to the Lords Electoral Registration and Administration Act 2013 Committee, CP 237, March 2020: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/873703/Post-legislative_Assessment_of_the_Electoral_Registration_and_Administration_Act_2013.PDF

5   *Ibid.*

exercise for transferring entries to the new registers, and the Government's decision to bring forward the end of transition to December 2015.

37. It was generally agreed in evidence we heard that the data-matching exercise in transition had been largely successful, and that voters whose details could not be matched were given numerous opportunities to register before the end of transition. The Scottish Assessors Association (SAA) informed us that "for those electors who had to reapply the process worked well… the SAA is not aware of significant numbers of electors disenfranchised by the transition process".[6]

38. The Electoral Commission informed us that its study of the December 2015 registers found that "the transition to IER was managed well with a notable increase in accuracy and largely stable levels of completeness. However, under-registration increased among some of those groups that were already less likely to be registered under the old system: young people and especially attainers".[7]

39. Professor Toby James of the University of East Anglia argued that "the ministerial decision to 'fast track' the implementation of IER did have some negative effects, which could have been prevented". He noted that as the transition period proceeded, the number of unconfirmed entries declined from 1.9 million in May 2015 to 770,000 by December 2015. According to Prof James, this meant that "there were some electors who turned up at polling stations at electoral events in 2016 thinking that they were registered to vote, but were unable to do so" and that the register used for the subsequent Parliamentary boundary review was "much smaller than it would otherwise have been", with this register having 1.4 million fewer entries than the last pre-IER register of February 2014.[8]

40. The National Union of Students (NUS) also argued that the end of the transition period led to a significant drop in student registration rates. It referred to BBC research indicating that in areas where there were a high number of students, electoral registration figures had significantly declined.[9] These views were echoed by the Labour Party which told us that "the initial move to IER caused large drops in the electorates of some student wards, which have still not recovered to their c. 2014 sizes despite no real change in actual population".[10]

41. Academics from the British Election Study reported that "the data shows a consistent pattern: during the transition to IER people–particularly young people and private renters–were likely to drop off the electoral register". However, its comparison of election day registers between the 2015 and 2017 elections suggested registration rates were similar by age group in both elections.[11] The issue of the post-IER rise in 'event-led' registration is covered in more detail in the next section.

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6   Written evidence from Scottish Assessors Association (ERA0004)
7   Written evidence from the Electoral Commission (ERA0005). 'Attainers' refers to 16 and 17-year-olds who are not yet eligible to vote but who are included on registers in preparation for their becoming eligible.
8   Written evidence from Prof Toby James (ERA0012)
9   Written evidence from the NUS (ERA0015)
10   Supplementary written evidence from the Labour Party (ERA0042)
11   Written evidence from Dr Christopher Prosser, Prof Edward Fieldhouse, Dr Jonathan Mellon and Dr Jessica Smith (ERA0007)

42.   With regard to the debate over the removal of unverified entries from the register, Peter Lee of the Cabinet Office told us that "we are fairly confident that around 600,000 entries on the register were probably nonexistent—in that people had moved on and were on the register several times in different places—simply because when we went through the whole process, that was the rump we ended up with".[12]

43.   The AEA said that the decision to defer the canvass impacted on planning for the June 2014 European elections and noted that there was a considerable administrative burden in this period, as staff managing elections are usually the same staff as those managing the deferred canvass and the transition to IER.[13]

44.   The AEA also stated that the short timeframe for implementation "impacted with Electoral Management Systems software issues" and that "there did not seem to be enough testing with electoral administrators as to the 'usability' of forms and communications from their perspective". It found that the most challenging voter groups to register after IER were home movers, those in care homes, students and attainers.[14]

45.   There were also considerable financial implications for the transition to IER, particularly resource and personnel costs associated with implementing the new system. Peter Stanyon of the AEA noted that £13 million of funding had been made available by the Cabinet Office to administrators to support the introduction of IER and that there was also a "justification-led bid process" to cover additional costs. This funding was reduced each year and was scheduled to end in the financial year 2019/20. He added that there had been no formal audit of the cost of introducing IER.[15] Dr Alistair Clark argued that "grants provided to support IER were insufficient".[16]

46.   **The transition to IER was managed as well as possible by administrators and was for the most part ably supported by Government, but there are lessons to be learned. In particular, it is not clear that the additional administrative costs of the transition were properly assessed. The tight timescale for transition also created serious challenges for administrators. There were differing views on the merits of bringing forward the end of the transition period to December 2015.**

47.   *When the Government undertakes future reforms to electoral registration and administration, it must ensure that administrators are properly resourced to implement them and that timescales are appropriate. Without this, the quality of registers may decline and there will be a risk to effective administration in future.*

The impact of "event-led" electoral registration

48.   Among the clear intentions of the Government in introducing IER was to ensure that registration was the responsibility of individuals, with the onus placed on eligible electors to ensure that they are on the register and that their details are accurate. This has inevitably meant a significant and recurring rise in registration applications close to registration deadlines when elections

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12   Q 3
13   Written evidence from AEA (ERA0003)
14   *Ibid.*
15   Q 21
16   Written evidence from Dr Alistair Clark (ERA0002)

are at the forefront of voters' minds. The ease and accessibility of online registration has accentuated this trend. This has been described as an 'event-led' registration process.[17]

49. The following table, based on evidence submitted by the AEA and Electoral Commission, highlights the impact of event-led registration in recent elections.

Table 1: Impact of 'event-led registration' in recent major electoral events

Election: last day for registration	Number of registration applications
2015 UK Parliamentary General Election	485,000
2016 EU membership referendum	525,000
2017 UK Parliamentary General Election	612,543
2019 UK Parliamentary General Election	659,666

Source: Written evidence from the AEA (ERA0003) and supplementary written evidence from the Electoral Commission (ERA0030)

50. The Electoral Commission reported that "between MPs voting in favour of a 12 December election (29 October) and the registration deadline (26 November), 3,850,859 applications were made", of which the 659,666 made on registration deadline day represented a new single-day record.[18] The Electoral Commission reported that around half of the total applications resulted in an addition to the register, with around a third being recorded as duplicates.[19] This helped contribute to a total registered electorate of 47.6 million, up from 46.8 million in 2018.[20]

51. We should note that even with only half of late applications leading to an addition to the register, late pre-election registration made a considerable contribution to enhancing the quality of registers in time for the election, with up to 2 million entries having been added. Event-led registration also brings considerable administrative challenges, however. We deal with the major issues in turn.

Duplicate registrations and online look-up tools

52. It was largely agreed that late registrations are helpful in improving the quality of registers. Peter Stanyon of the AEA noted that the register immediately after an election was now the most accurate register "because you have the new applications coming on prior to the election" and that administrators improved accuracy using information that was gleaned during the election process—for example, removing entries where a voter was found to be no longer living at a particular location.[21]

53. He also noted, however, that the surge in registration applications meant a large number of duplicate applications were received by administrators at an already extremely busy time. He noted that "it takes as long to process

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17 Notably by the AEA in oral evidence Q 21 and supplementary written evidence (ERA0022).
18 Supplementary written evidence from the Electoral Commission (ERA0030)
19 *Ibid.*
20 House of Commons Library, General Election 2019: full results and analysis, Commons Research Briefing, CBP-8749, January 2020
21 Q 20

a duplicate registration and identify that it is the same person as it does to process a brand new application".[22]

54. These views were echoed by EROs who attended our post-election seminar. One attendee estimated that there had been as many as 14,000 duplicate applications in his area. He added that voters often expected an automatic notification that they had been registered when they submitted their application, and that when this was not received they might try to register again, creating further duplication.

55. Peter Lee from the Cabinet Office acknowledged the problem of duplicate applications but told us there were no plans to introduce a registration checking service for voters, "because exploratory work undertaken by Cabinet Office indicates that the running costs of a look-up tool could be as high as £10–£21.5m a year with initial build costs ranging from £7m up to £39m, depending on the specific solution. This far exceeds the £0.4–£1.2m we estimate it currently costs Local Authorities to process duplicate applications".[23] We did not receive other evidence on the likely credibility of these build and running costs.

56. Mr Lee added that the Government had sought to reduce duplicate applications by, for example, changing messaging on the online registration service: he noted that the number of people dropping out midway through the online application process "almost doubled during the last registration window, because we changed the messaging to make it clear that if you have previously registered to vote, you have not moved house and so on, you do not need to register to vote".[24]

57. Notwithstanding the Government's perspective on online registration checking, we heard evidence that such facilities already exist abroad and appear to function well. In particular, we took evidence from Stéphane Perrault, Chief Electoral Officer of Canada, who told us that this service was integrated with their online registration system, and that "we encourage voters, in particular in the lead-up to an election and during an election period, to look up their information on the register and make sure that they are registered at the proper address and, if not, to register themselves".[25]

58. Mr Perrault also told us that, at the 2019 Canadian federal election, "2 million voters went online to verify their address and, of the 2 million, 200,000 corrected their address information. Those were Canadians who had moved. Then we had 80,000 who added themselves to the register".[26]

59. Peter Stanyon told us that he supported the principle of an online checking service but noted that there may be practical challenges in a UK context. He told us that "there are a number of technical challenges, one of which is the fact that there is no single point of record, other than a National Insurance number, that individuals hold… I would love to have a look-up facility, but it is about what checks and balances are in place to make sure that somebody is not sitting in Glasgow trying to find out the details of someone in Cornwall".[27]

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22 Q 22
23 Written evidence from Cabinet Office (ERA0001)
24 Q 7
25 Q 159
26 Q 160
27 Q 21

60. Others told us they generally supported the principle of an online checking service; for example, Prof James stated that "we know that 37% of local authorities reported very severe problems with duplicates … We are used to being able to go online and look at our mobile phone record, logging in and seeing the state of our bill, and looking at when things are going to be renewed. It is the 21st century, so that should be provided to citizens".[28]

61. EROs at our post-election seminar also generally supported the introduction of an online checking service. One told us that it was absurd that such a service was not available already given the range of other services available online. Another attendee, however, cautioned that there may be practical challenges in relation to accessing real time information, and it may not be possible to eliminate all duplicate applications.

62. As well as a local or national look-up tool, the Electoral Commission stated that there could also be "ERO-focused" approaches to addressing duplicates, "which could involve either developing systems in conjunction with EMS (Electoral Management Software) suppliers to allow EROs to identify and manage duplicates more effectively within their respective local EMS systems, or through a more centralised process enabling the identification and management of duplicates across multiple registers".[29]

63. It was also noted that the UK's system of locally-held registers rather than a single national register may make the practicalities of implementing a checking service more challenging. Peter Lee from the Cabinet Office stated that "one of the crucial things you need for a look-up tool is a national register".[30] This was, however, contradicted by Virginia McVea, Chief Electoral Officer for Northern Ireland, who observed that the Republic of Ireland—which has a similar system of locally-held registers as Great Britain—nonetheless had a national online checking service.[31]

64. Prof James told us that a single register would be an effective tool. He stated that "this would allow duplicate registrations and missing citizens to be picked up more easily" and that it "would enable greater economies of scale in the updating process".[32] Similarly, Democracy Counts, a provider of electoral management software, noted that countries with a strong record on electoral registration often compiled their registers "from a central database of citizen information collected at a government-level rather than the decentralised model of electoral registration which currently exists in the UK". It added that "Democracy Counts already supplies the software to the British Library to hold the National Register of Electors. This means that a single register is ready to launch should it be deemed desirable".[33]

65. The Electoral Commission took the view that the options for reducing duplicates would not necessarily require a central register, but that "there would be benefit in linking the 372 separate registers in a way that allowed their comparison to identify possible duplicates–for example, by establishing further links between the online registration service and the local electoral registers so that EROs could view (read-only) all entries on all 372 registers".[34]

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28 Q 76 (Prof Toby James)
29 Further supplementary written evidence from the Electoral Commission (ERA0036)
30 Q 197
31 Q 133
32 Written evidence from Prof Toby James (ERA0012)
33 Written evidence from Democracy Counts (ERA0023)
34 Further supplementary written evidence from the Electoral Commission (ERA0036)

Election-related registration costs

66. Another frequent complaint we heard was that, despite the considerable resource burden of processing applications, there was no ability to recover from the Government the cost of registration-related expenses incurred during election periods as there would be for regular election-related expenses. The burden of this cost can also be uneven as some authorities receive considerably more duplicate applications than others.

67. The AEA told us that registration and related costs should be covered by the relevant election funding or top-up funding. It noted, for example, that "significant costs were incurred by EROs in relation to UC1 forms for the recent European Parliamentary election, an election that wasn't happening and which no additional funding was provided for; as a result Local Authorities had to meet the costs.".[35] It added that "we therefore urge the UK Government to introduce a mechanism whereby the full costs of registration that can be demonstrated as being incurred because of a national electoral event should be reimbursed to the relevant Local Authority".[36]

68. Andrew Tiffin, Elections and Registration Manager of Hart District Council, made similar points about the European elections, stating that "a large amount of activity was required in order to register EU nationals. That was a spike of activity that was not adequately funded by central government but is the result of central government activity".[37] During our visit to the London Borough of Tower Hamlets, the Head of Electoral Services Rob Curtis told us that the Government had not confirmed that the European election would be going ahead until the day of the deadline for EU citizens to confirm their eligibility to vote.

69. **Pre-election registration drives enhance democracy and ensure that more people are able to exercise their right to vote. So long as IER continues in its current form, event-led registration is likely to be a feature of the system, and will inevitably make an important contribution to mitigating under-registration.**

70. **In accepting this 'new normal' of event-led registration, however, it is necessary that all possible measures are taken to mitigate its costs and challenges. An online registration checking tool is used in many countries and would be of great practical benefit to voters and to administrators, who would no longer have to waste time and money processing huge numbers of duplicate applications. The absence of such a tool in the UK seems increasingly anomalous.**

71. **It is also clear that registration application surges impose a large additional cost on Local Authorities which should be directly funded by central Government, just as the direct costs of organising elections are. This would ensure that Local Authorities have the resources to fulfil all of the duties relating to elections, that authorities experiencing particular surges in registration are not unfairly financially disadvantaged, and that the efficiency and integrity of the system is maintained.**

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35   Written evidence from AEA (ERA0003)
36   *Ibid.*
37   Q 53 (Andrew Tiffin)

72. ***As part of an overall simplification of processes for both voters and Electoral Registration Officers, the Government should urgently explore the options for introducing an online registration checking tool, drawing on international good practice. In doing so, it should consider all options for making such a tool successful, including the possibility of centralising or coordinating registration information to make it more accessible and usable for this purpose.***

73. ***Government should also—by the next UK Parliamentary election at the latest—devise and introduce a scheme of financial support or compensation for the cost to Local Authorities of processing election-related registration activity. This should enable Local Authorities to recover registration costs where they can be demonstrated to be the direct result of an election taking place.***

Increasing accuracy and completeness of registers

74. The two key measurements of quality in electoral registers are accuracy and completeness. Accuracy is defined as the proportion of register entries which correctly record an eligible elector. Completeness is defined as the proportion of eligible electors who appear on registers.

Box 3: Background to accuracy and completeness

Prior to the introduction of the Act, the Cabinet Office commissioned a literature review which found that completeness had been declining in the preceding years. Research from the early 1990s to 2010 had found an average level of non-registration of between 7 and 10 per cent, whereas an Electoral Commission report found that registers were only 82 per cent complete in April 2011, declining from a rate of 85–87 per cent after the most recent annual canvas. This amounted to a level of under-registration of at least 6 million people, a significant increase from the estimated 3.5 million absent from the registers for England and Wales in December 2001.[38]

The same review noted that information on accuracy was less robust, but reported that accuracy was between 2 and 6 per cent higher than completeness in Local Authority case studies conducted by the Electoral Commission in 2010. It added that "it would be misleading to assume that because levels of completeness and accuracy mirror one another, that the two somehow 'cancel each other out'", and that "additional analysis has tended to highlight that the areas with lower rates of completeness and accuracy are generally those in which the number of registered electors has failed to keep pace with the growth in the notionally eligible population over the past decade".[39]

75. The aims of accuracy and completeness in registration should not, of course, be seen as conflicting but as complementary; it is only by maximising both accuracy and completeness that any registration system can be deemed to be effective. In bringing forward the Act, the Government was clear in its

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38 Dr Stuart Wilks-Heeg, *Electoral registration in the United Kingdom: A literature review for the Cabinet Office Electoral Registration Transformation Programme* (February 2012): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/78883/IER_Literature_review_Feb_2012.pdf [accessed 20 May 2020]

39 *Ibid.*

intention to improve both accuracy and completeness.[40] We now consider how both measurements have fared under IER.

76.   The Electoral Commission pointed to the findings of its post-implementation study of completeness and accuracy under IER, which found that accuracy of local government registers had increased by four per cent (from 87 per cent to 91 per cent) while completeness had declined by less than one percentage point, (from 85 per cent to 84 per cent).[41] It added, however, that "under-registration increased among some of those groups that were already less likely to be registered under the old system: young people and especially attainers".[42]

Figure 1: Completeness and accuracy of local government registers before and after transition to IER
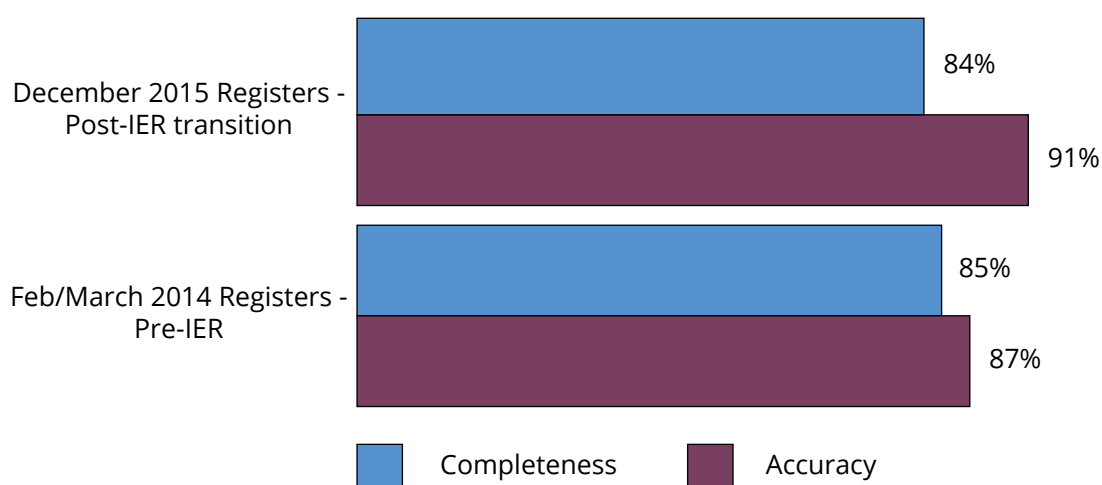
Base (unweighted): 2015: Completeness (11,648); Accuracy (10,871).
2014: Completeness (9,601); Accuracy (9,446)

Source: Electoral Commission, Accuracy and Completeness of the December 2015 electoral registers: https://www.electoralcommission.org.uk/who-we-are-and-what-we-do/our-views-and-research/our-research/accuracy-and-completeness-electoral-registers/accuracy-and-completeness-december-2015-electoral-registers *[accessed 20 May 2020]*

77.   The Electoral Commission further confirmed that "the overall accuracy of the electoral registers has improved under IER while their completeness has remained largely stable during and after the change to the system". It also highlighted the findings of the post-canvass registers of December 2018. This found that Parliamentary registers were 85 per cent complete and 89 per cent accurate, while local government registers were 83 per cent complete and 89 per cent accurate. The Commission also noted that completeness levels among attainers in Great Britain were 25 per cent, compared to 45 per cent in 2015. This compares with 94 per cent completeness for eligible voters over 65.[43]

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40   See Appendix 5 for further background on the Government's objectives when bringing forward the Act.

41   Electoral Commission, *Accuracy and completeness of the December 2015 electoral registers* (24 September 2019):   https://www.electoralcommission.org.uk/who-we-are-and-what-we-do/our-views-and-research/our-research/accuracy-and-completeness-electoral-registers/accuracy-and-completeness-december-2015-electoral-registers [accessed 20 May 2020]

42   Written evidence from the Electoral Commission (ERA0005)

43   Further supplementary written evidence from the Electoral Commission (ERA0036)

78. The Electoral Commission went on to note that according to the December 2018 figures, "completeness levels among those who have lived at their address for up to a year was 36 per cent in December 2018, compared to 90 per cent for those who have lived at their address between five and 10 years".[44]

79. The evidence therefore indicates that accuracy of registers has improved since IER while completeness has remained approximately at pre-IER levels. This does, at least, allay concerns expressed at the time of introduction of IER that the system would lead to a notable decline in completeness rates, though clearly the Act has also not met the Government's objective of improving them.

80. Prof James pointed to his post-implementation study of electoral administrators in 2016, which found that there were "uneven" effects on completeness; the introduction of online registration at the same time as IER meant that completeness had improved in some cases, but it had declined in others.[45]

81. The Electoral Commission's accuracy and completeness surveys of the December 2018 registers also found that completeness declined in Greater London from 81 per cent in 2016 to 76 per cent in 2018. It stated that "lower completeness in London boroughs is likely to be reflective of high population mobility, associated with the large private rented sector in London". It noted that this change was not reflected in Metropolitan Boroughs, where completeness had increased from 83 to 86 per cent in the same period, or in unitary authorities, where it had declined by just one percentage point, from 84 per cent to 83 per cent.[46]

82. The Electoral Commission also conducted a survey of 2018 registers in Northern Ireland, where individual registration has been in place since 2002. There, completeness was notably lower, at 74 per cent for the Parliamentary register and 73 per cent for the local register. The local and Parliamentary registers were both found to be 80 per cent accurate. The Commission noted that there were lower levels of completeness across a range of characteristics compared to 2015, with particularly low levels (11 per cent) among those who had moved in the last year.[47]

83. Virginia McVea, Chief Electoral Officer for Northern Ireland, told us that "part of that story is about coming near to a use-by date in relation to our canvass, because of the length of the period between one canvass and another",[48] as Northern Ireland does not operate an annual canvass system but rather runs on the basis of "continuous registration", with the register being checked against other public data to keep it up to date, and a canvass only taking place every ten years unless ordered otherwise by the

44 *Ibid.*

45 Written evidence from Prof Toby James (ERA0012)

46 Electoral Commission, 'Completeness in Great Britain', *2019 report: Accuracy and completeness of the electoral registers in Great Britain* (2019): https://www.electoralcommission.org.uk/who-we-are-and-what-we-do/our-views-and-research/our-research/accuracy-and-completeness-electoral-registers/2019-report-2018-electoral-registers-great-britain/completeness-great-britain [accessed 20 May 2020]

47 Electoral Commission, *2019 report: Accuracy and completeness of the 2018 electoral registers in Northern Ireland* (2019): https://www.electoralcommission.org.uk/who-we-are-and-what-we-do/our-views-and-research/our-research/accuracy-and-completeness-electoral-registers/2019-report-accuracy-and-completeness-2018-electoral-registers-northern-ireland [accessed 21 May 2020]

48 Q 128

Secretary of State.[49] There was due to be a canvass in 2020 but this was postponed to 2021 following the COVID-19 pandemic.

84. We heard that some comparable democracies have achieved significantly better rates of completeness. In particular, we heard from Stéphane Perrault, the Chief Electoral Officer of Canada, that Canada had achieved a completeness rate of 96.4 per cent on the 'preliminary list' of electors prior to the 2019 federal election. He advised us that "that is prior to targeted revision and prior to updates done during the writ period, so the actual numbers are materially higher even than at the time of voting on polling day". He also noted that Elections Canada undertook removals of over 200,000 obsolete records from the register prior to the election, achieving an accuracy rate of 93.3 per cent, so the high rate of completeness was not achieved at the expense of accuracy.[50]

85. Evidence from academics from the British Election Study noted that "IER seems to have increased the volatility of electoral registration-people were more likely to drop on and off the register when IER came into force". They added that "accuracy and completeness vary during the annual registration cycle and peak around electoral events. Accuracy and completeness also vary geographically".[51] This is consistent with the evidence we discussed in the previous section concerning the impact of 'event-led' registration.

86. British Election Study academics were particularly concerned about the impact of lower-quality registers on the drawing of Parliamentary constituency boundaries. They stated that "if these registers are inaccurate then decisions that arise from them such as constituency boundaries will be inaccurate as well". They noted that the December 2015 post-transition register, which was used for the most recent unimplemented boundary review, had approximately one million fewer electors than the register in June that year and 1.5 million fewer than the register used for the June 2017 UK Parliamentary election. [52]

87. The British Election Study academics added that "because IER has not substantially changed the completeness of electoral registers, boundaries drawn using the electoral register still fail to achieve the normative goal of equalizing the number of eligible persons across constituencies". They added that "because of increased fluctuation in the register size and the movement of people on and off the register, the use of data from the annual canvass exacerbates the problem, leading to under-representation of certain groups and geographic areas". They concluded that "despite IER, the current register entries method for drawing parliamentary constituencies meets neither the normative or legal aims of the legislation".[53]

88. In May 2020 the Government brought forward new legislation in the form of the Parliamentary Constituencies Bill for future reviews of Parliamentary constituency boundaries. The Bill states that reviews will take place every eight years, and that electoral registers will be based on the review date, which

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49   House of Commons Library, Individual Electoral Registration in Northern Ireland, Standard Note, SN/PC/06501, 10 December 2012

50   Q 159

51   Written evidence from Dr Christopher Prosser, Prof Edward Fieldhouse, Dr Jonathan Mellon and Dr Jessica Smith (ERA0007)

52   *Ibid*.

53   *Ibid*.

was initially envisaged to be December 2020 for the first planned review.[54] Following concerns that this register may have declined in completeness and accuracy following the COVID-19 pandemic, the Government announced its intention to amend the Bill so that the review would instead use the register from 2 March 2020.

89. **Individual Electoral Registration appears to have notably improved the accuracy of registers in Great Britain, while their completeness has been maintained at approximately similar levels as under the previous system. We welcome the steps taken by administrators, Government and the Electoral Commission to improve accuracy. We are concerned, however, that the Government's aim to improve completeness has not been realised, and there continues to be large numbers of eligible voters absent from registers. Simply maintaining completeness at previous rates should not be considered a satisfactory outcome.**

90. **There are also stark continuing disparities among different demographic groups and in different regions. These disparities can have serious implications both for democratic participation and for purposes such as the drawing of Parliamentary boundaries, which risk being unfair to voters if completeness and accuracy are not improved.**

91. **Levels of accuracy and completeness in the UK are notably lower than some countries such as Canada, which has achieved a completeness rate of over 96 per cent while also taking action to maintain accuracy at over 93 per cent. We see no reason why the UK should not aspire to match this performance.**

92. *The Government must ensure that it treats improving accuracy and completeness as a major priority in future reforms to electoral registration and administration. In doing so, we strongly recommend that they refer to international best practice. This should focus both on improving overall rates of completeness and accuracy, and on doing more to narrow the gap among groups that are more likely to be under-registered or inaccurately registered, such as young people and home movers.*

93. *We are concerned that the use of inaccurate and incomplete registers may have meant previous reviews of Parliamentary boundaries were unfair to voters. As the Government seeks to pass new legislation for future boundary reviews, they must ensure that registers used for future reviews are accurate and complete, writing this commitment into the legislation if necessary. We welcome the Government's commitment to use March 2020 registers for the next boundary review, as these are likely to be significantly more accurate and complete than the December 2020 register which was originally proposed to be used.*

Administrative and financial burdens

94. The introduction of individual electoral registration may have made things easier for voters, but administrative and financial burdens associated with

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54   Explanatory Notes to the Parliamentary Constituencies Bill [Bill 151 2019–20-EN]

managing the system take up considerable amounts of time and resources. This section looks at these burdens and how they might be tackled.

95. Broadly speaking, Local Authorities are responsible for maintaining electoral registers and delivering elections. Costs related to electoral registration and local elections are met by Local Authorities whereas expenditure related to the delivery of general elections and national referendums is reimbursed by the Government. As discussed above, additional funding for registration was made available to Local Authorities to help them through the transition to individual electoral registration.

96. Prof James told us that individual registration has led to an increase in both costs and workload for electoral administrators.[55] Dr Alistair Clark cited research into electoral administration in the 2016 EU referendum conducted by himself and Prof James which found "43 per cent of counting officers reporting they did not have enough funds to support the work required to maintain the electoral register".[56] Reasons cited for this included the introduction of individual registration and funding cuts.

97. Andrew Tiffin of Hart District Council provided an example of the extra administrative workload around online registration, telling us that although online registration "has been very well received", behind the scenes it involved "a convoluted paper system" that "is a lot more onerous and expensive" to run."[57]

98. The AEA told us that although resources vary from authority to authority, budget cuts within Local Authorities over the years have impacted on electoral services teams.[58] Mr Stanyon added that "some [Local Authorities] are very much struggling" and doing the legal minimum, or in some cases less.[59]

99. Dr Clark asked us to keep in mind how small electoral services teams are in relation to the work they are expected to carry out.[60] Highlighting this point, Clare Oakley, Electoral Services Manager at the London Borough of Camden, told us she has a team of 5.5 full time equivalent (FTE) staff for an electorate of 154,000.[61] Glynn Morgan, Electoral Services Manager of Pembrokeshire County Council, told us his team comprised 3.5 FTE staff for an electorate of 92,500, while Mr Tiffin told us that Hart District Council has 2 FTE staff and 74,000 registered electors.[62]

100. We heard that workload pressures are having an impact on the health and wellbeing of EROs. Prof James noted that in a survey he and academic colleagues had conducted of electoral management teams around the world, the UK recorded the highest levels of stress. He noted that stress levels "are a major problem" and that the financial and resource pressures arising from the systems introduced in the Act are part of the story.[63]

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55   Written evidence from Prof Toby James (ERA0012)
56   Written evidence from Dr Alistair Clark (ERA0002)
57   Q 45 (Andrew Tiffin)
58   Written evidence from the AEA (ERA0003)
59   Q 21
60   Q 81 (Dr Alistair Clark)
61   Q 54 (Clare Oakley)
62   Q 55 (Glynn Morgan, Andrew Tiffin)
63   Q 81 (Prof Toby James)

101. Michael Sani of Bite the Ballot told us that resource constraints also mean that there is less money to spend on community outreach projects for targeting hard to reach groups, and that cuts in funding to Local Authorities "have made it more difficult to ensure the robustness of the register".[64] Dr Omar Khan of the Runnymede Trust noted that lack of funding and staff meant that there was often not enough resources or support for EROs to engage in direct outreach with hard to reach groups.[65]

102. Devolution adds an extra layer of complication. For example, both Wales and Scotland have extended their voting franchises to allow votes at 16 for devolved and local elections. Under the Scottish Elections (Franchise and Representation) Act 2020 Scotland has extended voting rights further to include all foreign nationals with leave to remain and prisoners serving a sentence of less than 12 months.[66]

103. Peter Stanyon of the AEA noted that Wales is also considering other measures such as automatic registration. If introduced, it would only apply to registers for Senedd Cymru/Welsh Parliament and local elections. He suggested that "careful thought" needs to be given to how these differences in franchises and registration practices could be administered without unintended consequences.[67]

104. We also heard about burdens faced by EROs when it comes to delivering general elections and national referendums. Dr Clark called the Cabinet Office "parsimonious" when it came to approving funding claims for Local Authorities and told us that resourcing of electoral administration "requires urgent examination" both with regard to funding and staffing and to the process for refunding Local Authorities.[68]

105. Dr Clark also raised the idea of whether electoral administration should be considered "critical national infrastructure" and urged us to consider the question of adequate resource and staffing through the prism of what it is that EROs are being asked to deliver.[69]

106. Minister of State for the Constitution Chloe Smith MP told us that the Government "treat electoral mechanics with the same significance as CNI [critical national infrastructure]", and noted that the Government had a "Defending Democracy" programme which focused on protecting electoral infrastructure from "cyber, physical and personnel threats".[70]

Administrative burdens placed on EROs during the 2019 UK Parliamentary election

107. We have already noted that EROs have been under pressure in the last few years, with several unscheduled national polls. Clare Oakley and Glynn Morgan told us that morale among their staff was good but noted the huge pressure that recent elections had placed them and their staff under.[71] Andrew Tiffin described "a phenomenal amount of pressure" being placed

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64   Q 83 (Michael Sani)
65   Q 172 (Dr Omar Khan)
66   Scottish Elections (Franchise and Representation) Act 2020 and Senedd and Elections (Wales) Act 2020
67   Q 29
68   Written evidence from Dr Alistair Clark (ERA0002)
69   *Ibid.*
70   Written evidence from Chloe Smith MP, Minister of State (Cabinet Office) (ERA0041)
71   Q 60 (Clare Oakley, Glynn Morgan)

on staff to deliver the General Election in 2017 and told us in September 2019 that he was "fearful" of an election being held during the annual canvass in December.[72] Prof James noted in October 2019 that in the context of existing financial pressures a December election was likely to put "a major strain" on EROs.[73]

108. Following the election witnesses told us it was generally well run, but had put a lot of pressure on EROs and the system. The AEA told us that "the cracks are widening" in the electoral administration system and that the December election had resulted in "a range of unintended consequences and logistical challenges".[74] The AEA was critical of funding arrangements for the election, and called for an urgent and "comprehensive review of the fees and charges structure".[75]

109. The AEA also noted that elector expectations and high volumes of last-minute registrations meant that electoral administrators "have felt more pressured than ever".[76] Kath Richards of Runnymede Borough Council told us elector expectations meant that voters leave registration to the last minute without appreciating that it takes five more days for them to be added to the register.[77]

110. Dr Alistair Clark noted that the 2019 UK Parliamentary election highlighted existing flaws in the system and said it was a credit to electoral administrators that there were not more problems on polling day given the circumstances.[78] The AEA told us that the success of the election was more down to "the personal dedication and commitment of electoral administrators, suppliers and stakeholders" than to the Government's support.[79] George Cooper of the London Borough of Haringey described it as one of the hardest elections he had had to run.[80]

111. The Electoral Commission pointed to their evaluation of the election which showed that 93 per cent of people were satisfied with the process of voting in the 2019 election with 69 per cent being confident it was well run.[81] However, the Commission did acknowledge pressures on EROs and told us that "EROs need more support to help them continue to deliver the level of service that people should be able to expect before major electoral events".[82] We note also that the Electoral Commission's evaluation of the December 2019 election recommended the Government "identify improvements" to ease the burden on EROs during election periods.[83]

112. **Accurate and complete registers and well-run elections are lynchpins of a robust democracy and it would be difficult to overstate the importance of ensuring that electoral administrators—the people**

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72 Q 60 (Andrew Tiffin)
73 Q 73 (Prof Toby James)
74 Supplementary written evidence from the AEA (ERA0022)
75 *Ibid.*
76 *Ibid.*
77 Post-election seminar with Electoral Registration Officers, 11 February 2020, see Appendix 8.
78 Supplementary written evidence from Dr Alistair Clark (ERA0025)
79 Supplementary written evidence from the AEA (ERA0022)
80 Post-election seminar with Electoral Registration Officers, 11 February 2020, see Appendix 7.
81 Supplementary written evidence from the Electoral Commission (ERA0030)
82 Further supplementary written evidence from the Electoral Commission (ERA0036)
83 Electoral Commission, *UK Parliamentary General Election 2019* (21 April 2020) pp 2–3, 8: https://www.electoralcommission.org.uk/sites/default/files/2020–04/UKPGE%20election%20report%202020.pdf [accessed 20 May 2020]

who are responsible for the quality of the registers and for delivering elections—are adequately resourced and funded to do their job properly. We are concerned that too many electoral teams across the UK are currently under-resourced, under-staffed and under-funded and are struggling to cope during election periods.

113. *The introduction of individual registration under the Act added to the administrative and financial burdens faced by EROs. In this report we urge a range of steps to modernise the registration system which we believe would help to reduce the heavy financial and resources burden faced by EROs. Notwithstanding that, we urge the Government to undertake a thorough review of existing funding provisions and arrangements for both electoral registration and delivery of elections. The review must ensure adequate funding is provided and should include consultation with a wide range of stakeholders, particularly with Local Authorities and EROs.*

Automatic registration and other modernising measures

114. There was widespread agreement among witnesses on the need for further modernisation of the electoral registration system to make registration easier for eligible electors and to reduce the administrative and financial burden of registration. The most prominent suggestions included the introduction of automatic registration; assisted registration, prompting people to register when interacting with other Government and public services; and greater use of data matching. This section looks at these options.

115. The Electoral Commission drew our attention to its July 2019 report on the feasibility of modernising electoral registration and highlighted its findings that there would be potential benefits to introducing automatic registration, assisted registration and improved data sharing.[84]

116. Prof James told us about his research on ways to boost registration rates and simplify registration for the APPG on Democratic Participation and on behalf of the Joseph Rowntree Reform Trust. He highlighted several recommendations for modernising electoral registration, including automatic registration for attainers when issued with their national insurance number; assisted registration for when people interact with public services; election-day registration; an online facility to look up registration status; providing for voter registration in schools; and ongoing support for registration events such as the National Democracy Week.[85]

117. Prof James told us that automatic registration for specific groups and assisted registration "could be the most cost-effective method that would lead to considerable improvements in the completeness and accuracy of the register"[86]. He suggested that automatic registration for 16 year olds could add up to 700,000 new names on the electoral register each year and that assisted registration "would enable millions of citizens to register more easily" if they were prompted to do so when applying for a passport, updating or renewing a driver's licence, and applying for Universal Credit, child benefits or disability benefits.[87]

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84   Supplementary written evidence from the Electoral Commission (ERA0030)
85   Written evidence from Prof Toby James (ERA0012)
86   Supplementary written evidence from Prof Toby James (ERA0039)
87   *Ibid.*

118. Kiron Reid, who has experience of being an international election observer in non-EU countries of south east Europe and the former Soviet Union for the Organisation for Security and Co-operation in Europe (OSCE), strongly advocated for a system of automatic, continuous registration using local and national government and public body records to register eligible electors.[88]

119. The Labour Party said they believed automatic voter registration "is the best long-term solution to drastically increase voter registration".[89] Virginia McVea of the Electoral Office for Northern Ireland (EONI) said that automatic registration for attainers was top of her wish list for modernising electoral registration.[90]

120. Frances Cleland of Test Valley Borough Council noted that lots of people already think automatic registration is in place and assume they are on registers already because they are known to Local Authorities.[91]

121. The Electoral Commission told us that a system of automatic registration was feasible "from a technical and operational perspective" and did not require any radical changes to the existing structure"[92]

122. However, Minister of State for the Constitution Chloe Smith MP told us that the Government "has no plans to introduce automatic registration" and that automatic registration is at odds with "the principles underpinning IER".[93]

123. Witnesses also saw assisted registration as a way forward. On the benefits of assisted registration, Prof James noted the example of the US which has successfully used assisted registration for a very long time.[94] Darren Hughes, Chief Executive of the Electoral Reform Society, also strongly advocated assisted registration, telling us that a US-style "motor voter" law to nudge people to register to vote when updating or renewing their driver's licence would be a positive development.[95]

124. In addition to automatic and assisted registration methods, we heard arguments in favour of improving data matching mechanisms. At present applications to register are matched against data sources from the Department for Work and Pensions to verify and confirm each applicant's details. At the local level, Local Authorities including county councils are obliged to share data with EROs, although we heard that this system does not always work as effectively as it should.

125. Our witnesses noted that, on its own, greater data matching would be beneficial to EROs but it is also a necessary component of other modernisation approaches including automatic and assisted registration. For example, the Joseph Rowntree Reform Trust stated that building up data matching capacity in the electoral system "could move the country towards a more automated registration system".[96]

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88   Written evidence from Kiron Reid (ERA0010)
89   Written evidence from the Labour Party (ERA0006)
90   Q 135
91   Post-election seminar with electoral registration officials, 11 February 2020, see Appendix 7.
92   Further supplementary written evidence from the Electoral Commission (ERA0036)
93   Written evidence from Chloe Smith MP, Minister of State (Cabinet Office) (ERA0041)
94   Q 79 (Prof Toby James)
95   Q 91 (Darren Hughes)
96   Written evidence from the Joseph Rowntree Reform Trust (ERA0018)

126. Peter Stanyon of the AEA said that getting access to other data sources, beyond what is currently available, could be an opportunity to help registration officers identify more people who are not yet registered.[97] Michael Sani of Bite the Ballot told us that much more use of data matching could drastically improve the electoral registers, particularly when it came to identifying and targeting under-registered groups.[98]

127. Lindsay Tomlinson of Allerdale Borough Council told us that, although data sharing at the local level is regulated, some Local Authorities "may not understand the requirements of the legislation" to share that data or appreciate the urgency of the situation. Ms Tomlinson related her own experience of having to wait two years in one instance to obtain data on local attainers from local data sources and suggested that delays are "probably typical of district and county relationships".[99] Andrew Francis of South Cambridgeshire District Council and George Cooper of the London Borough of Haringey told us that data sharing agreements were sometimes difficult to secure for district councils in two-tier areas and that data sharing was more straightforward in unitary authorities because more information was held within the same authority.[100]

128. Democracy Counts told us that their own research in 2018 indicated that only 50 per cent of Local Authorities operated systems that allowed citizens to update their details online and none of those were linked to their electoral management software in a manner that would allow for a notification to be sent to the electoral services team.[101]

129. We heard about some of the tools Canada uses to register voters. As a federation, each Province in Canada has its own electoral system and electoral register as well as a federal electoral system and register. At the federal level, the electoral register is maintained by Elections Canada. Stéphane Perrault, the Chief Electoral Officer of Canada, told us that they do not have automatic registration in Canada but they do make extensive use of data sharing. Stéphane Perrault explained:

> "To feed the national register of electors we have some 45 agreements with data partners that share information with Elections Canada. Those chains of information allow us continuously to update the register on that basis. In some cases—for example, the driver's licence- we receive on a periodic basis information from driver's bureaux. Through this, we either update existing electors who are registered on the national register of electors or we find new individuals we did not have, and then we write to those individuals and ask whether they wish to be included on the register".[102]

130. Some witnesses reminded us that steps toward modernisation would need to take account of privacy and security concerns. For example, the Joseph Rowntree Reform Trust argued that "there are important reservations about the potential impact of automatic registration on privacy, data protection and security".[103]

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97   Q 28
98   Q 88 and Q 91 (Michael Sani)
99   Q 62 (Lindsay Tomlinson)
100 Post-election seminar with Electoral Registration Officers, 11 February 2020, see Appendix 7
101 Written evidence from Democracy Counts (ERA0023)
102 Q 159
103 Written evidence from the Joseph Rowntree Reform Trust (ERA0018)

131. Prof James noted privacy concerns about the availability and accessibility of electoral registers. At present, EROs are required to produce an 'edited' register (also called an open register) which is distinct from the full register in that it is not used for elections and referendums.[104] Anyone can opt-out of having their personal details included in the open register. There are no restrictions on who the open register can be sold to or how it can be used. Clare Oakley told us that in the London Borough of Camden there is little demand for the open register and little financial gain for the Local Authority for selling it. Prof James recommended that the open register be abolished.[105]

132. **Modernisation of electoral registration is long overdue. The principle of individual registration should be a stepping stone to greater modernisation, not a barrier to progress. We do not agree that the principle of individual responsibility for registration is incompatible with the need to improve the quality of registers.**

133. *The Government should undertake to modernise the registration system further, including piloting automatic registration for attainers; introducing assisted registration to prompt eligible voters to register when accessing other public services; improving access for Electoral Registration Officers to local data sources; and developing a transparent policy on privacy and data security to underpin these measures.*

134. *Notwithstanding any potential backlash from those currently making use of it, Government should consider abolishing the open register; its compilation serves no public good, it presents a privacy risk and the proceeds from its sale yield an insignificant amount of money for Local Authorities.*

Civic education and public engagement

135. Any modernisation of electoral registration must go hand-in-hand with civic education and public engagement. If people are not aware of their voting rights or how the registration process works, modernisation measures won't reach their full potential. For example, automatic registration and assisted registration rates may lead to greater completeness of the registers but would not necessarily lead to higher voter turnout at elections. We also know that voting can be habit forming, meaning that the earlier someone is introduced to the system, the more likely they will become lifelong voters.

136. To be most effective, civic education and public engagement must be targeted to reach under-registered groups. This includes attainers, young people and students, people from BAME backgrounds,[106] some older people, people with disabilities and long-term health conditions, frequent home movers, homeless people and migrants. Given the diversity of people that fall within these groups, a one-size-fits-all approach will not work.

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104 The full register is also available to political parties, MPs and public libraries and is used by Local Authorities and police for their duties relating to security, law enforcement and crime prevention. The courts use the full register for summoning people for jury service and it can be sold to Government departments and credit reference agencies. Source: Information Commissioner's Office, *Electoral Register*: https://ico.org.uk/your-data-matters/electoral-register/ [accessed 10 June 2020]

105 Supplementary written evidence from Prof Toby James (ERA0039)

106 People from BAME backgrounds have also been found to have disproportionately low levels of knowledge of eligibility. See: Heath, Fisher, Sanders, Sobolewska 'Ethnic Heterogeneity in the Social Bases of Voting at the 2010 British General Election', *Journal of Elections, Public Opinion and Parties*, vol. 21:2 (2011), pp 255–277: https://doi.org/10.1080/17457289.2011.562611

137. Intersectionality of these groups adds a layer of complexity. Dr Prosser of the British Election Study explained to us that residential mobility is "probably the main factor" that accounts for the registration gap between some of these groups, and that it is young people who tend to be frequent movers. He told us, for example, that to the extent that students are not registered, it is often to do with their status as frequent home movers, or people living in private rented accommodation. He emphasised that among young people, students are more likely to be politically engaged, and therefore registered, than non-students.[107]

Attainers

138. We were told that the Government could be doing much more to reach attainers. The Lowering the Voting Age Across the UK project reported that in focus groups it had run, "young people have been almost universally critical of the level of citizenship education they receive in schools".[108] Shout Out UK, an organisation which provides a "Political Literacy" course to secondary school students across the country, stated that "there is a massive room for improvement in students' knowledge about governance institutions", reporting survey data which indicated that many more secondary school students disagreed than agreed that they understood the main institutions of national, international and local government.[109]

139. Lord Woolley of Woodford told us that although there are schools that deliver citizenship education there is "no cohesive approach".[110] Michael Sani of Bite the Ballot said there needed to be far greater education about democracy and the voting process targeting young people.[111]

140. We also heard examples of good practice from other parts of the UK. Virginia McVea explained that in Northern Ireland she has the ability to email every child in secondary-level school to encourage them to register.[112] We also heard that in Scotland, EROs similarly have access to attainers' contact details which can be used to encourage them to register.[113]

141. Access to attainer information for EROs in England appears to be more *ad hoc*. For example, Clare Oakley from the London Borough of Camden said that her council has access to education records through the Camden Resident Index, which are data matched to identify attainers who are then sent an Invitation to Register. Andrew Tiffin told us that Hart District Council has teamed up with adjacent boroughs to create publicity materials and establish contacts with local colleges to encourage registration.[114]

Young people and students

142. As mentioned above, young people and students are also likely to be frequent movers, a key indicator of under-registration, and young people not in education are less likely to be registered than students.

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107 Q 105 (Dr Christopher Prosser)
108 Written evidence from 'Lowering the Voting Age Across the UK' project team (ERA0009)
109 Written evidence from Shout Out UK (ERA0011)
110 Q 170 (Lord Woolley of Woodford)
111 Q 84 (Michael Sani)
112 Q 134
113 Written evidence from the Cabinet Office (ERA0001)
114 Q 49 (Clare Oakley, Andrew Tiffin)

143. Kira Lewis of the British Youth Council told us that the best way to get young people to register is to target them while they are still in school.[115] For young people not in education, she emphasised the importance of youth services.[116] Ms Lewis also noted that apprentices could be better targeted by higher education institutions when they attend to do coursework connected to their apprenticeship.[117] Member of the public Susan Hedley suggested that employers of young people should be doing more to encourage electoral registration among their staff.[118]

144. For students in higher education, the obvious channel is through their higher education institution. The Higher Education and Research Act 2017 established the Office for Students (OfS) and provides a list of conditions that need to be met for higher education providers to obtain initial and ongoing registration. Among the conditions for registration is a requirement that universities "take such steps as the OfS considers appropriate for facilitating cooperation [between higher education providers and EROs] for the purposes of enabling the electoral registration of students who are on higher education courses".[119] This obligation is set out in guidance published by the OfS in September 2018.[120]

145. Witnesses widely agreed that the University of Sheffield is the frontrunner when it comes to registering its students to vote. Under the Sheffield Model, students can register to vote as part of their student enrolment process. Peter Stanyon told us that Sheffield was the "best example" of student registration and that it involved "a very close working relationship" with local EROs.[121]

146. Conor Ryan, Director of External Relations at the OfS, agreed that the University of Sheffield was an example of good practice, but noted that the OfS does not require higher education institutions to adopt any particular method but rather "encourage them to look at practical ways in which they can facilitate the registration of students".[122]

147. The NUS welcomed measures to place an obligation on providers to facilitate registration but expressed concern about the underwhelming results so far, noting that it had "not seen any examples of the OfS sanctioning any institutions for not meeting this condition, despite the largely lacklustre effort of many".[123]

148. Several witnesses felt that a more stringent approach was needed to get higher education institutions to be more proactive about supporting electoral registration. Claire Sosienski Smith of the NUS told us that the University of Sheffield's system "should be seen not as a great example but

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115 Q 96 (Kira Lewis)
116 Q 94 (Kira Lewis)
117 *Ibid.*
118 Written evidence from Susan Hedley (ERA0008)
119 Higher Education and Research Act 2017, section 13(1)
120 Office for Students, *Regulatory Advice 11: Guidance for providers about facilitating electoral registration*, (14 September 2018): https://www.officeforstudents.org.uk/media/a7f9baff-47bd-444f-a215-0cf2a5f57951/ofs2018_36.pdf [accessed 21 May 2020]
121 Q 19
122 Q 94 (Conor Ryan)
123 Written evidence from the NUS (ERA0015)

as the standard".[124] Kira Lewis of the British Youth Council also supported widespread implementation of the Sheffield model.[125]

149. However, Conor Ryan told us that it was too early to say whether their guidance was effective, and that the Cabinet Office was carrying out an evaluation to assess the impact of their guidance.[126] He also added that the OfS had not received any complaints about universities failing to meet their requirements to cooperate on electoral registration.[127]

150. Prof James suggested that if the evaluation shows that not enough progress has been made, then universities should be obliged to provide registration opportunities at the point of enrolment as in the case of the University of Sheffield.[128] Michael Sani also urged a change in Government policy if the evaluation showed that registration rates hadn't drastically improved.[129]

People from BAME backgrounds

151. There is a relatively strong, statistically significant negative correlation between registration proportion and the relative concentration of people from BAME backgrounds.[130]

152. Lord Woolley told us that in communities of African descent there are "probably some of the highest non-voter registrations in the country".[131] Dr Omar Khan of the Runnymede Trust also noted that registration rates are lowest among Black African groups, "followed by south Asian groups and Black Caribbean groups".[132] He also noted that Commonwealth citizens in the UK often are not registered because they are not aware that they are entitled to vote.[133]

153. Lord Woolley also noted that lack of registration is symptomatic of a much broader issue, namely the lack of trust in politics and a belief among BAME groups that politics is not working for them.[134] He suggested that there needs to be a political will to close the gap of under-registration and that the starting point is improving civic education in schools.[135] Imran Sanaullah of the Patchwork Foundation also noted the importance of reaching young BAME people through education.[136]

154. We also heard about the importance of engaging BAME communities at the local level. Lord Woolley told us that "the more local you go, the more understanding you will have of the communities you seek to serve, so more

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124 Q 96 (Claire Sosienski Smith)
125 Q 96 (Kira Lewis)
126 Q 96 (Conor Ryan). Mr Ryan subsequently wrote to inform the Committee that this evaluation was likely to be completed in Spring 2021.
127 Q 99 (Conor Ryan)
128 Written evidence from Prof Toby James (ERA0012)
129 Q 88 (Michael Sani)
130 See Cabinet Office, *Atlas of Democratic Variation* (January 2019) pp 22–24: https://assets. publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/773336/ AtlasOfDemocraticVariation.pdf [accessed 21 May 2020].
131 Q 170 (Lord Woolley of Woodford). See also, Heath, Fisher, Sanders, Sobolewska and Rosenblatt, *The Political Integration of Ethnic Minorities in Britain*, (London: Oxford University Press, 2013).
132 Q 172 (Dr Omar Khan)
133 *Ibid.*
134 Q 169 (Lord Woolley of Woodford)
135 Q 170 (Lord Woolley of Woodford)
136 Q 172 (Imran Sanaullah)

local has to be better".[137] Imran Sanaullah told us that a flurry of activity to register people around elections wasn't working and that there needed to be "long-term engagement with communities, to give them a reason to vote".[138] Lord Woolley told us that building community trust takes investment and time particularly when dealing with people who have lost faith in the system.[139]

155. Giving an example of how Local Authorities try to reach BAME communities, Clare Oakley of the London Borough of Camden told us that Camden Council engages with local community groups and provides them with information in other languages to reach people whose first language is not English and makes visits to reach out to people directly. She thought that with more resources it would be possible to do more to reach out to BAME groups.[140]

People with disabilities and long-term health conditions

156. A person is considered to have a disability if they have a physical or mental impairment that has 'substantial' and 'long-term' negative effects on their ability to do normal daily activities.[141] Twenty-one percent (13.3 million) of people in the UK reported having a disability in 2017/18, including 44 per cent of those aged over 65.[142] Mencap told us that research from the Electoral Commission found that two-thirds of people with learning disabilities are not registered.[143]

157. The Government has established an Accessibility to Elections Working Group which launched a Call for Evidence in September 2017 to obtain views on how disabled people experience registering and voting. Its response was published in August 2018. The Government has also announced plans to improve support options at polling stations for disabled voters as part of their measures to improve electoral integrity.[144]

158. Mencap told us that the principal barrier to registration is the "continuing belief by some that people with a learning disability are not allowed to vote or that there is a 'capacity' requirement".[145] This prevents education and support being offered to those who are not aware of their rights.

159. Ismail Kaiji, Parliamentary Support Officer at Mencap, who himself has a learning disability, told us:

> "I think that most people with a learning disability don't know about their rights to vote as when I was at college no one taught me about this. Since leaving school I think there has been some improvement

137 Q 175 (Lord Woolley of Woodford)
138 Q 169 (Imran Sanaullah)
139 Q 174 (Lord Woolley of Woodford)
140 Q 48 (Clare Oakley)
141 GOV.UK, *Definition of disability under the Equality Act 2010*: https://www.gov.uk/definition-of-disability-under-equality-act-2010 [accessed 21 May 2020]
142 National Statistics, *Family Resources Survey: financial year 2017/18*, (28 March 2019) p 7: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/791271/family-resources-survey-2017–18.pdf [accessed 20 May 2020]
143 Written evidence from Mencap (ERA0032)
144 Prime Minister's Office, *The Queen's Speech December 2019: Background Briefing Notes* (December 2019) p 126: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/853886/Queen_s_Speech_December_2019_-_background_briefing_notes.pdf [accessed 20 May 2020]
145 The Electoral Administration Act 2006 abolished rules banning people from voting by reason of their mental state.

but unfortunately not everyone understands their rights because they haven't been told or supported to understand them".[146]

160. Mencap also cited research they conducted in 2018 which found that 60 per cent of people with a learning disability found the registration process "too difficult" to complete without assistance. It emphasised that the language around registration needed to be more accessible and drew our attention to an easy read guide for registering developed by Mencap and hosted on the gov.uk website.[147]

161. Ismail Kaiji of Mencap suggested that more could be done to reach out to people with learning disabilities through informational sessions that could be held in libraries, schools, colleges and day centres.[148] Disability Rights UK called for greater use of easy read versions of information to help people to register to vote, and told us there also needed to be targeted campaigns and support to inform and encourage people with disabilities to register and vote.[149]

162. Both Mencap and Disability Rights UK told us that, although things were getting better, more improvements could also be made at polling stations to support voters who have disabilities. Suggestions included more visible advertisements of the type of support that polling station staff are able to provide, and improvements to the physical accessibility of polling stations where possible.[150] Mencap also called for "practice ballot papers" to allow people with learning disabilities to familiarise themselves with the voting process in advance.[151] Disability Rights UK told us that the Tactile Voting Device, the main support tool for blind voters at polling stations, had "serious problems" and needed to be replaced urgently.[152]

Older people

163. In the same way that students could be registered in bulk by their school under the previous household registration system, registering people in care homes used to be a matter of the care home manager registering everyone *en masse*. Under IER this has changed.

164. Age UK told us that there are a variety of barriers that make it difficult for older people to register and vote. It noted that over half of over 75s are disabled and that one in six of over 80s have dementia which "can lead to presumptions being made on their behalf by family members or professional carers".[153] It also noted that "just over half of over 75s have never used the internet" which limits the impact of online registration for this group. We also heard that those living in residential care homes "may struggle to register without support from the care home manager" and can also lack the necessary evidence of their residence to register.[154]

165. Age UK told us that the process of voter registration "could be improved through properly funded registration support" and expressed concern that

146 Written evidence from Mencap (ERA0032)
147 *Ibid.*
148 *Ibid.*
149 Written evidence from Disability Rights UK (ERA0034)
150 Written evidence from Mencap (ERA0032) and Disability Rights UK (ERA0034)
151 Written evidence from Mencap (ERA0032)
152 Written evidence from Disability Rights UK (ERA0034)
153 Written evidence from Age UK (ERA0033)
154 *Ibid.*

online tools were crowding out offline support which "is vital" for reaching older people.[155] The AEA said that residential care homes need to develop close relationships with local EROs "to ensure that all care home residents are registered" and their details are kept up to date.[156]

166. Virginia McVea of the EONI told us that the RQIA (Regulation and Quality Improvement Authority), an oversight body for health and social care in Northern Ireland which registers residential care homes, has an obligation for care home providers to facilitate the participation in democracy of care home residents.[157]

Frequent home movers

167. As mentioned, we heard that frequent home movers often fall into other classifications of hard to reach groups, particularly young people, students and people in lower socioeconomic groups who are more likely to lack security of tenure. This means that identifying and reaching these people requires a more nuanced approach based on characteristics beyond their status as frequent home movers.

168. Some EROs expressed frustration that it was not easier to be notified when people moved home. For example, Clare Oakley said that information from estate agents or rental companies could be helpful in enabling the council to better identify and target people who have recently moved into the area and who may need to be registered.[158] Glynn Morgan of Pembrokeshire County Council said that there are cases where EROs provide leaflets to estate agents to hand to new movers with information on how to register to vote.[159]

Government's engagement activities

169. Peter Lee from the Cabinet Office told us that democratic engagement is one of his team's top priorities (along with annual canvass reform) and that the Government seeks to tackle registration "by acting as legislator, funder and promoter of good practice" and by working with partners.[160] He highlighted events such as National Democracy Week, which was held for the first time in 2018 and through which the Government supports and funds groups to engage directly with hard to reach groups.[161] He also noted the Cabinet Office's efforts to promote registration among young people and work by the Cabinet Office and the Electoral Commission to provide learning and activity packs for schools.[162]

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155 *Ibid.*
156 Written evidence from AEA (ERA0003)
157 Q 140
158 Q 47 (Clare Oakley)
159 Q 47 (Glynn Morgan)
160 Q 2 and written evidence from the Cabinet Office (ERA0001)
161 Q 2 and Q 4
162 *Ibid.*

Box 4: The Government's 5-year democratic engagement plan

The Government published a 5-year democratic engagement plan, "Every Voice Matters: Building a democracy that works for everyone" in December 2017.[163] It looks specifically at democratic inclusion including barriers to voter registration and ways to promote democratic participation among hard to reach groups.

The plan included steps to:

- Set out the landscape of inclusion and exclusion, presenting evidence on voter registration patterns and insight into the factors that influence this;

- Analyse the major changes to the electoral system in recent years, including IER;

- Explain the parallel approach to improving processes and enhancing engagement, which includes digital development, modernising the annual canvass and maintaining electoral integrity;

- Take action to improve engagement among specific groups such as students, survivors of domestic violence and disabled electors;

- Present snapshots of citizens' experience of democracy across the UK;

- Undertake specific democratic engagement activities and products in conjunction with partners and the wider electoral community; and

- Examine the challenges and opportunities for boosting participation and take specific actions to increase democratic engagement on voter registration.

A progress report was published in January 2019 outlining the Government's activities since the initial report including reform of the annual canvass, steps for improving inclusion and access and voter ID pilots.

Source: HM Government, Every Voice Matters: Building a democracy that works for everyone, 2017, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/669130/democratic_engagement_strategy_2017.PDF *[accessed 25 June 2020]; HM Government, Democratic Engagement: Respecting, protecting and promoting our democracy, January 2019, p 4:* https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/773362/DemocraticEngagement_RespectingProtectingAndPromotingOurDemocracy.pdf *[accessed 25 June 2020]*

170. Beyond the central Government's role, the Electoral Commission told us that it runs campaigns ahead of elections in the UK to raise awareness of the need to register to vote. It noted that it works in partnership with Local Authorities and "a range of other external organisations to promote registration".[164]

171. Michael Sani of Bite the Ballot criticised the Cabinet Office's democratic engagement team for not doing enough and not delivering on its mandate. He told us that, despite their significant financial resources, the team "lack the cognitive diversity to think of anything outside what would work for

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163 HM Government, *Every Voice Matters: Building a Democracy that Works for Everyone*, 19 December 2017: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/669130/democratic_engagement_strategy_2017.PDF [accessed 20 May 2020]

164 Supplementary written evidence from the Electoral Commission (ERA0030)

them" and that they had not involved civil society in a meaningful way in their work.[165]

172. Kira Lewis of the British Youth Council, which participated in National Democracy Week (NDW), told us there "was little support or structure" offered for running events under the NDW branding. She suggested that there needed to be greater clarity from the Cabinet Office about what they want to achieve and called for "more focus on year-round democratic participation".[166]

173. The Joseph Rowntree Reform Trust told us about their efforts to establish a "What Works Centre" that would "collect and share evidence" on ways to improve voter participation and improve decision-making among Government and other organisations that engage with under-registered groups and suggested that such a tool could help improve evidence-based decision making for reaching hard to reach groups.[167]

174. **The Black Lives Matter movement underscores the urgency with which the Government needs to act on guaranteeing democratic representation, including tackling under-registration and reaching out to those who are currently under-represented and disenfranchised. Tackling under-registration among hard to reach groups will involve a variety of methods and approaches with nuanced and targeted messaging and a long-term outlook. A one-size-fits-all approach will not work. We note the positive steps that the Government has taken in this area, including its research on democratic inclusion and canvass reform, but we believe there is room for improvement.**

175. *We would like to see a significant uplift in registration rates among under-registered groups. We call on the Government to publish targets for improving registration rates among these groups and to report annually to Parliament on the progress of meeting those targets. The Government must also work closely with the Electoral Commission, Electoral Registration Officers, local communities and third sector organisations to improve civic education and effective, long-term engagement as part of their efforts to reach those targets.*

176. *The best place to promote registration is in schools. EROs must be given greater guidance, funding and support to enable them to reach students while they are still in school.*

177. *We also recommend that all further and higher education providers be required to introduce a system of assisted registration at the point of enrolment along the lines of the University of Sheffield model, including registration of apprentices.*

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165 Q 86 (Michael Sani)
166 Q 95 (Kira Lewis)
167 Written evidence from the Joseph Rowntree Reform Trust (ERA0018)

CHAPTER 3: ANNUAL CANVASS REFORM AND WIDER ADMINISTRATIVE REFORMS

Introduction

178. There is more to the Act than individual registration. This chapter looks at changes made to the annual canvass process to accommodate the new IER system, and the Government's plans for annual canvass reform, which are made possible through provisions in the Act. It also looks at the additional administrative measures introduced in Sections 14–23 in the second part of the Act. It then considers the wider state of electoral law and issues faced by voters living abroad.

Implementing the annual canvass under IER

179. Section 5 of the Act introduced provisions that amend the annual canvass process. It inserts a new section into the Representation of the People Act 1983 requiring EROs in Great Britain to send invitations to register to unregistered persons of whom they are aware. This is accompanied by provision for regulations on the form, documentation, content and frequency of invitations sent. It also enables regulations to permit an ERO to make a requirement to register by a specified deadline, and to impose a civil penalty if the requirement is not complied with by the eligible voter.

180. The purpose of the annual canvass process is to identify everyone who should be registered. Unlike the annual canvass process under the old household registration system, it no longer directly registers anyone. Instead, a 'two-stage' process has been developed, first to identify any unregistered people living in a property and then to ask them to register.

181. The annual canvass period typically runs from October to December each year, although EROs do not need to complete all canvass activity within this period. For example, year-round registration, whereby people can register themselves at any time, and event-led registration mean that some level of canvassing activity is happening all the time.

182. Under the two-stage process, the first step is when a 'Household Enquiry Form' (HEF) is sent out to all residential properties. The person completing the form is required to cross off any names of people who no longer live at that address and to add the names of people living at that address who are eligible to vote but are not registered. When a name is crossed off, EROs are required to obtain a second source of evidence before the name can be deleted from the register. When a name is added, it prompts the second step in the process.

183. The second stage is when an ERO sends out an 'Invitation to Register' (ITR). Once a person receives an ITR they are required to make an application to register. They can do this by filling out and returning the ITR form or by completing their application to register online. As part of the identity checks for registration, individuals are required to provide their national insurance number and date of birth.

184. The main complaint we heard about the two-stage process is that it is costly to administer and confusing. The AEA told us the annual canvass is "very

bureaucratic and costly " and "not fit for purpose".[168] Michael Sani of Bite the Ballot told us that the two-stage process meant that EROs were spending lots of money to send "unopened letters to people who do not even live at those addresses".[169]

185. Glynn Morgan from Pembrokeshire County Council noted that a lot of electors find the two-stage process in the annual canvass confusing.[170] Andrew Tiffin told us that "people do not understand the double-stage process; it takes a lot more explanation".[171]

186. Clare Oakley from the London Borough of Camden said the current system using two forms "does not work", telling us that people fill in the HEF and then ignore the subsequent ITR form, thinking they have already registered through the HEF. Come election day, these people are then turned away from a polling station.[172] Mark Emson of Peterborough City Council identified the same issue.[173]

187. Reinforcing this point, the AEA noted that in the 2019 UK Parliamentary election the two-stage process had led to "elector confusion" with people thinking they had registered because they had filled out the HEF and not realised that they also needed to complete the second stage of completing the ITR.[174]

Civil Penalty Notices

188. Registration is currently viewed as a civic duty that should be encouraged but voluntary. Individuals can, however, face fines for failure to respond to EROs with information that would enable registration. This outcome is mostly the result of compromises made during the legislative process.

189. There was lively debate when the Electoral Registration and Administration Bill was being considered as to whether registration should be required or voluntary. The result of the pre-legislative scrutiny was that the option to opt out of registering was removed from the Bill and a civil penalty notice for failing to respond to an ITR was added in.

190. As such, section 5 of the ERA Act amends the 1983 Act allowing for a registration officer to impose a civil penalty on persons who are entitled and invited to register but fail to do so. The amount of the civil penalty which a registration official may impose is £80. The ERO must give notice of the penalty in writing and specify the reasons for imposing it. The person then has 28 days to make an application to register, pay the full amount of the fine or request a review of the decision. In practice, the civil penalty is an option of last resort and it is the registration officer's choice whether to impose the penalty.[175]

191. Clare Oakley told us there are regular properties that do not respond to requests to register but that the cost of enforcing the fine is more than the

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168 Written evidence from the AEA (ERA0003)
169 Q 83 (Michael Sani)
170 Q 46 (Glynn Morgan)
171 Q 45 (Andrew Tiffin)
172 Q 59 (Clare Oakley)
173 Q 64 (Mark Emson)
174 Supplementary written evidence from the AEA (ERA0022)
175 The Representation of the People (England and Wales) (Description of Electoral Registers and Amendment) Regulations 2013 (SI 2013/3198)

£80 fine. She said, "it is not worth our while".[176] The AEA said that very few EROs use the route of imposing a fine and suggested a review of this process, including the costs.[177]

192. Mencap told us that the guidance around who may or may not be fined for failing to complete an ITR is unclear with regard to people with disabilities or learning difficulties.[178]

193. Lord Rennard, member of the Liberal Democrats Constitutional and Political Reform Team, was critical of the arbitrary nature in which fines are used by EROs. He told us:

> "One problem with the current system is that it is still a matter of over 400 Electoral Registration Officers being urged to adopt 'best practice' but which is not as rigorous as it should be and leaves many issues as a matter of discretion. The response to different letters and forms about the registration process varies significantly. Some councils send letters and forms specifically mentioning the possibility of fine if people do not co-operate with the process, whilst others make no mention of it.[179]

194. Minister of State for the Constitution Chloe Smith MP told us that the Government strongly believes that registering to vote should be a civic duty and that the UK Government has "no intention" of making it compulsory to register to vote, saying that doing so "would undermine the principles of individual electoral registration".[180] Peter Lee also told us that "ministers have never expressed any wish to increase the level of fines for not registering to vote".[181]

195. ***The invitation to register process is cumbersome for administrators and confusing for voters. Simplifying this process should be prioritised as part of annual canvass reform.***

196. ***We note the Government's preference to maintain registration as voluntary. However, we are concerned about the variation across Local Authorities in the extent that fines or threats of fines are deployed, and would urge the Government to provide greater guidance in this regard.***

197. ***We would expect that modernisation of the registration system as recommended in Chapter 2 would go some way to obviating the need to pursue measures such as fines. However, we note that fines can be a useful tool for EROs who have a legal duty to compile complete and accurate registers. The Government should look again at the fines regime and consider new regulations to increase the fine for failure to respond to an ITR. At £80 it appears to be insufficient as a deterrent and not worth the cost of enforcement.***

Annual canvass reform and data matching

198. Section 7 of the Act gives the Minister the power to amend or abolish the annual canvass. If the Minister is minded to amend or abolish the annual

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176 Q 49 (Clare Oakley)
177 Written evidence from the AEA (ERA0003)
178 Written evidence from Mencap (ERA0032)
179 Written evidence from Lord Rennard (ERA0035)
180 Written evidence from Chloe Smith MP, Minister of State (Cabinet Office) (ERA0041)
181 Q 207 (Peter Lee)

canvass, they must consult the Electoral Commission and the Commission must prepare a report for the Minister assessing the proposal. The Act also allows for the Government to pilot changes to the annual canvass and to the electoral registration system (sections 9 and 10).

199. Pilots for annual canvass reform were held in 2016 and 2017 and more recently, the Government in collaboration with the devolved administrations has confirmed plans to implement canvass reforms from the 2020 canvass onwards.[182] This section looks at the Government's proposals for canvass reform, noting that reform plans have evolved since we began our inquiry.

Annual canvass pilots

200. A key criticism of the annual canvass process is that a lot of time is spent confirming the details of people whose situation has not changed. Pilots were held in 2016 and 2017 to test approaches to the annual canvass that would allow for a light touch approach for those who could be identified as having no change to their status. The expectation is that this will free up time and money to enable EROs to target those households where changes are most likely to have occurred.

201. Explaining the findings from the pilots, Peter Lee told us:

"The main thing we drew from the pilots was that a combination of approaches works best. We tried different pilots doing different things, and we drew from that the need to use some sort of data-matching process both nationally and locally; so we do a national data step and then the Local Authorities can then use council tax information to check some of the 30 per cent who are left once we have done the DWP [Department for Work and Pensions] check. The different communication approaches and how effective they are mean that a mixed approach will probably have the best set of results".[183]

202. Mr Lee also told us that the current reform agenda is "a major priority for Ministers" and is expected to bring "huge benefits" for EROs by cutting costs and "vast swathes of bureaucracy".[184]

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182 See Cabinet Office, *Reform of the Annual Canvass - Statement of Policy*, September 2019: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/833308/Reform-of-the-Annual-Canvass-Statement-of-Policy.pdf [accessed 21 May 2020].
183 Q 14
184 Q 2

Box 5: The proposal for annual canvass reform

The annual canvass reform proposal gives EROs greater flexibility to identify and target people who should be registered and spend less time chasing up people who are already correctly registered. Under the proposals, EROs will follow one of three routes to register individuals.

Route One: is for individuals who are identified through a national data step as having no change to their situation. The national data step is where an individual's details are matched against data held by the Department for Work and Pensions. Once matched, the individual's details are rolled over onto the new register and EROs need take no further action for those people.

Route Two: targets those who were unmatched in the national data step. If a person is unmatched it indicates that their details have changed. EROs can target these people, similar to how they might approach people in a typical annual canvass process except they will have more options on how they reach people including by phone or via online communications.

Route Three: is for properties that have been identified as requiring extra attention, such as student residence halls and care homes and where EROs may need to use an alternative approach to get a list of residents who should be invited to register.

Source: Cabinet Office, Reform of the Annual Canvass - Statement of Policy, September 2019: https://assets. publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/833308/Reform-of-the-Annual-Canvass-Statement-of-Policy.pdf *[accessed 17 June 2020]*

203. There was general agreement that annual canvass reform was a good idea and that the proposals were on the right track. Prof Toby James told us he "wholeheartedly supports the Government's proposals" for annual canvass reform, saying that it makes a lot of sense to roll people forward if their details have not changed.[185]

204. Peter Stanyon of the AEA told us that the proposed new model "makes sense".[186] The Electoral Commission stated that canvass reform is "an important step in modernising electoral registration", enabling EROs to focus their efforts on addresses where there may have been change.[187]

205. There were, however, some words of caution. Clare Oakley from the London Borough of Camden, which was involved in one of the canvass reform pilots, said that although they experienced a slight reduction in costs during the pilot, those individuals who required the greatest effort to register continued to require the same amount of effort under the pilot.[188] The AEA also noted that, while canvass reform should deliver cost savings, it was "yet to be persuaded that the level of savings achieved will offset the financial burden of IER".[189]

206. Peter Stanyon of the AEA also highlighted the risk that the new approach could end up overlooking people that should be registered, telling us "the very fact that you are not seeking a response could mean equally that individuals are being missed".[190]

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185 Q 79 (Prof Toby James)
186 Q 27
187 Written evidence from the Electoral Commission (ERA0005)
188 Q 56 (Clare Oakley)
189 Written evidence from the AEA (ERA0003)
190 Q 27

207. The Electoral Commission and AEA noted the need to establish new data sharing mechanisms, with the Commission calling for "careful implementation in good time ahead of the start of the 2020 annual canvass".[191] Democracy Counts told us that annual canvass reforms would benefit from focusing on modernising registration systems and that doing so would lead to greater efficiency and accuracy.[192]

Data sharing mechanisms under the annual canvass reform

208. Principal among the new features of the annual canvass reform is the "national data step" through which existing registers will be matched against data sources held by the Department for Work and Pensions. Data matching mechanisms at the local level will also be improved to identify people whose details have not changed. As noted, those people whose details are successfully matched will be rolled over on the register without any need to contact them directly.

209. However, some witnesses felt that the data matching proposals did not go far enough. The AEA stated that it was "disappointed that there is currently only one proposed national data source that will be used for the data matching element of the reformed canvass".[193] Peter Stanyon suggested that getting access to other data sources could be an opportunity to help registration officers identify more people who are not registered.[194]

210. The Scottish Assessors Association also called for wider access to Government data sets.[195] Gavin Millar QC told us that "it would be better if all the publicly available data were available and pursued in the process of compiling the electoral register".[196]

211. Echoing concerns expressed by Lindsay Tomlinson (and discussed in Chapter 2) that existing regulations on data sharing among Local Authorities are not working efficiently, the Society of Local Authority Chief Executives (SOLACE) told us that "there has been insufficient emphasis placed on the ability of electoral registration officers to use data held elsewhere in the councils who appoint them to keep the register up to date".[197]

212. Both Prof James and Dr Alistair Clark were positive about the potential of using data matching to improve the quality of the electoral register but warned that data needed to come from good quality sources and that there were potential privacy and data protection concerns. Dr Clark also noted that there is a variation across Local Authorities in terms of their capacity to take advantage of data matching opportunities and that any roll out of data matching would need also to include capacity-building for such a scheme to be successful across the board.[198]

213. The Electoral Commission also noted that reliability of data sources was an area that needed further work, to "ensure that any data being considered to support reform is of sufficient quality for use by EROs".[199]

191 Written evidence from the Electoral Commission (ERA0005)
192 Written evidence from Democracy Counts (ERA0023)
193 Written evidence from the AEA (ERA0003)
194 Q 28
195 Written evidence from the Scottish Assessors Association (ERA0004)
196 Q 118 (Gavin Millar QC)
197 Written evidence from Solace (ERA0017)
198 Q 79 (Prof Toby James, Dr Alistair Clark)
199 Further supplementary written evidence from the Electoral Commission (ERA0036)

214. We also heard evidence of how the register is maintained in Northern Ireland. The annual canvass was abolished in Northern Ireland in 2006 and replaced with a process of continuous registration. A complete canvass must be conducted in Northern Ireland at least every 10 years. To replace the process of an annual canvass, the EONI instead receives data from several different sources to identify eligible electors and update information. However, Virginia McVea told us the EONI still had concerns about some areas of the register, particularly people living in the private rented sector, and saw potential for even greater data sharing to improve the accuracy and completeness of the registers.[200]

215. Due to COVID-19 the Government has announced plans to delay the publication deadline for the 2020 annual canvass to 1 February 2021. The Government notes that the greater flexibility for the date of publication will not impact the conduct of the elections scheduled for May 2021 and that the new reforms, which allow EROs to contact people via online or phone, will be safer than having to go door to door. The canvass that was due to take place in Norther Ireland in 2020 has been postponed to 2021.[201]

216. **The annual canvass as currently constituted is expensive, administratively burdensome and out of step with modern life. Annual canvass reform makes good sense; we welcome the Government's proposals for reform and the Statement of Policy produced by the UK, Scottish and Welsh Governments in September 2019. We hope that it is implemented successfully.**

217. *We are in favour of greater data sharing and see scope to extend it beyond what is currently being proposed. Greater data sharing must happen in parallel with capacity building efforts at the local level, including the development of robust systems to ensure that it takes place in an effective and efficient manner. There must also be training and support so that all Local Authorities are able to take full advantage of the changes. Greater data sharing must also be accompanied by a transparent policy on privacy and data protection.*

Other administrative reforms in the Act (Part 2, Sections 14–23)

218. In addition to the introduction of IER and the provisions for the reform of the annual canvass, the Act also introduced a number of administrative reforms, intended to improve the efficiency and effectiveness of elections in the United Kingdom. These reforms are set out in further detail in Appendix 6.

Overall views of Part 2 administrative changes

219. The majority of the changes- for example, the provision to enable voters to be granted a ballot paper if they are in the queue at close of poll—were uncontroversial and widely supported. Peter Stanyon of the AEA stated that for the most part they "have been very positive changes, which in the main have helped the citizen and not added too much of a burden when it comes to the process".[202]

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200 Q 134
201 HC Deb, 9 June 2020, col 12WS
202 Q 26

220. Simon James from the Cabinet Office told the Committee that the administrative reforms introduced by the Act were kept under regular review, and that the Government took careful note of the reports produced by the Electoral Commission into the running of elections. He noted that the report of the 2015 election had found that the extended election timetable and the provision for giving ballot papers to those queueing at close of poll had both worked well and had effectively addressed administrative challenges.[203]

221. Below, we cover those changes which attracted debate or disagreement in evidence, and make recommendations for further action where appropriate.

222. The Government's decision to repeal the framework for the Co-ordinated Online Record of Electors (CORE) is contained in Part 2 of the Act, at Section 23. The issue of whether there should be a national or coordinated register is covered in the section above on event-led registration, and so we do not revisit the issue here.

223. **The administrative reforms in Part 2 of the Act are generally agreed to have made important improvements to the efficiency and effectiveness of elections in the United Kingdom, and have for the most part worked very well in practice. In some cases, it is important for Government and the Electoral Commission to keep the provisions under review to determine whether further reforms are necessary.**

Extension of Parliamentary election timetable

224. Of the changes in Part 2 of the Act, among the most notable was the extension of the timetable for UK Parliamentary elections from 17 to 25 working days. The Electoral Commission told us that "this change was broadly welcomed by the electoral community, many of whom were particularly concerned that the previous 17-day timetable gave very little time for the printing, despatch and return of postal votes. This potentially compromised effective participation in elections by certain types of voter, particularly overseas and service voters".[204]

225. However, the Electoral Commission noted that "we continue to see evidence of problems experienced by overseas voters in not receiving their postal vote in time to complete it and send it back". They stated that extending the timetable further "may help to address this issue, although there may be other solutions to this", and argued that any further extension of the timetable should be considered "holistically", in the light of wider considerations around the regulation and administration of elections.[205]

226. Peter Lee from the Cabinet Office told us that the extension to 25 days "has proven particularly important and necessary when we have had short notice elections outside the five year cycles set out in the Fixed-Term Parliaments Act… when you consider how complex our elections are now and the number of people taking part, including people overseas, it was a very important reform".[206]

227. Peter Stanyon of the AEA also welcomed the extension of the timetable, and described it as having been "very well received", though he noted that "it is

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203 Q 15 (Simon James)
204 Further supplementary written evidence from the Electoral Commission (ERA0036)
205 *Ibid.*
206 Q 1 (Peter Lee)

a slight misnomer because it is not a 25 day timetable for administrators; it is a 23 day timetable".[207]

228. Relatedly, concern was expressed about the current registration timetable, particularly the registration deadline, which is fixed at 12 days before the election. Glynn Morgan from Pembrokeshire County Council stated that "if the registration deadline was moved forward it would just give us a bit more breathing space to prepare the registers".[208] Peter Stanyon of the AEA said that the current timetable "can allow registration up to five days before the poll. There is no way a postal vote will get there and back in that time. There is a weakness there".[209]

229. There is also a mandatory five-day gap between an application to join the register and an addition to the register to allow for objections to be lodged. This means that—for example—postal voters registering late may have difficulties in receiving and returning their ballot in time. We were told by EROs who attended our post-election seminar that people often assumed that they would be added to the register automatically as they applied. Many attendees agreed that this five-day gap should be reduced.

230. We also heard evidence in relation to the deadline for close of nominations, which is currently 19 days before polling day. Mark Emson of Peterborough City Council told us that this timeframe "is too short when you consider that we have to liaise with a handful of specialist printers across the country, which gives us sometimes a matter of hours to proofread ballot papers. They are important documents that need to be considered carefully, and we are under ridiculous timescales to get them to our printers so that we can get everything sent out, especially for overseas electors and postal votes in general".[210]

231. **We are concerned that current administrative deadlines for elections do not allow sufficient time to enable administrators to fulfil their duties and to avoid voters being disenfranchised in cases including where they have registered or applied for a postal vote close to the deadline. This poses a serious risk to the integrity of the democratic process.**

232. *Government must urgently review statutory deadlines within election timetables, including deadlines for registration and for postal voting applications. This review should consider whether they allow sufficient time for administrators to fulfil their duties and for all voters to exercise their franchise, with a view to bringing them forward if this is found not to be the case.*

Concurrent scheduling of Parish and Town Council elections

233. The reform to enable the scheduling of Parish and Town Council elections to coincide with simultaneous local and Parliamentary elections attracted some comment. Prior to the Act, any such poll would be postponed if it were due to take place on the same day as a dual local and Parliamentary election. The AEA referred to its 2017 post-election report, which stated that "a full review of the combination of polls should be undertaken, considering issues

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207 Q 71 (Lindsay Tomlinson)
208 Q 61
209 Q 26
210 Q 71 (Mark Emson)

such as which polls should be automatically combined, consideration of the maximum number of polls that should be combined on the same day and the combination of polls for parish and community councils and neighbourhood planning and council tax referendums with UK Parliamentary general elections".[211]

234. Dr Alistair Clark stated that "the usual justification for holding concurrent elections is that it boosts turnout and lowers costs. My research demonstrates that there are however difficulties with holding concurrent elections. Examining the performance of returning officers across Britain, and controlling for other variables, those administering concurrent local elections alongside a general election performed worse than those who were only administering one election at a time".[212]

235. Dr Clark added that since 2007 Scotland has only held one electoral event at a time, and subsequently, "electoral administration in Scotland has been found to perform at a higher level than its counterparts elsewhere in Britain".[213] He recommended that there should be "a review of electoral cycles in England and Wales with a view to separating local electoral cycles from national contests, thereby improving electoral processes".[214]

236. ***In considering future reforms to electoral administration, the Government should review the administrative impact of holding concurrent polls and consider if measures are necessary to ease the administrative burdens involved.***

Reviews of polling districts and places in Great Britain

237. The Act changed the cycle of polling district and place reviews from four years to five years, to match the cycle of the Fixed-Term Parliaments Act 2011. The Government has stated its intention to repeal this Act, but we did not hear of any suggestion that this provision should be reviewed, other than from Peter Stanyon who stated that "we would still hold the view, as an association, that the review of polling districts and polling places should be an administrative function, not a political function, because if the ERO is running the election it ought to be the one identifying where the actual polling stations are". We did not receive other evidence on this provision and so make no recommendation in this respect.[215]

Notification of rejected postal votes

238. Section 22 of the Act provided for EROs to notify voters when their postal ballot had been rejected. The AEA stated that "whilst this provision is welcomed, issues can arise at back to back polls, like in May this year with the local elections followed by the European Parliamentary election three weeks later".[216]

239. We recognise that there may be an administrative challenge with this provision where elections are held in close proximity. For the most part, however, such occasions are rare and so unless it is considered that they are

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211 Written evidence from AEA (ERA0003)
212 Written evidence from Dr Alistair Clark (ERA0002)
213 *Ibid.*
214 *Ibid.*
215 Q 26
216 Written evidence from AEA (ERA0003)

likely to become more frequent, we do not recommend that this issue should be a priority for review.

Wider electoral law

240. The Electoral Registration and Administration Act 2013 is, of course, just one of the many laws covering the running of elections in the United Kingdom. In recent years there has been a growing debate over the need to consolidate all electoral law to make it simpler to understand for administrators, campaigners and voters and to reduce the risk of error or misinterpretation.

241. The Law Commission of England and Wales and the Law Commission of Scotland published a final joint report on electoral law in March 2020, concluding a programme of work that began in 2011. It found that electoral law as it stands is out of date, complicated, fragmented and contains legislative gaps. Among other conclusions, the report stated that "electoral law should be rationalised into a single, consistent legislative framework with consistent electoral laws across all elections, except where differences are necessary (for example, due to different voting systems)".[217]

242. The Commissions' report also made recommendations with regard to electoral registration, including:

- Primary legislation should include 'core registration principles';

- Secondary legislation should set out the detailed administrative rules concerning applications to register, their determination, publication of the register and access to the full and edited register;

- Primary legislation should explicitly acknowledge the possibility of satisfying the residence test in more than one place; and

- The law should lay down factors to be considered by registration officers when determining second residence applications.[218]

243. The House of Commons Public Administration and Constitutional Affairs Committee (PACAC) also recently conducted an inquiry into electoral law, publishing its report in October 2019. This found that the need to consolidate and update electoral law was "very urgent" and that "the current state of electoral law poses risks or difficulties for nearly every actor in a general election", with the "level of complexity and difficulty" faced by administrators being "wholly unnecessary". It concluded that "the evidence we have received demonstrates a clear need for electoral law to be consolidated and simplified, which should be regarded by the Government as a pressing priority" and that "we recommend that the Government should initially focus on noncontroversial consolidation before evaluating whether more radical reforms to electoral law should be implemented".[219]

244. While the issue of wider electoral law and its potential revision and consolidation was not within the specific remit of this Committee, we have nevertheless heard evidence that the complexity of current electoral law is adding to the administrative burden and making elections harder to run. It is

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217 The Law Commission of England and Wales and the Scottish Law Commission, *Electoral Law: A joint final report* (Session 2019–20, HC 145)
218 *Ibid.*
219 Public Administration and Constitutional Affairs Committee, *Electoral Law: The Urgent Need For Review* (First Report, Session 2019, HC 244) p 3

appropriate, therefore, for us to acknowledge this wider policy debate in our report. The evidence we heard on the issue of wider electoral law echoed the conclusions of the Law Commissions and of the Public Administration and Constitutional Affairs Committee.

245. Dr Alistair Clark stated that "electoral law in the UK is currently widely recognised to be a mess. It requires considerable work to bring it up to date. Its origins are Victorian. A key piece of legislation [the Representation of the People Act 1983], although regularly amended, is close to four decades old and fails to address current difficulties in running elections". He recommended that there should be "a deliberative forum to debate improvements and developments in electoral law… to ensure electoral law begins the process of modernisation".[220]

246. The Electoral Commission stated that "there is considerable scope to improve the legal framework governing elections. There is an urgent need for simplified and modernised electoral law, to underpin efficiency, innovation and voter confidence in electoral administration and campaign regulation".[221]

247. The Commission also highlighted that "this is not just a technical or legal problem–there are real costs and impacts for voters, campaigners and election officials. The current framework also makes it much harder to innovate or introduce improvements that would make a real difference in areas that matter most".[222] An additional submission by the Commission also endorsed the recommendations of the Law Commissions report, stating that "the UK's governments need to commit resources and time to reform electoral law, building on these comprehensive and well-supported recommendations".[223]

248. The AEA stated that "with numerous pieces of legislation for each election type, and with all the legislative amendments over the years being bolted on to existing legislation, the administration and conduct of the electoral process is becoming ever more complex and consequently at risk of being incorrectly applied. The need for effective change and improvement of the fundamental processes that underpin our democratic system is therefore becoming more and more urgent".[224]

249. Lord Rennard expressed concern that partisan considerations may influence reforms to electoral law, stating that "it may be that changes need to be made to various aspects of election law, but consideration needs to be given to them together so that the picking and choosing of 'reforms' is not selective to favour a particular party and each suggested change needs to be carefully considered with those which may not favour the party in power".[225] Alan Mabbutt of the Conservative Party stated that "the long gaps between reform of electoral law lead to unintended consequences when what seem like minor changes are made".[226]

250. *There is a clear need to consolidate and simplify electoral law more widely, to make it more accessible and understandable for administrators, campaigners and voters. The Government should*

220 Written evidence from Dr Alistair Clark (ERA0002)
221 Written evidence from the Electoral Commission (ERA0005)
222 *Ibid.*
223 Further supplementary written evidence from the Electoral Commission (ERA0036)
224 Written evidence from AEA (ERA0003)
225 Written evidence from Lord Rennard (ERA0035)
226 Written evidence from Conservative Party (ERA0037)

consider further reforms to electoral registration and administration in this context. Such reforms would significantly reduce the risk of future administrative difficulties, and help maintain and enhance the integrity of elections.

251. *We note the report of the Law Commissions on wider reform and streamlining of electoral law. We share the perspective of the Law Commissions on the need for overall reform, and urge the Government to adopt its proposals at the earliest opportunity, using an expedited process if possible.*

Provision for voters living abroad

252. We heard that the current system of registration and administration is challenging for the enfranchisement of overseas voters. Currently, UK resident citizens who move abroad are able to continue voting in UK elections for 15 years after they have left the country. In background notes to the December 2019 Queen's Speech, the Government stated that, "work will continue on other areas related to our electoral system and further measures will be brought forward in due course, such as ensuring British citizens overseas can vote in Parliamentary elections for life, by getting rid of the arbitrary 15-year limit on their voting rights".[227]

253. As noted in the section above on the election timetable, in practice, tight deadlines for nominations, registration and postal vote applications mean there is a risk of disenfranchisement when voters from abroad register late.

254. Electoral Registration Officers who attended our post-election seminar noted that there were particular issues with managing administration for overseas voters. One attendee noted that the registration deadline was the same for voters living abroad as for others, and argued that they should be advised to request a proxy vote as a first assumption. He also estimated that managing administration for overseas voters took up as much as 25 per cent of staff resources, even though they were only two per cent of eligible voters in his area.

255. The Act enabled the removal of the restriction on issuing postal votes before the eleventh working day before the election, meaning that postal votes can now in principle be issued as soon as nominations close, 19 days before the poll. While this is clearly an improvement, even this timeframe means that some voters living further afield may still struggle to receive and return a postal ballot in time.

256. Chloe Smith MP, Minister of State for the Constitution, told us that "work that we have done to date to address challenges in the system includes funding the use of 'sweeps', whereby Royal Mail checks for any postal votes at its mail centres on the evening of the poll, so these can be extracted and delivered to nearby elections offices for inclusion in the count. We have also used the International Business Response Service since 2016 for the return of overseas postal votes to ensure they can be sent back quickly and effectively with no issues about the costs of postage from abroad and in December of

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227 Prime Minister's Office, *The Queen's Speech December 2019: Background Briefing Notes* (December 2019) p 126: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/853886/Queen_s_Speech_December_2019_-_background_briefing_notes.pdf [accessed 20 May 2020]

last year, set up a specific facility with Royal Mail for a unit at Heathrow to expedite dispatch abroad".[228]

257. The Electoral Commission stated that while the expedited arrangements had worked for some electors, "we again heard reports of postal votes not being received in time to be returned in time". The Commission also received feedback from 554 overseas voters in the course of its post-election research, "which indicated that the main problem experienced was not receiving a postal vote in time to vote". The Commission added that, "this highlights the clear need to improve the system to help ensure overseas electors are able to cast their vote at future elections, particularly in light of the UK Government's plans to remove the 15 year limit".[229]

258. Clare Oakley from the London Borough of Camden told us that overseas ballot packs not arriving in time was "the complaint I get at every parliamentary election". She added that, "we advise them to have a proxy, regardless of where they live, but a lot of them say, 'I don't know anybody where I used to live'. Some of them have been out there for 14 or 15 years, so they do not know anyone back in the UK who could do it before the time limit". She also said that "if the franchise for overseas electors is extended, we will have an even bigger problem".[230]

259. The AEA pointed to a recommendation it had made in its report following the 2017 Parliamentary election, in which it stated that "overseas electors should, as part of their original application and subsequent renewal, be required to specify suitable absent voting arrangements or confirm that they wish to vote at their allocated polling station in the UK". It added that "we therefore strongly urge the UK Government to consider the way in which electors who are overseas can cast their votes". It also stated that "the date in which lost or never received postal votes can be reissued also needs to be reviewed to allow sufficient time for the replacements to be sent and returned".[231]

260. Lindsay Tomlinson from Allerdale District Council, who gave evidence to us just before the 2019 UK Parliamentary election was called, noted that its scheduling in December would create particular challenges for postal voting administration for overseas voters. She said that "the Christmas post will have an impact on the time for postal votes coming back. We have tried to contact all our overseas electors and said that, if they can get a proxy vote in place, they should please do so, because there is a potential issue with getting their postal vote back in time".[232]

261. Peter Lee from the Cabinet Office acknowledged there would be challenges involved in implementing the extension of the franchise for overseas voters. He stated that the Government would need to work closely with the Electoral Commission and Local Authorities on implementing the proposals. Challenges he acknowledged included the verification process for past residency among citizens who had lived abroad for many years, and identifying a local constituency connection for these potential voters.[233]

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228 Written evidence from Chloe Smith MP, Minister of State (Cabinet Office) (ERA0041)
229 Supplementary written evidence from the Electoral Commission (ERA0030)
230 Q 60 (Clare Oakley)
231 Written evidence from AEA (ERA0003)
232 Q 63 (Lindsay Tomlinson)
233 Q 203, Q 204 (Peter Lee)

262. **There are challenges involved in ensuring that overseas electors are able to cast their votes without difficulty, in particular for guaranteeing that their ballots are sent and returned in time. These challenges are likely to increase if the Government implements its plans to remove the 15-year limit on voting eligibility for overseas electors.**

263. *As it develops its proposals for extending the overseas voter franchise, Government should work with the Electoral Commission and electoral administrators to consider a range of options for reducing the risk of disenfranchisement for overseas voters. These might include amending registration or postal vote application deadlines, considering provision for early voting from remote locations, requirements to specify absent voting arrangements when making overseas registration applications, and stronger encouragement of proxy voting.*

CHAPTER 4: BALLOT SECURITY AND COMBATTING ELECTORAL FRAUD

264. The Government's June 2011 White Paper noted that the Coalition Programme for Government had committed to "reduce electoral fraud by speeding up the implementation of Individual Electoral Registration". IER was intended to improve public confidence in the integrity of the system as well as closing down some routes to fraud (see inset box). In assessing the success of the Act, therefore, we seek to assess its impact on public perceptions as well as its direct impact on fraud reduction.

Box 6: IER and fraud reduction: the Government's initial objectives

> The Government's 2011 White Paper on its IER proposals stated that the then-existing household registration system "relies on trust that those who register to vote are indeed eligible. In the past decade there have been abuses of this system which have shaken the public's confidence in the security of our elections".[234]
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> The White Paper also noted that registration fraud had been linked to wider crime; it stated that "there is evidence that individual criminals and organised crime groups exploit electoral registration to create false identities, enabling a range of criminal activities including mortgage fraud, fraudulently applying for banking products and/or passing credit checks, and fraudulently gaining access to state benefits".[235]
>
> The White Paper also noted that "while the data available on electoral fraud indicates that it is rare… any fraud in the system undermines public confidence… there remain a significant number of people who perceive fraud to be a problem (40 per cent of people surveyed for the Electoral Commission's Winter Research 2010)".[236]

265. The Act does not—and was not intended to—eliminate all forms of fraud. Instead it is focused particularly on registration fraud such as 'ghost entries' on registers, where people who did not exist or were ineligible to vote could be added to registers via the household canvass simply by provision of a name and address.

266. Since the passage of the Act, electoral fraud has continued to be the subject both of widespread public debate and of high-profile allegations. In 2016 Sir Eric (now Lord) Pickles carried out a review for the Government into electoral fraud, and made a series of recommendations for improving the security of the system. Relevant proposals included that there should be a stronger and more consistent process for verifying addresses, that there should be a clearer definition of residence when defining eligibility to vote (for example, for voters who may be eligible in more than one address), and that there should be action to address the lack of systematic checks on nationality.

267. The report also made recommendations on strengthening the security of postal and proxy voting which have since been adopted by the Government,

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234 HM Government, Individual Electoral Registration, Cm 8108, June 2011: https://assets.publishing. service.gov.uk/government/uploads/system/uploads/attachment_data/file/61282/individual-electoral-reform.pdf
235 *Ibid.*
236 *Ibid.*

including banning the handling of postal votes by party campaigners, limiting the number of postal votes that an individual can hand in in person, and restricting the number of electors to which one individual can act as a proxy. The Government also adopted the report's proposal to introduce mandatory voter identification for elections in Great Britain, and committed to its introduction in the December 2019 Queen's Speech. voter ID is discussed in further detail in Chapter 5.

268. While there is widespread consensus that opportunities for fraud should be minimised, there is some debate as to whether particular anti-fraud measures may be counterproductive. Some argued in evidence to us that fraud was extremely rare and received disproportionate public attention compared to the significant incompleteness of registers, and that overly draconian anti-fraud measures might simply reduce registration and participation further. There is a need to ensure an appropriate balance between guaranteeing security of the ballot and avoiding measures that may inadvertently discourage eligible voters from registering or voting.

269. This chapter will consider fraud in the context of the Act as well as more widely. It begins with an assessment of the evidence we heard of the overall incidence of electoral fraud. We then go on to consider the effectiveness of the Act in addressing particular types of fraud, and what measures might be necessary to reduce it further. Thirdly, we look at wider fraud issues such as abuse of the postal voting system. Finally, we discuss the issue of how fraud complaints are handled by police and in the judicial system, and what reforms may be necessary in this respect.

Overall incidence of electoral fraud

270. As noted above, there is ongoing debate both on overall fraud levels, on perceptions of fraud and on the prominence that fraud reduction is accorded in policy. This section will set the scene for this debate by summarising and assessing the evidence on the overall incidence of fraud and of related public perceptions.

271. The Electoral Commission told us that there was no evidence from police data in recent elections of widespread attempts to commit fraud. It added, however, that "evidence from our regular post-election research with the public has shown that there is continuing concern about electoral fraud", with 37 per cent of people believing that some electoral fraud took place at the May 2018 local elections in England. [237] Natalie Bodek from the Cabinet Office reported that "in 2017, there was a conviction for electoral fraud, and eight suspects accepted police cautions. In 2018, 266 cases of electoral fraud were investigated by the police".[238]

272. Lord Pickles told us that, in his view, "by and large, the kind of corruption or fraud we see is not sufficient to overtake a parliamentary election, but it is sufficient to take over a district, city or county council. With ruthless efficiency, by the taking of three or four wards, you can effectively control a council. A council is worth billions of pounds. Even the most modest council is worth lots of money in procurement, contracts and being able to reward your friends".[239]

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237 Written evidence from the Electoral Commission (ERA0005)
238 Q 196 (Natalie Bodek)
239 Q 31

273. Richard Mawrey QC also highlighted concerns about fraud in Local Authority elections. He stated that "because electoral fraud is most widespread and effective in Local Authority elections, with relatively little detected fraud in general elections or referendums, there has been a tendency to downplay the threat it poses… in the Slough Central Ward election petition that I tried in 2008, a relatively modest amount of electoral fraud led to a change in the political control of the entire Borough, there had been a manifest subversion of democracy".[240]

274. Experiences of fraud also differed between areas. For example, Lindsay Tomlinson from Allerdale Borough Council said she had never encountered fraud in her area.[241] Conversely Mark Emson of Peterborough City Council stated that his authority had had experiences of fraud allegations in the past, and had taken countermeasures (such as stronger regulations on the handling of postal votes). He added that the measures had been effective, but had come at a notable additional cost which was not reimbursed by the Government.[242] These contrasting perspectives reflect wider evidence that cases of electoral fraud are concentrated in a small number of geographical areas, posing additional challenges for electoral administrators in these places.[243]

275. Andrew Tiffin from Hart District Council said that, from his point of view as an administrator, "fraud makes the system look vulnerable and affects the democratic process. It affects and influences how people perceive its integrity. While I cannot speak for everyone, electoral administrators want to see efforts that reduce fraud more than we want to see efforts to tackle completeness".[244]

276. The Labour Party told us that "our practical experience of electoral fraud allegations reflects the extremely low incidence of cases that are prosecuted by the Police. We have received a handful of complaints from opposition parties and election agents alleging electoral fraud, the overwhelming majority of which have no foundation".[245] Prof Toby James agreed, telling us that "although electoral fraud has gained considerable media and policy interest in recent years… there is no evidence that fraud is a significant widespread problem".[246]

277. Alan Mabbutt of the Conservative Party said that "most allegations of fraud appear to be based on hearsay rather than fact. It is likely that most fraud takes place within the confines of a household where a dominant person tells everyone in the house how to cast their postal ballot. The easy availability of postal voting will have made this more prevalent".[247]

278. Lord Rennard, a Liberal Democrat peer and previous Chief Executive and Director of Elections for the party, said that "The post-election reports of the Electoral Commission show that there are very few prosecutions for electoral

240 Written evidence from Richard Mawrey QC (ERA0031)
241 Q 66 (Lindsay Tomlinson)
242 Q 66 (Mark Emson)
243 Maria Sobolewska et al, (2015) *Understanding electoral fraud vulnerability in Pakistani and Bangladeshi origin communities in England. A view of local political activists*: https://www.electoralcommission.org.uk/sites/default/files/pdf_file/Understanding-Electoral-Fraud-Jan-2015.pdf [accessed 17 June 2020]
244 Q 58 (Andrew Tiffin)
245 Supplementary written evidence from the Labour Party (ERA0042)
246 Written evidence from Prof Toby James (ERA0012)
247 Written evidence from the Conservative Party (ERA0037)

fraud, and fairly widespread confidence in the system, which I believe is justified, especially compared to problems in some other countries. This is in spite of attempts to whip up concern about people claiming the votes of other people at polling stations".[248]

279. There was some discussion of reports that students with dual registration at home and university had boasted of voting twice in recent elections. Kira Lewis of the British Youth Council denied that this had been a problem, telling us that "some recent stats show that, of the 96 million people who cast votes in the 2015 and 2017 elections combined, there were only 53 allegations of fraud brought to the police and there was only one conviction. People might be boasting and creating that kind of atmosphere, but a brag is not the same as what would actually happen to cause a conviction, so we would not be concerned about that at all".[249]

280. **Overall incidence of fraud in UK elections currently appears to be limited, though we cannot know its full extent, and we are concerned by the Electoral Commission's finding that many people suspect fraud has been ongoing. Only a handful of fraudulent votes can be enough to change an election in a ward and perhaps in a Local Authority. There should therefore be no room for complacency.**

281. *Government must target resources and, where appropriate, provide additional financial support to Local Authorities who may have suspicions or experience of fraud and malpractice occurring in their areas, to ensure they have the means to tackle fraud risk properly.*

Effectiveness of the Act in tackling fraud, and further measures to reduce registration fraud and malpractice

282. There were differing views as to the priority that should have been accorded to fraud and malpractice in introducing the legislation. Dr Alistair Clark told us that "the subsidiary aim of reducing voter fraud was ill-conceived given the generally low levels of such fraud. Tying the shift to IER in with electoral fraud was unfortunate as it allowed the Act to be seen as partisan, a purging of voter rolls by one party".[250]

283. Others stated that increasing ballot security was an important reason to bring forward the legislation. The Electoral Commission said that "the previous system was vulnerable to fraud as there was no requirement to provide any evidence of an individual's identity to register to vote and no systematic mechanism for EROs to verify the identity of applicants. There were several high-profile election petitions in the late 1990s and early 2000s that involved the fraudulent registration of electors (for example, the Hackney case in 1998 and Slough case in 2007)".[251]

284. In a later submission, the Electoral Commission provided figures on the declining proportion of allegations of registration fraud, indicating that issues with fraudulent registration had indeed declined since the introduction of IER. This is set out in Table 2.

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248 Written evidence from Lord Rennard (ERA0035)
249 Q 93 (Kira Lewis)
250 Written evidence from Dr Alistair Clark (ERA0002)
251 Written evidence from the Electoral Commission (ERA0005)

Table 2: Registration fraud cases as a percentage of total fraud investigations

Year	Percentage of investigations covering registration fraud
2010	28%
2011	22%
2012	23%
2013	18%
2014	15%
2015	8%
2016	8%
2017	11%
2018	15%
2019	10%

*Source: Further supplementary written evidence from the Electoral Commission (*ERA0036*)*

285. Peter Lee from the Cabinet Office told us that "the actual evidence of fraud in people registering to vote is not high. It was previously difficult to tell when people were committing fraud. If someone was effectively, on behalf of their household, completing the form in a fraudulent way, it was very difficult to pick up. It is pretty obvious where the risk is; we just did not necessarily have huge amounts of data to demonstrate that it was going on". He added that the case for IER was in "closing down a risk channel", and that "we know for definite that one of the most important gateways into our democracy is now much more secure. We know that the people who are on the register have had to go through some kind of checking process against nationally held data".[252]

286. The AEA agreed that verification of identity had improved the security of registers. It added, however, that "there is still the ability to register at more than one address which could result in voting more than once at an election. The current provision within legislation allows for some people to be registered in more than one place. The law regarding 'residency' is not clear and leaves EROs to exercise their judgement in each case".

287. The AEA noted that it had made recommendations in its post-election reports in both 2015 and 2017 on this subject; in 2017 it recommended that "legislation should be amended to clearly identify what constitutes a valid second registration".[253]

288. Lindsay Tomlinson from Allerdale District Council agreed that there may be issues with dual registrations, telling us that "until there is some kind of national checking system, it will be impossible to determine whether anyone

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252 Q 3

253 Written evidence from AEA (ERA0003). This echoes recommendations made in both the 2016 report by Sir Eric (now Lord) Pickles; see Cabinet Office, *Securing the ballot: Report of Sir Eric Pickles' review into electoral fraud*, August 2016: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/545416/eric_pickles_report_electoral_fraud.pdf [accessed 17 June 2020] and the recent Public Administration and Constitutional Affairs Committee, *Electoral Law: The Urgent Need For Review* (First Report, Session 2019, HC 244)

has voted twice… other than people saying that they have done it, it will be impossible to detect, with the way the system currently works".[254]

289. Peter Stanyon of the AEA also told us of his concerns about the verification of late registration applications. He said that "the biggest potential area for fraud is when someone makes an application late on prior to an election. The potential for fraud is in the runup to a poll, because the checks that may be taking place now are easier to undertake than in those last few days. There could be something that says that an application that comes in should be with supporting evidence to take away that doubt".[255]

290. During our visit to Tower Hamlets, their Head of Electoral Services Rob Curtis echoed this point. He told us that in ordinary registration periods staff might visit properties, for example to check the legitimacy of late registrations in houses of multiple occupation where there may have been several applications at a single property. In the case of an unscheduled election such as in December 2019, however, there was no time for them to do this. He agreed that where there were late registration applications there may be a need for an additional verification requirement to replace these checks.

291. Councillor Peter Golds, Conservative group leader in Tower Hamlets, said that IER "has stopped the worst excesses of multiple registration and voting in the borough" with, for example, the phenomenon of multiple entries being added to pre-election registers no longer happening.[256]

292. The Electoral Commission also said that, while the Act had been effective in preventing "fictitious electors" from being added to registers, "the dispersed and unconnected nature of the electoral registers across Great Britain means that it is not currently possible to collectively interrogate registers which are maintained by different EROs in order to identify duplicate entries". It said that a mechanism to compare information across registers could help reduce the risk of double voting. It also suggested that requiring voters who are lawfully registered in two places (for example, students or second home owners) to declare where they will vote in Parliamentary elections may also reduce this risk.[257]

293. **The Act eliminated some fraud risk by ensuring that everyone added to the register was a real person, and has therefore achieved part of its stated objective. Nevertheless, there remain vulnerabilities in the registration system, in particular with regard to verifying residence, in confirming the eligibility of voters with more than one address, and in verification of late registration applications.**

294. *The Government should introduce further reforms to strengthen verification procedures for electoral registration. These might include providing statutory guidance to administrators on the verification of addresses; introducing a firmer legal definition of residence for the purpose of voter eligibility; mechanisms for administrators to undertake cross-register checks for duplicate registrations or for ineligibility to vote in particular locations; and a requirement for*

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254 Q 66 (Lindsay Tomlinson)
255 Q 17
256 Written evidence from Cllr Peter Golds (ERA0038)
257 Written evidence from the Electoral Commission (ERA0005)

additional forms of identification where registrations are made close to the deadline when administrators have no time to conduct manual verification checks.

Postal voting and wider electoral fraud issues

295. Although the Act was not intended to address issues such as the security of postal voting, we heard that it was necessary to consider these in the context of wider fraud issues and Government policies that relate to them.

296. The Electoral Commission stated that "further improvements to the drafting and definition of postal voting offences… could provide more protection for postal voters. This includes extending laws protecting the secrecy of voting to postal voters, and removing the option to request a permanent postal vote".[258] The Scottish Assessors Association also called for measures to improve the security of postal voting including limiting family members to whom a voter could act as a proxy.[259] These proposals have since been confirmed as Government policy in the December 2019 Queen's Speech.[260]

297. Some witnesses said that the policy of postal voting on demand, introduced in the UK in 2000, should be revisited. Lord Pickles stated that "you have to come to a decision on whether we have postal voting on demand", and noted that postal voting was inherently less secure than in person voting.[261] The Electoral Commission noted that postal voting continues to be popular, with 17.2 per cent of all votes cast being made by post at the December 2019 UK Parliamentary election, and 26 per cent in the North East. In Northern Ireland, where rules on postal voting are more restrictive, just 1.3 per cent voted by post.[262]

298. Richard Mawrey QC expressed concerns over postal voting on demand, arguing that "there are virtually no controls over who is exercising the vote", leading to a greater risk of "postal votes being falsified, stolen or altered". He told us that he "would like to see the end of postal voting on demand" and claimed that there was "no evidence to show that people are exercising their votes because they have a postal vote rather than going to a polling station in order to cast their votes".[263]

299. The AEA called for further technical reforms to postal voting procedures. Firstly, it stated that postal vote applications require the supply of personal identifiers, namely the applicant's signature and date of birth. EROs have the ability to waive this requirement where an applicant for an absent vote is unable to provide a signature, but the AEA stated that "the law does not however set out how EROs may satisfy themselves that the applicant's request is genuine". It stated that the law should be changed so that requests for postal vote identifier waivers must be attested in line with current arrangements for proxy applications, but with the attestation extended to a health professional, including a carer.[264]

258 Written evidence from the Electoral Commission (ERA0005)
259 Written evidence from Scottish Assessors Association (ERA0004)
260 Prime Minister's Office, *The Queen's Speech December 2019: Background Briefing Notes* (December 2019) p 126: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/853886/Queen_s_Speech_December_2019_-_background_briefing_notes.pdf [accessed 20 May 2020]
261 Q 44
262 Further supplementary written evidence from the Electoral Commission (ERA0036)
263 Q 111
264 Written evidence from AEA (ERA0003)

300. The AEA also noted that in recent years there had been "a significant increase" in the use of emergency proxy votes in recent elections. Emergency proxies may be appointed in the case of a medical condition, illness or disability arising after the proxy vote deadline, if the person is a mental health patient detained under civil powers, or if a person's occupation, service or employment means they cannot go to the polling station in person and they became aware of this fact after the deadline for ordinary proxy applications.[265]

301. The AEA told us that the recent increase was particularly in cases relating to a person's occupation, service or employment. This created pressure on resources as EROs were often obliged to contact other Local Authorities for confirmation of the registration status of emergency proxies. As part of its call for a "full and thorough review" of absent voting arrangements, it said that Government should consider specifying more clearly the circumstances and criteria necessary for emergency proxy applications. It also called for a review of the need for attestation of fixed-period and indefinite proxy applications, and clarification of how the registration status of individuals appointed as proxies should be verified by Electoral Registration Officers.[266]

302. Concerns about emergency proxy voting rules and procedures were also expressed by EROs who attended our post-election seminar. One attendee stated there had been an increase in people falsely claiming to have been appointed as proxies, while another expressed concern about the security of the process, including the inability to verify signatures.

303. We heard evidence from Stéphane Perrault, Chief Electoral Officer of Canada, who noted that postal voting rates in the country were relatively low but that in-person advance voting was increasingly popular, with 3 million Canadians—26 per cent of the total—having voted this way in the most recent federal election. Advance voting facilities are open at the 10th, 9th, 8th and 7th days before polling day at assigned locations.[267]

304. Both the Electoral Commission and Government were, however, sceptical of the merits of in-person advance voting as an option for the UK. The Commission told us that advance voting had been piloted in a number of locations between 2000 and 2007. It stated that, while its evaluation of the pilots had indicated "the potential to enhance the accessibility and convenience of the electoral process", it also noted that "actual take-up of advance voting at the pilot schemes was low and the majority of users would have voted in any case. For these reasons we concluded that it was difficult to argue that advance voting provided value for money for the majority of the electorate. Our post-poll public opinion research confirms that, for most people, being able to vote in the days before polling day would make no difference to their likelihood of voting".[268]

305. The Commission also warned that "it is possible that the roll-out of advance voting facilities in the UK could significantly increase costs (because they would need to be offered alongside existing polling day voting), but with little benefit in terms of increased participation".[269] Chloe Smith MP, Minister of State for the Constitution, echoed the Commission's views, stating that

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265 *Ibid.*
266 *Ibid.*
267 Q 163
268 Further supplementary written evidence from the Electoral Commission (ERA0036)
269 *Ibid.*

"Whilst the trial provided for a more flexible voting process it did not show an overall or consistent increase in turnout. It was also more difficult and more expensive to administer" and that "there is already considerable flexibility in the options open to electors".[270]

306. Following the COVID-19 pandemic there is likely to be short-term and potentially longer-term interest in alternatives to in-person and on the day voting. Although our evidence-gathering concluded too early to take direct account of this subject, it is clear that any further reforms to postal voting and other absent voting options will need to be considered carefully in the light of this new context.

307. **We welcome the proposals brought forward taken by the Government to increase the security of postal voting and reduce the risk of fraud, including banning handling of postal votes by party campaigners and removing the provision for a permanent postal vote. The present regime of postal votes on demand has now remained unchanged since 2000. Whilst voting by post is convenient and increasingly popular, there is clearly significant concern that it is open to fraudulent use.**

308. *During the coronavirus pandemic there is likely to be a legitimate increase in demand for postal voting. Once this period is over, the Government must review the free availability of postal voting on demand, having in mind both accessibility of voting and ensuring security of the ballot.*

309. *The Government should review the protocols and procedures around emergency proxy voting, which has increased at recent elections, placing additional pressure on administrators. This might include clearer guidance on the eligibility criteria for an emergency proxy vote, and consideration of how the registration status of individuals appointed as proxies should be verified by Electoral Registration Officers. There should also be a review of identification requirement waivers for postal vote applications.*

310. **It has been some time since the Government and the Electoral Commission considered the merits of advance voting arrangements in UK elections. We note that these exist in other democracies and we heard that they are notably popular in Canada, where 26 per cent of voters cast an advance vote at the 2019 federal election. We note the evidence that advance voting comes at an additional cost without necessarily increasing turnout, but the evidence in this respect is dated and may be worthy of reconsideration.**

311. *Advance voting may be an attractive alternative to postal voting for some voters, and is more secure. The Government and the Electoral Commission should therefore revisit the case for advance voting in UK elections. A new round of pilots and voter surveys may be appropriate.*

Handling of fraud complaints

312. We also heard a range of evidence on the handling of fraud complaints by police and the judicial system, and proposals for reform to ensure that fraud

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270 Written evidence from Chloe Smith MP, Minister of State (Cabinet Office) (ERA0041)

is more effectively investigated and, where appropriate, prosecuted. Evidence focused in particular on the role of the police and on the functioning of election courts, among other related issues.

Investigations of fraud complaints

313. We heard some concerns that fraud complaints had not been taken with due seriousness by the police. Richard Mawrey QC told us that fraud "is not policed in any real sense. The only time this comes to light is if a petition is brought. Very, very occasionally, people get the evidence together and go to the police and, if they are lucky, interest the police in taking a part. But the police take the view, not unreasonably, that unless they are presented with what might be described as an oven-ready case, they do not act".[271]

314. Gavin Millar QC echoed these concerns, stating that a key problem was that there was no individual or body whose lead responsibility was investigating electoral fraud. He told us that "if you had trained fraud investigators on site, as it were, spotting these problems as they arose, you could deal with the concerted fraud problem, but nobody has put that system in place. It is not the responsibility of the registration officer, the returning officer or the Electoral Commission, and the police say, 'It's not our problem'".[272]

315. We also heard evidence from Francis Hoar, who represented petitioners in a case in Tower Hamlets where elected Mayor Lutfur Rahman was found guilty of corrupt and illegal practices in a judgement by Richard Mawrey QC. He stated that "it has to be the police, but it needs a change of emphasis and ethos in the police force in how seriously they take electoral fraud. There were no prosecutions that I am aware of as a result of Richard Mawrey's judgment, notwithstanding a number of serious factual findings which were made to the criminal standard".[273]

316. Lord Pickles expressed similar views, telling us that "the police would not regard it as being very serious. You see the bobby outside the polling station, but their mindset is very much one of public disorder, rather than ensuring a smooth and easy transition".[274] Richard Mawrey QC told us that "people complain to the police, but even the police, who now have dedicated officers for electoral fraud, do not have the resources to carry out the investigations and to prosecute".[275]

317. Councillor Peter Golds from the London Borough of Tower Hamlets told us on our visit to Tower Hamlets that "we are within a law that is totally out of date" and that while officers had significantly improved procedures and practices for managing elections in his borough since 2014, the law needed to be updated to reflect newer offences that had not previously been considered. He said that the powers of the Electoral Commission were weak and that "the police are totally out of their depth on election law", with police officers focusing on disturbances near polling stations and not necessarily understanding when electoral offences may be being committed.

318. Gavin Millar QC also expressed concern that there was no individual or organisation for whom tackling fraud was their lead responsibility. He called

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271 Q 111
272 Q 118 (Gavin Millar QC)
273 Q 118 (Francis Hoar)
274 Q 38
275 Q 114

for "some form of regulatory investigator—independent, from the outside— who is not an administrator, a returning officer or a registration officer, but somebody who is a trained investigator to spot signs of law breach. If you had that evidence and expertise, it could all be brought into the civil case".[276]

319. Francis Hoar also called for clearer mechanisms and accountability for the investigation of complaints. He told us that "if it is a returning officer problem, another returning officer should investigate. If it is a fraud problem, perhaps the police or the Electoral Commission should investigate. If it is a wider administrative problem, perhaps the Electoral Commission should investigate".[277]

Fraud complaints in the judicial system

320. In the UK, elections are challenged by means of an election petition, which must be brought by a defeated candidate, or by four electors who are registered to vote in a local election (or one in a parliamentary election). The petition is presented to the High Court (in England and Wales) or the Court of Session (in Scotland) with two judges determining if the petition is worthy of consideration. It is then heard by a specially convened election court, which determines whether the candidate was validly elected or not. It can also determine whether a candidate or their agents were guilty of corrupt practices and, if so, disqualify them from holding office for a fixed five year period. If a candidate is found guilty of illegal practices, they are disqualified for a three year period. There is no discretion to shorten or lengthen these periods of disqualification.[278]

321. Gavin Millar QC told us that the election court system dated from the point when the House of Commons relinquished its power to determine challenges to returns to the House, but judges "did not want it because they felt it was too political and politicised them too much". He added that "if you look at the system we have now, 160 years later, the most extraordinary thing is it has barely changed since then. It makes no sense at all. It is not fit for purpose".[279] He added that "you should be putting these cases into the standing court system… the County Court or the High Court system, according to their gravity" and suggested that there might be a role for an expanded Electoral Commission in pursuing cases.[280]

322. Richard Mawrey QC also noted that the five-year disqualification on finding of corrupt practices was totally inflexible, and that "as with driving offences there should be a discretion in the tribunal to lengthen or shorten the period of disqualification".[281] Francis Hoar agreed with this, telling us that "it is very important, in my view, to change the system of bans from the 3-year and 5-year fixed bans… for corrupt practices, there should be a maximum much more than five years: anything up to 20 or 25 years".[282]

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276 Q 119 (Gavin Millar QC)
277 Q 120 (Francis Hoar)
278 See for example Caroline Morris and Stuart Wilks-Heeg '"Reports of My Death Have Been Greatly Exaggerated": The Continuing Role and Relevance of Election Petitions in Challenging Election Results in the UK' *Election Law Journal: Rules, Politics, and Policy*, vol 18 (March 2019), pp 31–46: https://www.liebertpub.com/doi/full/10.1089/elj.2018.0510 [accessed 17 June 2020].
279 Q 119 (Gavin Millar QC)
280 *Ibid.*
281 Q 117
282 Q 125 (Francis Hoar)

323. Concerns were also expressed about the liability due to petitioners who bring cases. Richard Mawrey QC told us that "it is exceedingly expensive and you have to do all the work. You have to get all the evidence and present it. You nearly always have to instruct counsel. They take a long time to fight and you risk a huge bill of costs".[283]

324. Mr Mawrey and Lord Pickles both made reference to a successful election petition in Tower Hamlets in which the Mayor, Lutfur Rahman, had been removed from office but the claimants were liable for their legal costs because Rahman had declared himself bankrupt. Lord Pickles said that "the Government should have coughed up. The Government owe these people an enormous debt. It is because of the antiquated, useless system, which is frankly designed to prevent these things happening because the costs are enormous. They did a great public service. I lost that argument in government, but it remains my firm view that this injustice should be taken care of".[284]

325. During our visit to Tower Hamlets, the elected Mayor John Biggs agreed with this view. He noted that in the case of the overturned 2014 Mayoral election, the four successful petitioners faced collective debts of over a million pounds because there is no public underwriting. He stated that there was a need to avoid vexatious challenges, but also avoid personal liability for people doing the right thing.

326. Richard Mawrey QC also noted that, while election courts can find candidates or agents guilty of corrupt and illegal practices, this does not amount to a criminal conviction and that criminal prosecutions are very rare. He said that "the only prosecution that has resulted from any of the decisions that I have made was Slough, where the local force, at Thames Valley, sent a Detective Sergeant who sat in court throughout the entire proceedings… it is policed, in so far as it is policed at all, by the other politicians in the borough".[285]

327. Mr Mawrey argued that while it may not be tenable for cases to become formal criminal prosecutions at the earliest stage, they could, if well-founded, proceed "on the basis that the prosecution, so to speak, of the petition is carried out by some emanation of the state and not by the individuals. That means that, rather like a private prosecution being taken over by the CPS or the DPP, it would work on that basis".[286]

328. **There is a pressing need for reforms to the process for investigating and prosecuting cases of electoral fraud. We heard compelling evidence that, because no individual or body has electoral fraud as their principal responsibility, it is often inadequately identified and policed. Too often, the responsibility for identifying and pursuing cases falls to individual electors who may find themselves liable for major costs, and the 19th-century election court system is no longer fit for purpose.**

329. *The Government should urgently pursue reforms to the investigation procedures for electoral fraud allegations and their treatment in the justice system. These may include:*

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283 Q 113
284 Q 35
285 Q 111
286 Q 113

- *The designation of an individual or organisation mandated to monitor and investigate fraud as their principal responsibility*

- *Bringing the election petition and court system into the 21st century, including pursuing cases in the standing court system where appropriate*

- *Giving discretion to vary the period of disqualification from standing for election for those found to have committed electoral fraud or malpractice, including life bans where appropriate*

- *Reforms to the prosecution process to enable state responsibility for bringing cases where appropriate, without requiring the standard of evidence for a criminal prosecution*

- *Public funding to cover election petition costs where these cannot be recovered from individuals found to have committed fraud or malpractice, so that petitioners are not liable for significant personal costs when they bring successful cases, and shortage of funds does not act as an obstacle to bringing cases.*

CHAPTER 5: VOTER ID

330. This chapter looks at the Government's announcement to introduce a requirement to show photographic ID when voting at polling stations. To do this, we consider views on the importance of voter ID, how the policy might be effectively implemented, and its potential impact on voter turnout. Finally, we look at whether a national ID card could provide a solution, not only to voter ID requirements but to wider challenges facing electoral registration and administration.

Importance of voter ID

331. The introduction of voter ID was recommended by Sir Eric (now Lord) Pickles in his 2016 report on tackling electoral fraud.[287] Lord Pickles told us that his recommendation is about enhancing the security and integrity of elections. He said:

> "I do not want to reduce the turnout at elections. I do not want to place any barrier in the way of getting people to vote. I genuinely do not, but I want us to have confidence in our electoral system. Right now, we are a bit of a laughing stock. International observers think it is ridiculous that we do not have some kind of ID".[288]

332. Peter Lee from the Cabinet Office told us there was "undeniable potential" for electoral fraud and that the perception of weakness in the system "undermines public confidence".[289] He said that the lack of ID requirements is a hangover from the past, telling us:

> "Asking for someone's name and address worked fine in the 19th century when, within a community, people would know everybody and, if someone tried to personate, that would likely be picked up. In a modern society, that is nowhere near effective enough."[290]

333. The Electoral Commission welcomed the recommendation to introduce voter ID, noting that their own analysis of electoral fraud vulnerabilities carried out in 2014 had led to a similar call.[291] Kiron Reid told us that requiring ID was "good common sense" even though "personation is a small problem".[292]

334. Arguing against the need for voter ID, Dr Alistair Clark described the focus on voter ID as "misdirected" and urged greater attention be paid to the state of electoral law and electoral registration and administration. He called voter ID "a distraction rather than a priority".[293]

335. The Electoral Reform Society described itself as "strongly opposed to the introduction of mandatory voter ID" arguing that it risks "undermining the principles of fair and equal representation that have been at the heart of

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287 Cabinet Office, *Securing the ballot: Report of Sir Eric Pickles' review into electoral fraud*, August 2016: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/545416/eric_pickles_report_electoral_fraud.pdf [accessed 17 June 2020]

288 Q 42

289 Written evidence from Cabinet Office (ERA0001)

290 Q 183 (Peter Lee)

291 Electoral Commission, *Electoral Commission's response to Sir Eric Pickles' review and recommendations on electoral fraud* (17 October 2016) p 7: https://www.electoralcommission.org.uk/sites/default/files/pdf_file/Analysis-of-recommendations-from-Pickles-fraud-review.pdf [accessed on 20 May 2020]

292 Written evidence from Kiron Reid (ERA0010)

293 Q 80 (Dr Alistair Clarke)

British democracy since the adoption of universal, equal suffrage in 1928".[294] Darren Hughes, Chief Executive of the Electoral Reform Society, further argued that voter ID would only tackle instances of personation, which, he noted, is only one specific type of electoral fraud and not one that is considered a problem in UK elections. He told us that voter ID as a means of tackling personation fraud was like using "a sledgehammer to crack a nut" and said the Government should be making policy based on evidence and not "on things that people think might be a problem, even though the data and the evidence tell us that they are not".[295]

336. The Labour Party said the Government's proposals for voter ID are "disproportionate" to the scale of fraud taking place, calling it "a ludicrous and heavy handed approach that will do more damage than good".[296] Member of the public Susan Hedley called the proposal for mandatory voter ID "appalling".[297]

337. **Whether voter ID should be a Government priority is a matter of lively debate among experts, practitioners, political parties and the public. We do not take a view on the merits of the policy.**

338. *However, given that voter ID is likely to proceed the Government must ensure that its implementation does not compromise the completeness and accuracy of the registers and that the policy is implemented fairly.*

Implementing voter ID requirements at polling stations

339. The Government ran voter ID pilots for local elections in England in 2018 and 2019 to test different models for requiring voter ID at polling stations. This section looks at how voter ID might best be implemented.

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294 Written evidence from the Electoral Reform Society (ERA0014)
295 Q 87 (Darren Hughes)
296 Written evidence from the Labour Party (ERA0006)
297 Written evidence from Susan Hedley (ERA0008)

Box 7: 2018 and 2019 Voter ID Pilots

The Government ran pilots in select locations during May 2018 and 2019 local elections to test different types of voter ID models. Public awareness campaigns were carried out in areas piloting voter ID and provisions were also made for Local Authorities to issue a valid ID, known as a local elector ID, for any eligible elector who did not have the required form of ID.

2018 pilots: were held in Bromley, Gosport, Swindon, Watford and Woking.

2019 pilots: In 2019 pilots were expanded to include greater diversity and geographical spread and were held in Braintree, Broxtowe, Craven, Derby, Mid Sussex, North Kesteven, North West Leicestershire, Pendle, Watford and Woking.

Models tested: The pilots tested a range of ID models including:

- photographic ID where voters had to bring one form of photo ID;

- mixed-ID model where voters brought either one form of photo ID or two forms of non-photo ID; and

- a poll card model where voters brought along their poll card. This model also trialled poll cards with scannable bar codes.

A legal case against the voter ID pilots was launched by a resident in Braintree challenging the Government's authority to run such pilots. In June, the Court of Appeal upheld an earlier ruling rejecting the case.

Source: Cabinet Office, Voter ID pilots for the local election in May 2018 (6 March 2018): https://www.gov.uk/government/publications/voter-id-pilots *[accessed 26 June 2020]; Cabinet Office, Evaluation of voter ID pilots 2019 (22 July 2019):* https://www.gov.uk/government/publications/evaluation-of-voter-id-pilots-2019 *[accessed 26 June 2020] and BBC, Voter ID trials ruled lawful by appeal judges (5 June 2020):* https://www.bbc.co.uk/news/uk-england-essex-52937915 *[accessed 26 June 2020]*

340. Charlotte Griffiths, Electoral Services Manager at Woking Borough Council, which undertook pilots in 2018 and 2019 to test the photo ID model, explained that for Woking being part of the pilot "was always about trying to look at the most secure way of [implementing voter ID requirements]. From the very beginning, it was about trialling photographic ID; that was the most secure way of getting ID in the polling station".[298]

341. Gordon Amos, Electoral Services Manager of Watford Borough Council, and Steve Daynes, Democracy Manager at Braintree District Council, also told us about their experiences of running pilots, with Watford testing the poll card method in both 2018 and 2019 and Braintree testing the mixed-ID model in 2019. Ms Griffiths, Mr Amos and Mr Daynes each saw benefit in introducing voter ID requirements but advocated the method they had piloted as the best way forward for introducing voter ID.[299]

342. Peter Lee told us that the evaluations by both the Cabinet Office and the Electoral Commission had found "no indication that any consistent demographic was adversely affected".[300]

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298 Q 147 (Charlotte Griffiths)
299 Q 152 (Charlotte Griffiths, Gordon Amos, Steve Daynes)
300 Supplementary written evidence from the Cabinet Office (ERA0040)

343. However, the Electoral Commission has identified "key areas for further consideration" before proceeding with voter ID. These include:

   • Ensuring that ID requirements deliver clear improvements to security levels while remaining proportionate to the risk of personation fraud in polling stations;

   • Ensuring the ID requirement is accessible for all voters and that those who do not have an accepted form of ID can obtain it;

   • Ensuring that any voter ID requirement can be realistically delivered, taking into account the resources required to administer such a policy; and

   • Ensuring enough time is given to administrators to be able to successfully roll out the policy, including time for a public awareness campaign.[301]

344. The AEA similarly told us that there are practical challenges to be addressed before introducing voter ID, including:

   • Recruitment of polling staff: bearing in mind that electoral administrators already struggle to recruit sufficient staff and the introduction of voter ID will make it harder to recruit;

   • Training: providing additional training for polling staff including how to deal with "difficult" electors;

   • Staffing ratios: polling station staffing ratios may need adjusting as it will take longer to issue ballot papers;

   • Extra administrative support: providing back office support for issuing local elector ID cards will need to be fully resourced; and

   • Legislative timetable: the timetable for legislating for voter ID will need to allow time for secondary legislation.[302]

345. The AEA also stated that it would "strongly advise against" implementing voter ID for the first time during a general election. Peter Stanyon, Chief Executive of the AEA, pointed out that the pilots were run for local elections where turnout is typically around 35–40 per cent compared to 65–70 per cent for a general election. He also highlighted the need for a strong public awareness campaign ahead of any roll out.[303] Kath Richards of Runnymede Borough Council and Martin John of Oxford City Council also expressed reservations about rolling out voter ID for the first time at a general election and called for a strong national campaign to raise public awareness.[304]

346. Charlotte Griffiths of Woking Borough Council also noted the risks associated with rolling out voter ID at a general election, telling us that introducing voter ID at a local election would allow any issues that arise to be addressed whereas at a national election—where turnout is much higher—any problems could cause significant disruption.[305]

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301 Further supplementary written evidence from the Electoral Commission (ERA0036)
302 Written evidence from the AEA (ERA0003)
303 Q 24
304 Post-election seminar with Electoral Registration Officers, 11 February 2020, see Appendix 7.
305 Q 158 (Charlotte Griffiths)

347. The Scottish Assessors Association encouraged "early engagement" between the UK Government, the SAA and the Electoral Management Board for Scotland to ensure that any proposals for voter ID requirements are feasible in the Scottish context.[306] Rhys George of Cardiff City Council warned of the potential for confusion in devolved administrations as ID would be required for some elections and not others.[307]

348. However, Peter Lee from the Cabinet Office sought to allay concerns about the timing of the rollout, telling us that the Cabinet Office would provide "enough time, guidance and resources to Local Authorities to ensure that, whenever it is introduced, to whichever set of elections, it is delivered successfully".[308]

Local elector cards

349. The Minister told us that the list of approved photographic ID will include "a broad range of commonly held photographic documents" in addition to a driver's licence and a passport and including, for example, "concessionary travel passes, PASS scheme cards, Ministry of Defence identity cards and photocard parking permits issued as part of the Blue Badge scheme".[309] For those lacking any form of acceptable ID, the Government proposes the option of being issued with a 'local elector card'.

350. Citing evidence from the Electoral Commission, Mr Lee said the permitted forms of ID would cover over 90 per cent of electors and that the local elector card could cover the rest.[310]

351. Across the pilots there was very low demand for the local elector card. Steve Daynes told us that during the pilot held in Braintree only one local elector card was issued.[311] Charlotte Griffiths told us that in Woking 63 local elector cards were issued in 2018 and 27 in 2019. Ms Griffiths also highlighted that efforts were made to make the process as accessible as possible including an automated e-form and borough-wide community outreach efforts.[312]

352. However, others were not convinced that offering a local elector card would be effective in ensuring that everyone had appropriate ID. For example, Gordon Amos of Watford Borough Council expressed concern about the number of people, particularly older people, who would not have appropriate ID and would not bother obtaining a local elector card.[313]

353. Claire Sosienski Smith of the NUS thought students also might not bother applying for a card, although she did note that as a free form of ID it might be useful for students.[314] Martin John of Oxford City Council said that the prospect of 30,000 students in Oxford who did not have a passport or driving licence with them requesting a local ID from the council "fills me with dread".[315]

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306 Written evidence from Scottish Assessors Association (ERA0004)
307 Post-election seminar with Electoral Registration Officers, 11 February 2020, see Appendix 7.
308 Q 181
309 Written evidence from Chloe Smith MP, Minister of State (Cabinet Office) (ERA0041)
310 Q 184
311 Q 155 (Steve Daynes)
312 Q 155 (Charlotte Griffiths)
313 Q 147 (Gordon Amos)
314 Q 100 (Claire Sosienski Smith)
315 Post-election seminar with electoral registration officials, 11 February 2020, see Appendix 8.

354. Lindsay Tomlinson of Allerdale Borough Council expressed concern about how the local elector cards would be funded, noting that demand for the local elector card was likely to increase around elections when resources are already stretched.[316] Andrew Francis of South Cambridgeshire District Council also expressed concern that voter ID might be seen as a registration function with funding responsibility resting with the Local Authority. [317]

355. Northern Ireland introduced photographic voter ID requirements in 2002 and offers a local elector card similar to what is proposed for Great Britain. Virginia McVea, Chief Electoral Officer for Northern Ireland, told us that in Northern Ireland there were initial problems with people bringing non-approved forms of ID to polling stations, but that more recently there were no indications that voter ID was an issue or that it was causing problems.[318] She also noted that the demand for the local elector card has dropped over the years from 89,000 in 2003–04 to 11,417 in 2018–19.[319]

356. We also heard about the experience of Canada, which introduced voter ID in 2007. Stéphane Perrault explained:

> "[Voter ID rules] were not a response to any actual event of fraud. They were a response to a desire of parties and Members of Parliament to reimport trust into the process, but there was no actual evidence of systematic fraud."[320]

357. Mr Perrault also explained that Canada uses a mixed-ID model whereby voters can provide a single form of photo ID showing full name and address or two forms of non-photo ID, one with name and the other with name and address. He noted that there are about 40 different options on the list of approved ID and that since the last election in Canada held in 2019 voter information cards, which are similar to poll cards in the UK, were included in the list of acceptable forms of ID as proof of address. He also acknowledged that the introduction of voter ID was accompanied by an extensive public awareness campaign.[321]

358. ***We urge the Government to engage proactively with other countries that have successfully introduced voter ID so that they can learn lessons from their experiences. This engagement should focus on ensuring that voter ID requirements do not lead to lower voter turnout at elections, and that everyone who is eligible to vote is able to do so.***

359. ***It is neither sensible nor desirable to roll out voter ID for the first time at a general election when turnout is significantly higher than at local elections. We strongly recommend that the first roll-out of voter ID requirements should be at local elections and that a thorough evaluation be carried out so that any necessary adjustments can be made before voter ID is used at a general election.***

360. ***We are concerned about the lack of detail around staffing, cost and funding arrangements for introducing voter ID, and plans for raising***

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316   Q 69 (Lindsay Tomlinson)
317   Post-election seminar with electoral registration officials, 11 February 2020, see Appendix 8.
318   Q 141
319   *Ibid.*
320   Q 167
321   *Ibid.*

public awareness. It is imperative that Local Authorities are not put under any further strain at election time than is currently the case. The Government must publish these details before any legislation for voter ID is introduced to Parliament and ensure that any roll-out allows time for devolved administrations and Local Authorities to prepare fully.

361. ***The evidence so far indicates that there is unlikely to be great demand for local elector cards. However, local elector cards will be crucial to ensuring that voter ID does not deter or prevent any eligible elector from voting. In this case, the Government must clarify how local elector cards will be funded and how it will ensure that local elector cards are easily accessible for everyone who needs one.***

Impact on voter turnout

362. Speaking about the voter ID pilots, Minister of State for the Constitution Chloe Smith MP noted:

> "Showing ID is something that people of all backgrounds already do every day—when we take out a library book, claim benefits or pick up a parcel from the post office. Proving who we are before we make a decision of huge importance at the ballot box should be no different. I can reassure the House that both last year's pilots and the decades of experience in Northern Ireland show that voter ID does not have an adverse effect on election turnout or participation."[322]

363. Charlotte Griffiths, Gordon Amos and Steve Daynes, who all participated in the pilots, told us that turnout seemed not to be affected but noted that the extra publicity around the pilots might have helped keep the numbers up.[323]

364. However, for those opposed to voter ID a key concern is its potential to impact negatively on voter turnout, particularly among those who are already under-represented on the electoral register. The Joseph Rowntree Reform Trust argued that before introducing a voter ID requirement "Government and Parliament should consider carefully the available evidence about the impact and proportionality of different approaches on the accessibility and security of polling station voting".[324]

365. Lord Woolley called voter ID "a big danger" to voter turnout among the BAME population, particularly if there is not a commensurate effort to boost engagement. Dr Omar Khan of the Runnymede Trust noted that there is no shortage of evidence from the US that voter ID has a disproportionate impact on ethnic minority voters and evidence suggesting that it will also be problematic in Britain.[325]

366. The Electoral Reform Society said that that voter ID presented "a significant risk to democratic access and equality" as possession of ID is not universal and is particularly low among certain groups of voters. It cited research by the Electoral Commission indicating that around 3.5 million citizens do not have access to photo ID and argued that the pilots were conducted in a setting "highly dissimilar to that of a typical general election, which is

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322 HC Deb, 10 April 2019, col 332
323 Q 154 (Charlotte Griffiths, Gordon Amos, Steve Daynes)
324 Written evidence from the Joseph Rowntree Reform Trust (ERA0018)
325 Q 176 (Lord Woolley of Woodford, Dr Omar Khan)

likely to attract higher numbers of voters from much more heterogeneous backgrounds".[326]

367. Michael Sani of Bite the Ballot noted that, if implemented badly, a system of voter ID could alienate certain demographic groups and damage the trust people have in the democratic system.[327]

368. Kira Lewis told us that the British Youth Council "completely discourage the use of voter ID" on the grounds that it risks marginalising people and creating an environment where certain groups no longer feel comfortable or fear being challenged at polling stations.[328]

369. Age UK expressed concern that many older people will not have the required ID to vote, noting that ownership of a passport and driver's licence drops with age.[329] Mencap told us it has "serious concerns" about the potential for voter ID to discourage and deter disabled voters.[330] Disability Rights UK warned that voter ID requirements could open a door for scammers to try and obtain personal information from vulnerable people.[331]

370. Steve Daynes of Braintree District Council and Gordon Amos of Watford Borough Council expressed reservations about introducing photo-only ID requirements and suggested that greater flexibility in the types of ID would be more proportionate. Mr Amos told us that "it is a fact there are a number of people in communities around the country who have no photographic ID" and such a strict approach risks disenfranchising people in the electorate.[332] Mr Daynes told us, "our main concern, similar to Watford's, was that the elderly, some of the ethnic minorities and the LGBT community may have difficulty in producing photographic evidence".[333]

371. Virginia McVea from the Electoral Office for Northern Ireland told us that there did not appear to be evidence that the introduction of voter ID had impacted on turnout figures in Northern Ireland. Stéphane Perrault, Chief Electoral Officer of Canada, noted that in Canada the list of ID needed to register to vote is the same as that which is acceptable to show at the polling station, meaning anyone who is registered to vote will have acceptable polling station ID. He added that the list of acceptable ID is "fairly long".

372. ***We are concerned about the potential impact voter ID could have on the participation rates of BAME groups, young people and students, disabled people and some older people. As discussed in Chapter 2, registration and voting rates among these groups are already too low. Any further decline in participation rates among these groups would be an unacceptable outcome. However, we are encouraged that the experience of Northern Ireland indicates that voter ID need not result in lower turnout. To make sure this is the case, the Electoral Commission will need to monitor and report on the impact of voter ID on turnout, particularly on under-represented groups.***

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326 Written evidence from the Electoral Reform Society (ERA0014)
327 Q 87 (Michael Sani)
328 Q 100 (Kira Lewis)
329 Written evidence from Age UK (ERA0033)
330 Written evidence from Mencap (ERA0032)
331 Written evidence from Disability Rights UK (ERA0034)
332 Q 147 (Gordon Amos)
333 Q 148 (Steve Daynes)

373. *The Government must take measures to mitigate the risk of a reduction in turnout including, for example, allowing for local elector cards to be issued on polling day for those with inadequate ID. The Government, working with Local Authorities, should also ensure that the introduction of mandatory ID is heavily publicised at local and national level and that there is appropriate outreach to groups who are less likely to engage in the democratic process and so who may be unaware of the requirement.*

National ID cards

374. There was broad discussion throughout our inquiry as to whether the introduction of a national ID card would address some of the issues raised by electoral registration officers and those who expressed concern about the impact of voter ID requirements on those who are unlikely to have an acceptable form of ID.

375. Electoral registration officers Glynn Morgan, Clare Oakley, Lindsay Tomlinson and Mark Emson agreed that a national ID system would alleviate some of the administrative burdens of the current electoral registration system provided the national ID cards were not the responsibility of Local Authorities.[334] Charlotte Griffiths, Gordon Amos and Steve Daynes all agreed that a national ID card would make voter ID requirements easier to administer.[335] Peter Stanyon of the AEA also thought that a national ID card could make voter ID requirements much simpler.[336]

376. Richard Mawrey QC said that a national ID system would be an effective means of tackling certain types of electoral fraud and could be used both to register an individual and to check people at the polling station, adding that "electoral fraud of the kind we have had here [in the UK] is almost unknown in continental countries" that have a national ID system.[337]

377. Michael Sani of Bite the Ballot thought that the idea of national ID would be "less of a scare" for younger citizens.[338]

378. However, others were less keen on the idea of introducing a national ID card. Lord Woolley said that the introduction of a national ID card "would be completely and utterly unhelpful" and would set back efforts to engage BAME communities.[339] Gavin Millar QC was also not in favour of national ID cards, saying he would be "very concerned" about any proposal that would deter people from voting.[340]

379. **It is not currently Government policy to introduce a national identity card. However, we note that, if the Government were to consider the issue of national ID cards, there would be merit in assessing their potential impact on electoral registration and administration, and their utility in relation to a mandatory voter ID scheme.**

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334 Q 53 (Glynn Morgan, Clare Oakley) and Q 69 (Lindsay Tomlinson, Mark Emson)
335 Q 158 (Charlotte Griffiths, Gordon Amos, Steve Daynes)
336 Q 25
337 Q 112
338 Q 84 (Michael Sani)
339 Q 178 (Lord Woolley of Woodford)
340 Q 124 (Gavin Millar QC)

SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

The Individual Electoral Registration (IER) System

1. **The transition to IER was managed as well as possible by administrators and was for the most part ably supported by Government, but there are lessons to be learned. In particular, it is not clear that the additional administrative costs of the transition were properly assessed. The tight timescale for transition also created serious challenges for administrators. There were differing views on the merits of bringing forward the end of the transition period to December 2015.** (Paragraph 46)

2. *When the Government undertakes future reforms to electoral registration and administration, it must ensure that administrators are properly resourced to implement them and that timescales are appropriate. Without this, the quality of registers may decline and there will be a risk to effective administration in future.* (Paragraph 47)

3. **Pre-election registration drives enhance democracy and ensure that more people are able to exercise their right to vote. So long as IER continues in its current form, event-led registration is likely to be a feature of the system, and will inevitably make an important contribution to mitigating under-registration.** (Paragraph 69)

4. **In accepting this 'new normal' of event-led registration, however, it is necessary that all possible measures are taken to mitigate its costs and challenges. An online registration checking tool is used in many countries and would be of great practical benefit to voters and to administrators, who would no longer have to waste time and processing huge numbers of duplicate applications. The absence of such a tool in the UK seems increasingly anomalous.** (Paragraph 70)

5. **It is also clear that registration application surges impose a large additional cost on Local Authorities which should be directly funded by central Government, just as the direct costs of organising elections are. This would ensure that Local Authorities have the resources to fulfil all of the duties relating to elections, that authorities experiencing particular surges in registration are not unfairly financially disadvantaged, and that the efficiency and integrity of the system is maintained.** (Paragraph 71)

6. *As part of an overall simplification of processes for both voters and Electoral Registration Officers, the Government should urgently explore the options for introducing an online registration checking tool, drawing on international good practice. In doing so, it should consider all options for making such a tool successful, including the possibility of centralising or coordinating registration information to make it more accessible and usable for this purpose.* (Paragraph 72)

7. *Government should also—by the next UK Parliamentary election at the latest—devise and introduce a scheme of financial support or compensation for the cost to local authorities of processing election-related registration activity. This should enable Local Authorities to recover registration costs where they can be demonstrated to be the direct result of an election taking place.* (Paragraph 73)

8. **Individual Electoral Registration appears to have notably improved the accuracy of registers in Great Britain, while their completeness has been maintained at approximately similar levels as under the previous system. We welcome the steps taken by administrators, Government and the Electoral Commission to improve accuracy. We are concerned, however, that the Government's aim to improve completeness has not been realised, and there continue to be large numbers of eligible voters absent from registers. Simply maintaining completeness at previous rates should not be considered a satisfactory outcome.** (Paragraph 89)

9. **There are also stark continuing disparities among different demographic groups and in different regions. These disparities can have serious implications both for democratic participation and for purposes such as the drawing of Parliamentary boundaries, which risk being unfair to voters if completeness and accuracy are not improved.** (Paragraph 90)

10. **Levels of accuracy and completeness in the UK are notably lower than some countries such as Canada, which has achieved a completeness rate of over 96 per cent while also taking action to maintain accuracy at over 93 per cent. We see no reason why the UK should not aspire to match this performance.** (Paragraph 91)

11. *The Government must ensure that it treats improving accuracy and completeness as a major priority in future reforms to electoral registration and administration. In doing so, we strongly recommend that they refer to international best practice. This should focus both on improving overall rates of completeness and accuracy, and on doing more to narrow the gap among groups that are more likely to be under-registered or inaccurately registered, such as young people and home movers.* (Paragraph 92)

12. *We are concerned that the use of inaccurate and incomplete registers may have meant previous reviews of Parliamentary boundaries were unfair to voters. As the Government seeks to pass new legislation for future boundary reviews, they must ensure that registers used for future reviews are accurate and complete, writing this commitment into the legislation if necessary. We welcome the Government's commitment to use March 2020 registers for the next boundary review, as these are likely to be significantly more accurate and complete than the December 2020 register which was originally proposed to be used.* (Paragraph 93)

13. **Accurate and complete registers and well-run elections are lynchpins of a robust democracy and it would be difficult to overstate the importance of ensuring that electoral administrators—the people who are responsible for the quality of the registers and for delivering elections—are adequately resourced and funded to do their job properly. We are concerned that too many electoral teams across the UK are currently under-resourced, under-staffed and under-funded and are struggling to cope during election periods.** (Paragraph 112)

14. *The introduction of individual registration under the Act added to the administrative and financial burdens faced by EROs. In this report we urge a range of steps to modernise the registration*

system which we believe would help to reduce the heavy financial and resources burden faced by EROs. Notwithstanding that, we urge the Government to undertake a thorough review of existing funding provisions and arrangements for both electoral registration and delivery of elections. The review must ensure adequate funding is provided and should include consultation with a wide range of stakeholders, particularly with Local Authorities and EROs. (Paragraph 113)

15. **Modernisation of electoral registration is long overdue. The principle of individual registration should be a stepping stone to greater modernisation, not a barrier to progress. We do not agree that the principle of individual responsibility for registration is incompatible with the need to improve the quality of registers.** (Paragraph 132)

16. *The Government should undertake to modernise the registration system further, including piloting automatic registration for attainers; introducing assisted registration to prompt eligible voters to register when accessing other public services; improving access for Electoral Registration Officers to local data sources; and developing a transparent policy on privacy and data security to underpin these measures.* (Paragraph 133)

17. *Notwithstanding any potential backlash from those currently making use of it, Government should consider abolishing the open register; its compilation serves no public good, it presents a privacy risk and the proceeds from its sale yield an insignificant amount of money for Local Authorities.* (Paragraph 134)

18. **The Black Lives Matter movement underscores the urgency with which the Government needs to act on guaranteeing democratic representation, including tackling under-registration and reaching out to those who are currently under-represented and disenfranchised. Tackling under-registration among hard to reach groups will involve a variety of methods and approaches with nuanced and targeted messaging and a long-term outlook. A one-size-fits-all approach will not work. We note the positive steps that the Government has taken in this area, including its research on democratic inclusion and canvass reform, but we believe there is room for improvement.** (Paragraph 174)

19. *We would like to see a significant uplift in registration rates among under-registered groups. We call on the Government to publish targets for improving registration rates among these groups and to report annually to Parliament on the progress of meeting those targets. The Government must also work closely with the Electoral Commission, Electoral Registration Officers, local communities and third sector organisations to improve civic education and effective, long-term engagement as part of their efforts to reach those targets.* (Paragraph 175)

20. *The best place to promote registration is in schools. EROs must be given greater guidance, funding and support to enable them to reach students while they are still in school.* (Paragraph 176)

21. *We also recommend that all further and higher education providers be required to introduce a system of assisted registration at the point*

of enrolment along the lines of the University of Sheffield model, including registration of apprentices. (Paragraph 177)

Annual canvass reforms and wider administrative reforms

22. *The invitation to register process is cumbersome for administrators and confusing for voters. Simplifying this process should be prioritised as part of annual canvass reform.* (Paragraph 195)

23. *We note the Government's preference to maintain registration as voluntary. However, we are concerned about the variation across Local Authorities in the extent that fines or threats of fines are deployed, and would urge the Government to provide greater guidance in this regard.* (Paragraph 196)

24. *We would expect that modernisation of the registration system as recommended in Chapter 2 would go some way to obviating the need to pursue measures such as fines. However, we note that fines can be a useful tool for EROs who have a legal duty to compile complete and accurate registers. The Government should look again at the fines regime and consider new regulations to increase the fine for failure to respond to an ITR. At £80 it appears to be insufficient as a deterrent and not worth the cost of enforcement.* (Paragraph 197)

25. **The annual canvass as currently constituted is expensive, administratively burdensome and out of step with modern life. Annual canvass reform makes good sense; we welcome the Government's proposals for reform and the Statement of Policy produced by the UK, Scottish and Welsh Governments in September 2019. We hope that it is implemented successfully.** (Paragraph 216)

26. *We are in favour of greater data sharing and see scope to extend it beyond what is currently being proposed. Greater data sharing must happen in parallel with capacity building efforts at the local level, including the development of robust systems to ensure that it takes place in an effective and efficient manner. There must also be training and support so that all Local Authorities are able to take full advantage of the changes. Greater data sharing must also be accompanied by a transparent policy on privacy and data protection.* (Paragraph 217)

27. **The administrative reforms in Part 2 of the Act are generally agreed to have made important improvements to the efficiency and effectiveness of elections in the United Kingdom, and have for the most part worked very well in practice. In some cases, it is important for Government and the Electoral Commission to keep the provisions under review to determine whether further reforms are necessary.** (Paragraph 223)

28. **We are concerned that current administrative deadlines for elections do not allow sufficient time to enable administrators to fulfil their duties and to avoid voters being disenfranchised in cases including where they have registered or applied for a postal vote close to the deadline. This poses a serious risk to the integrity of the democratic process.** (Paragraph 231)

29. *Government must urgently review statutory deadlines within election timetables, including deadlines for registration and for postal voting applications. This review should consider whether they allow sufficient time for administrators to fulfil their duties and for all voters to exercise their franchise, with a view to bringing them forward if this is found not to be the case.* (Paragraph 232)

30. *In considering future reforms to electoral administration, the Government should review the administrative impact of holding concurrent polls and consider if measures are necessary to ease the administrative burdens involved.* (Paragraph 236)

31. **There is a clear need to consolidate and simplify electoral law more widely, to make it more accessible and understandable for administrators, campaigners and voters. The Government should consider further reforms to electoral registration and administration in this context. Such reforms would significantly reduce the risk of future administrative difficulties, and help maintain and enhance the integrity of elections.** (Paragraph 250)

32. *We note the report of the Law Commissions on wider reform and streamlining of electoral law. We share the perspective of the Law Commissions on the need for overall reform, and urge the Government to adopt its proposals at the earliest opportunity, using an expedited process if possible.* (Paragraph 251)

33. **There are challenges involved in ensuring that overseas electors are able to cast their votes without difficulty, in particular for guaranteeing that their ballots are sent and returned in time. These challenges are likely to increase if the Government implements its plans to remove the 15-year limit on voting eligibility for overseas electors.** (Paragraph 262)

34. *As it develops its proposals for extending the overseas voter franchise, Government should work with the Electoral Commission and electoral administrators to consider a range of options for reducing the risk of disenfranchisement for overseas voters. These might include amending registration or postal vote application deadlines, considering provision for early voting from remote locations, requirements to specify absent voting arrangements when making overseas registration applications, and stronger encouragement of proxy voting.* (Paragraph 263)

Ballot security and combatting electoral fraud

35. **Overall incidence of fraud in UK elections currently appears to be limited, though we cannot know its full extent, and we are concerned by the Electoral Commission's finding that many people suspect fraud has been ongoing. Only a handful of fraudulent votes can be enough to change an election in a ward and perhaps in a Local Authority. There should therefore be no room for complacency.** (Paragraph 280)

36. *Government must target resources and, where appropriate, provide additional financial support to Local Authorities who may have suspicions or experience of fraud and malpractice occurring in their*

areas, to ensure they have the means to tackle fraud risk properly. (Paragraph 281)

37. **The Act eliminated some fraud risk by ensuring that everyone added to the register was a real person, and has therefore achieved part of its stated objective. Nevertheless, there remain vulnerabilities in the registration system, in particular with regard to verifying residence, in confirming the eligibility of voters with more than one address, and in verification of late registration applications.** (Paragraph 293)

38. *The Government should introduce further reforms to strengthen verification procedures for electoral registration. These might include providing statutory guidance to administrators on the verification of addresses; introducing a firmer legal definition of residence for the purpose of voter eligibility; mechanisms for administrators to undertake cross-register checks for duplicate registrations or for ineligibility to vote in particular locations; and a requirement for additional forms of identification where registrations are made close to the deadline when administrators have no time to conduct manual verification checks.* (Paragraph 294)

39. **We welcome the proposals brought forward taken by the Government to increase the security of postal voting and reduce the risk of fraud, including banning handling of postal votes by party campaigners and removing the provision for a permanent postal vote .The present regime of postal votes on demand has now remained unchanged since 2000. Whilst voting by post is convenient and increasingly popular, there is clearly significant concern that it is open to fraudulent use.** (Paragraph 307)

40. *During the coronavirus pandemic there is likely to be a legitimate increase in demand for postal voting. Once this period is over, the Government must review the free availability of postal voting on demand, having in mind both accessibility of voting and ensuring security of the ballot.* (Paragraph 308)

41. *The Government should review the protocols and procedures around emergency proxy voting, which has increased at recent elections, placing additional pressure on administrators. This might include clearer guidance on the eligibility criteria for an emergency proxy vote, and consideration of how the registration status of individuals appointed as proxies should be verified by Electoral Registration Officers. There should also be a review of identification requirement waivers for postal vote applications.* (Paragraph 309)

42. **It has been some time since the Government and the Electoral Commission considered the merits of advance voting arrangements in UK elections. We note that these exist in other democracies and we heard that they are notably popular in Canada, where 26 per cent of voters cast an advance vote at the 2019 federal election. We note the evidence that advance voting comes at an additional cost without necessarily increasing turnout, but the evidence in this respect is dated and may be worthy of reconsideration.** (Paragraph 310)

43. *Advance voting may be an attractive alternative to postal voting for some voters, and is more secure. The Government and the Electoral*

Commission should therefore revisit the case for advance voting in UK elections. A new round of pilots and voter surveys may be appropriate. (Paragraph 311)

44. **There is a pressing need for reforms to the process for investigating and prosecuting cases of electoral fraud. We heard compelling evidence that, because no individual or body has electoral fraud as their principal responsibility, it is often inadequately identified and policed. Too often, the responsibility for identifying and pursuing cases falls to individual electors who may find themselves liable for major costs, and the 19th-century election court system is no longer fit for purpose.** (Paragraph 328)

45. *The Government should urgently pursue reforms to the investigation procedures for electoral fraud allegations and their treatment in the justice system. These may include:* (Paragraph 329)

46. *The designation of an individual or organisation mandated to monitor and investigate fraud as their principal responsibility.* (Paragraph 329)

47. *Bringing the election petition and court system into the 21st century, including pursuing cases in the standing court system where appropriate.* (Paragraph 329)

48. *Giving discretion to vary the period of disqualification from standing for election for those found to have committed electoral fraud or malpractice, including life bans where appropriate.* (Paragraph 329)

49. *Reforms to the prosecution process to enable state responsibility for bringing cases where appropriate, without requiring the standard of evidence for a criminal prosecution.* (Paragraph 329)

50. *Public funding to cover election petition costs where these cannot be recovered from individuals found to have committed fraud or malpractice, so that petitioners are not liable for significant personal costs when they bring successful cases, and shortage of funds does not act as an obstacle to bringing cases.* (Paragraph 329)

Voter ID

51. **Whether voter ID should be a Government priority is a matter of lively debate among experts, practitioners, political parties and the public. We do not take a view on the merits of the policy.** (Paragraph 337)

52. *However, given that voter ID is likely to proceed the Government must ensure that its implementation does not compromise the completeness and accuracy of the registers and that the policy is implemented fairly.* (Paragraph 338)

53. *We urge the Government to engage proactively with other countries that have successfully introduced voter ID so that they can learn lessons from their experiences. This engagement should focus on ensuring that voter ID requirements do not lead to lower voter turnout at elections, and that everyone who is eligible to vote is able to do so.* (Paragraph 358)

54. *It is neither sensible nor desirable to roll out voter ID for the first time at a general election when turnout is significantly higher than at local elections. We strongly recommend that the first roll-out of voter ID requirements should be at local elections and that a thorough evaluation be carried out so that any necessary adjustments can be made before voter ID is used at a general election.* (Paragraph 359)

55. *We are concerned about the lack of detail around staffing, cost and funding arrangements for introducing voter ID, and plans for raising public awareness. It is imperative that Local Authorities are not put under any further strain at election time than is currently the case. The Government must publish these details before any legislation for voter ID is introduced to Parliament and ensure that any roll-out allows time for devolved administrations and Local Authorities to prepare fully.* (Paragraph 360)

56. *The evidence so far indicates that there is unlikely to be great demand for local elector cards. However, local elector cards will be crucial to ensuring that voter ID does not deter or prevent any eligible elector from voting. In this case, the Government must clarify how local elector cards will be funded and how it will ensure that local elector cards are easily accessible for everyone who needs one.* (Paragraph 361)

57. *We are concerned about the potential impact voter ID could have on the participation rates of BAME groups, young people and students, disabled people and some older people. As discussed in chapter 2, registration and voting rates among these groups are already too low. Any further decline in participation rates among these groups would be an unacceptable outcome. However, we are encouraged that the experience of Northern Ireland indicates that voter ID need not result in lower turnout. To make sure this is the case, the Electoral Commission will need to monitor and report on the impact of voter ID on turnout, particularly on under-represented groups.* (Paragraph 372)

58. *The Government must take measures to mitigate the risk of a reduction in turnout including, for example, allowing for local elector cards to be issued on polling day for those with inadequate ID. The Government, working with Local Authorities, should also ensure that the introduction of mandatory ID is heavily publicised at local and national level and that there is appropriate outreach to groups who are less likely to engage in the democratic process and so who may be unaware of the requirement.* (Paragraph 373)

59. **It is not currently Government policy to introduce a national identity card. However, we note that, if the Government were to consider the issue of national ID cards, there would be merit in assessing their potential impact on electoral registration and administration, and their utility in relation to a mandatory voter ID scheme.** (Paragraph 379)

APPENDIX 1: LIST OF MEMBERS AND DECLARATIONS OF INTEREST

Members

Baroness Adams of Craigielea (from 15 July 2019)
Lord Campbell-Savours
Lord Dykes
Baroness Eaton
Lord Hayward
Lord Janvrin
Baroness Mallalieu
Lord Morris of Aberavon (until 14 July 2019)
Baroness Pidding
Lord Shutt of Greetland (Chairman)
Baroness Suttie
Lord Wills

Declarations of Interest

Baroness Adams of Craigielea
  No relevant interests declared
Lord Campbell-Savours
  No relevant interests declared
Lord Dykes
  No relevant interests declared
Baroness Eaton
  No relevant interests declared
Lord Hayward
  No relevant interests declared
Lord Janvrin
  No relevant interests declared
Lord Lexden
  Trustee, Hansard Society
Baroness Mallalieu
  No relevant interests declared
Baroness Pidding
  No relevant interests declared
Lord Shutt of Greetland
  No relevant interests declared
Baroness Suttie
  Associate, Global Partners Governance
  Trustee, IPPR
Lord Wills
  Member of the Advisory Council, Transparency International
  President of the Wiltshire Association of District Councils

A full list of Members' interests can be found in the Register of Lords' Interests:
https://www.parliament.uk/mps-lords-and-offices/standards-and-interests/register-of-lords-interests/

Professor Maria Sobolewska (Specialist Adviser)
  No relevant interests declared

Dr Stuart Wilks-Heeg (Specialist Adviser)
   Trustee, Democratic Audit (based at the London School of Economics)
   Trustee, Political Studies Association of the United Kingdom

APPENDIX 2: LIST OF WITNESSES

Evidence is published online at https://committees.parliament.uk/committee/405/electoral-registration-and-administration-act-2013-committee/publications/ and available for inspection at the Parliamentary Archives (020 7219 5314).

Evidence received by the Committee is listed below in chronological order of oral evidence session and in alphabetical order. Those witnesses marked with ★★ gave both oral and written evidence. Those marked with ★ gave oral evidence and did not submit any written evidence. All other witnesses submitted written evidence only.

Oral evidence in chronological order

★★	Peter Lee, Director, Constitution Group, Cabinet Office	QQ 1–16
★	Simon James, Deputy Director, Elections Division, Cabinet Office	QQ 1–16
★★	Peter Stanyon, Chief Executive, Association of Electoral Administrators (AEA)	QQ 17–30
★	The Rt Hon. the Lord Pickles	QQ 31–44
★	Glynn Morgan, Electoral Services Manager, Pembrokeshire County Council	QQ 45–61
★	Clare Oakley, Electoral Services Manager, London Borough of Camden	QQ 45–61
★	Andrew Tiffin, Elections and Registration Manager, Hart District Council	QQ 45–61
★	Mark Emson, Electoral Manager, Peterborough City Council	QQ 62–72
★	Lindsay Tomlinson, Electoral Services Manager, Allerdale Borough Council	QQ 62–72
★★	Dr Alistair Clark, Reader in Politics, Newcastle University	QQ 73–82
★★	Professor Toby S James, Head of Politics, University of East Anglia	QQ 73–82
★★	Darren Hughes, Chief Executive, Electoral Reform Society	QQ 83–91
★	Michael Sani, Co-founder, Bite the Ballot	QQ 83–91
★★	Claire Sosienski Smith, Vice President for Higher Education, National Union of Students	QQ 92–100
★★	Conor Ryan, Director of External Relations, Office for Students	QQ 92–100
★	Kira Lewis, Trustee, British Youth Council	QQ 92–100
★★	Dr Christopher Prosser, Co-director of the British Election Study	QQ 101–110
★★	Richard Mawrey QC	QQ 111–117

★	Gavin Millar QC, Barrister, Matrix Chambers	QQ 118–126
★	Francis Hoar, Barrister, Field Court Chambers	QQ 118–126
★	Virginia McVea, Chief Electoral Officer for Northern Ireland	QQ 127–146
★	Gordon Amos, Electoral Service Manager, Watford Borough Council	QQ 147–158
★	Steve Daynes, Democracy Manager, Braintree District Council	QQ 147–158
★	Charlotte Griffiths, Electoral Services Manager, Woking Borough Council	QQ 147–158
★	Stéphane Perrault, Chief Electoral Officer of Canada; Michel Roussel, Deputy Chief Electoral Office	QQ 159–168
★	Lord Woolley of Woodford, Founder and Director, Operation Black Vote	QQ 169–179
★	Imran Sanaullah MBE, Chief Executive Officer, Patchwork Foundation	QQ 169–179
★	Dr Omar Khan, Director, Runnymede Trust	QQ 169–179
★★	Peter Lee, Director, Constitution Group, Cabinet Office	QQ 180–207
★	Natalie Bodek, Acting Deputy Director, Elections Division, Cabinet Office	QQ 180–207

Alphabetical list of all witnesses

	Age UK	ERA0033
★	Gordon Amos, Electoral Service Manager, Watford Borough Council (QQ 147–158)	
★★	Association of Electoral Administrators (AEA) (QQ 17–30)	ERA0003
		ERA0022
★	Natalie Bodek, Acting Deputy Director, Elections Division, Cabinet Office (QQ 180–207)	
★	Bite the Ballot (QQ 83–91)	
★★	Dr Christopher Prosser, Prof Edward Fieldhouse, Dr Jonathan Mellon and Dr Jessica Smith (QQ 101–110)	ERA0007
★	British Youth Council (QQ 92–100)	
★★	Cabinet Office (QQ 1–16)(QQ 180–207)	ERA0001
		ERA0040
★★	Dr Alistair Clark Reader in Politics, Newcastle University (QQ 73–82)	ERA0002
		ERA0025
	The Conservative Party	ERA0037
	Joan Cox	ERA0026
	Alan Craw	ERA0028

	Sajjad Daya	ERA0013
★	Steve Daynes, Democracy Manager, Braintree District Council (QQ 147–158)	
	Democracy Counts	ERA0023
	Disability Rights UK	ERA0034
★	Electoral Commission	ERA0005
		ERA0030
		ERA0036
★★	Electoral Reform Society (QQ 83–91)	ERA0014
★	Mark Emson, Electoral Manager, Peterborough City Council (QQ 62–72)	
	Councillor Peter Golds	ERA0038
★	Charlotte Griffiths, Electoral Services Manager, Woking Borough Council (QQ 147–158)	
	Susan Hedley	ERA0008
	HM Government: Chloe Smith MP, Minister of State (Cabinet Office)	ERA0041
	HM Government: Mark Harper MP, Minister for Political and Constitutional Reform (Cabinet Office)	EA13
		EA14
	Oral evidence taken before the Political and Constitutional Reform Committee, inquiry on Individual Electoral Registration and Electoral Administration (Session 2010–12) (QQ 219–287)	EA37
★	Francis Hoar, Barrister, Field Court Chambers (QQ 118–126)	
	Tony Howard	ERA0027
★★	Darren Hughes, Electoral Reform Society (QQ 83–91)	ERA0014
	Alistair Hunter	ERA0019
★	Simon James, Deputy Director, Elections Division, Cabinet Office (QQ 1–16)	
★★	Professor Toby S James, Head of Politics, University of East Anglia (QQ 73–82)	ERA0012
		ERA0039
	Joseph Rowntree Reform Trust	ERA0018
★	Dr Omar Khan, Director, Runnymede Trust (QQ 169–179)	
	The Labour Party	ERA0006
		ERA0042
★★	Peter Lee, Director, Constitution Group, Cabinet Office (QQ 1–16) (QQ 180–207)	ERA0001
		ERA0040

★	Kira Lewis, Trustee, British Youth Council (QQ 92–100)	
	'Lowering the voting age across the UK' project research team	ERA0009
★★	Richard Mawrey QC (QQ 111–117)	ERA0031
★	Virginia McVea, Chief Electoral Officer for Northern Ireland (QQ 127–146)	
	Mencap	ERA0032
★	Gavin Millar QC, Barrister, Matrix Chambers (QQ 118–126)	
★	Glynn Morgan, Electoral Services Manager, Pembrokeshire County Council (QQ 45–61)	
★★	National Union of Students (NUS) (QQ 92–100)	ERA0015
★	Clare Oakley, Electoral Services Manager, London Borough of Camden (QQ 45–61)	
★★	Office for Students (QQ 92–100)	ERA0016
★	Stéphane Perrault, Chief Electoral Officer of Canada (QQ 159–168)	
★	The Rt Hon. the Lord Pickles (QQ 31–44)	
★★	Dr Christopher Prosser, Co–director of the British Election Study (QQ 101–110)	ERA0007
	Plymouth City Council	ERA0024
	Ellen Reid	ERA0029
	Kiron Reid	ERA0010
	Lord Rennard	ERA0035
★★	Conor Ryan, Director of External Relations, Office for Students (QQ 92–100)	ERA0016
★	Imran Sanaullah MBE, Chief Executive Officer, Patchwork Foundation (QQ 169–179)	
★	Michael Sani, Co–founder, Bite the Ballot (QQ 83–91)	
	Scottish Assessors Association	ERA0004
	Shout Out UK	ERA0011
	SOLACE	ERA0017
	Yvonne Sorensen	ERA0021
★★	Claire Sosienski Smith, Vice President for Higher Education, National Union of Students (QQ 92–100)	ERA0015
★★	Peter Stanyon, Chief Executive, Association of Electoral Administrators (AEA) (QQ 17–30)	ERA0003 ERA0022
★	Andrew Tiffin, Elections and Registration Manager, Hart District Council (QQ 45–61)	

⋆   Lindsay Tomlinson, Electoral Services Manager,
Allerdale Borough Council (QQ 62–72)

⋆   Lord Woolley of Woodford, Founder and Director,
Operation Black Vote (QQ 169–179)

David Wraith   ERA0020

APPENDIX 3: CALL FOR EVIDENCE

The House of Lords Select Committee on the Electoral Registration and Administration Act 2013 was appointed by the House on 13 June 2019. The remit of the Committee is to carry out post-legislative scrutiny of the Electoral Registration and Administration Act 2013 (ERA Act, the Act) and to make recommendations to the Government. The Committee is required to agree its report by the end of March 2020.

The ERA Act introduced individual registration, replacing the household registration system. In conjunction with this, it gave powers to Government to reform or abolish the annual canvass of electors. It also made a number of changes to electoral administration including, for example, the extension of the timetable for parliamentary elections, a requirement for additional notices of alteration to registers when an election is pending, and a power to reduce the fees of returning officers on grounds of inadequate performance.

The Committee is now issuing this Call for Evidence and hopes to gather as much evidence as possible on the operation of the Act as well as on the key issues and challenges in relation to electoral registration and administration.

A list of questions is set out below. Respondents who are able to answer all of the questions are welcome to do so. However there is no obligation to answer every question and the Committee welcomes evidence that addresses any of the subjects raised, even if you only feel able to respond to one of the questions on the list below.

The Committee encourages respondents to interpret the questions broadly and to provide as much information as possible that may be of use to its inquiry.

Diversity comes in many forms, and hearing a range of different perspectives means that Committees are better informed and can more effectively scrutinise public policy and legislation. Committees can undertake their role most effectively when they hear from a wide range of individuals, sectors or groups in society affected by a particular policy or piece of legislation. We encourage anyone with experience or expertise of an issue under investigation by a select committee to share their views with the committee, with the full knowledge that their views have value and are welcome.

This is a public call for written evidence to be submitted to the Committee. The deadline is 4pm on 9 September 2019.

Questions

Individual electoral registration

    (1)   Has the introduction of individual electoral registration been a positive development overall? Has it achieved its objectives, and how does it compare with the previous household registration system?

    (2)   How well was the transition to individual electoral registration managed? How might it have been done differently?

    (3)   What other steps are necessary to improve the electoral registration process, and to increase the accuracy and completeness of registers in particular? Has there been sufficient Government focus on completeness of registers?

(4)   What other non-legislative measures might be necessary to encourage registration among groups that may be harder to reach? What are the main obstacles in this respect?

Groups that may be harder to reach may include: students, BAME groups, attainers, frequent home movers, British citizens living abroad, people with long term health conditions, disabled people, and Commonwealth and EU Nationals, among others.

Electoral fraud

(5)   Has the Act been an effective measure in its stated intention of tackling electoral fraud? How has the implementation of the Act addressed offences such as personation and duplicate voting, and do further steps need to be taken to tackle these?

(6)   How widespread are other voting fraud offences, such as postal vote fraud, in UK elections? What measures are needed to address these?

Annual canvass

(7)   Is the annual canvass fit for purpose? What are its main strengths and weaknesses?

(8)   Are the Government's plans to reform the annual canvass the right approach? To what extent are measures such as data matching a viable alternative to the full canvass?

(9)   What has been the impact of introducing online registration? What challenges has this created for electoral administration?

Electoral administration

(10)   Do you think that elections in the United Kingdom are currently well managed and regulated overall? If not, why not?

(11)   Sections 14–23 of the Act made a range of changes to electoral administration. What has been the impact of these changes? Do any of them merit reconsideration or revision?

Changes set out in Sections 14–23 included:

- Extending the Parliamentary election timetable from 17 to 25 days
- Enabling parish and community council elections to be held on the same day as a combined local and parliamentary election
- Providing for the publication of two additional notices of alteration to the electoral register during an election period
- Allowing the Secretary of State to reduce a returning officer's fee for reason of poor performance, on the recommendation of the Electoral Commission
- Allowing voters queueing at polling stations at close of poll to be issued with ballot papers
- Requiring EROs to inform voters when their postal ballot paper has been rejected
- Repealing legislation to establish a coordinated online record of electors

(12) What other measures may be necessary to ensure that electoral administration is fit for purpose and that administrators are able to fulfil their roles effectively?

Other matters

(13) What is your view of the Government's proposals to require people to bring personal identification when casting a vote?

(14) Is the Act (or any of its provisions) having unintended consequences? If so, what are these?

APPENDIX 4: FURTHER CALL FOR EVIDENCE

The House of Lords Select Committee on the Electoral Registration and Administration Act 2013 was appointed to carry out post-legislative scrutiny of the Act and to make recommendations to the Government. Following the 2019 UK Parliamentary election, the Committee has recently been reappointed and is required to agree its report by 23 June 2020.

The individual electoral registration system introduced by the Act, along with the ability to register online, has changed the way people register to vote and led to an "event-driven" registration cycle, with significant increases in applications to register during major election periods.

Since the Act was first implemented there have been a higher than usual number of major elections. These have included the UK Parliamentary elections in 2015, 2017 and 2019, as well as the 2016 EU referendum. While these elections have led to increases in registration levels, they have also meant increased work pressures for electoral administrators. The Committee published an initial call for evidence last year; following the recent Parliamentary election, the Committee is now issuing a further call for evidence to explore the key issues and challenges arising from this election in relation to electoral registration and administration.

A list of questions is set out below. Respondents who are able to answer all of the questions are welcome to do so. However, there is no obligation to answer every question and the Committee welcomes evidence that addresses any of the subjects raised, even if you only feel able to respond to one of the questions on the list below.

The Committee encourages respondents to interpret the questions broadly and to provide as much information as possible that may be of use to its inquiry. The Committee is particularly keen to hear from electoral administrators and others who were closely involved in the 2019 UK Parliamentary election, but the call for evidence is open to everyone with an interest in the inquiry and alternative perspectives are also very welcome.

Diversity comes in many forms and hearing a range of different perspectives means that committees are better informed and can more effectively scrutinise public policy and legislation. Committees can undertake their role most effectively when they hear from a wide range of individuals, sectors or groups in society affected by a particular policy or piece of legislation. We encourage anyone with experience or expertise of an issue under investigation by a select committee to share their views with the committee, with the full knowledge that their views have value and are welcome.

This is a further call for written evidence to be submitted to the Committee. The deadline is 4pm on Wednesday 4 March 2020.

Questions

Electoral administration of the 2019 UK General Election

(1)   Do you think the 2019 UK General Election was well run? What were the key issues with regard to registration and administration at the election?

(2)   Do you have concerns about voting fraud or related offences taking place during the 2019 UK General Election? What new measures are needed to tackle these, if any?

Electoral registration

(3)   There were again a significant number of registration applications during the election period, as well as high levels of postal and proxy voting. What issues does this create for the electoral process?

(4)   What further changes might be needed to improve the registration process for voters and administrators? Are there examples of good practice in supporting and facilitating new registrations, and of improving the overall accuracy of registers?

(5)   In the light of the 2019 UK General Election and other recent electoral events, has the individual registration process met its objectives successfully? Is there a case for further reform or modernisation to improve the quality of registers?

Public engagement

(6)   What were the main challenges around raising public awareness and encouraging eligible electors to register ahead of the 2019 UK General Election? How might these challenges be addressed?

APPENDIX 5: A SHORT HISTORY OF ELECTORAL REGISTRATION

Electoral registers were first introduced in the UK after 1832, when the duty to register electors was given to parish officers who oversaw the poor laws.[341] Following the significant extension of the franchise after the First World War, the Representation of the People Act 1918 introduced an annual canvass for the first time, with administrators going door-to-door to check for eligible electors.[342]

This system remained largely unchanged until the early 2000s, when the then Labour government began initiating reforms, initially focused on increasing electoral participation. The first of these was the Representation of the People Act 2000 which replaced the periodic system of registration with a 'rolling' register that could be updated year-round.[343] This legislation also introduced postal voting on demand and enabled Local Authorities to apply to pilot different methods of voting in local elections, including all-postal ballots and early voting.[344]

The piloted reforms were ultimately not adopted and following a number of incidences of postal voting fraud, debate on administrative reforms began to turn towards the security of voting.

The household registration system was increasingly perceived as outdated and insecure by the 2000s, and reports by the Electoral Commission (in 2003 and 2005), the House of Commons Committee on the Office of the Deputy Prime Minister (2004) and the Organisation for Security and Cooperation in Europe (OSCE) (2005) all recommended a move to IER.[345]

IER had already been introduced in Northern Ireland via the Electoral Fraud (Northern Ireland) Act 2002, accompanied by requirements for verification of new register entries. This Act also introduced a requirement for mandatory identification at polling stations. This requirement, known as voter ID, is now being proposed by the Government to be extended to Great Britain and is discussed in further detail in Chapter 5. The 2002 Act also abolished the annual canvass, replacing it with a system of rolling registration.[346]

The next phase of reforms in Great Britain were brought forward in the Electoral Administration Act 2006. The measures in this Act included provisions to improve security, increase participation, and reforms to the conduct of elections and the regulation of political parties. Key measures included:

- Establishing a legal framework for a Coordinated Online Register of Electors (CORE);

- A statutory obligation on returning officers to conduct a canvass;

- Making registration fraud a specific offence;

- Performance standards for Local Authority staff to maximise registration; and

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341   Toby S James and Paul Bernal (2020) *Is it time for Automatic Voter Registration in the UK?* Joseph Rowntree Reform Trust, York: https://www.jrrt.org.uk/wp-content/uploads/2020/04/Is_it_time_for_AVR_in_the_UK.pdf [accessed 20 May 2020]

342   *Ibid.*

343   *Ibid.*

344   Toby S. James, *Elite Statecraft and Election Administration* (London: Palgrave, 2012) Chapter 5

345   *Ibid.*

346   House of Commons Library, *Individual Electoral Registration in Northern Ireland,* Standard Note, SN/PC/06501, 10 December 2012

- Provision for signature and date of birth checks on postal vote applications.[347]

Further electoral modernisation pilots took place in the 2007 local elections, including for electronic voting in a number of locations. However, there continued to be a focus on IER as a necessary reform to improve the security of the ballot and the integrity of elections. A 2008 report by the Joseph Rowntree Reform Trust[348] on this subject concluded "there is widespread, and justifiable, concern about the comprehensiveness and accuracy of the UK's electoral registers".

A 2008 report from the Council of Europe also found that the UK's vulnerability to fraud was the result of the "rather arcane system of voter registration without personal identifiers".[349] Similar views were expressed in a 2007 report by the Electoral Commission which argued that the Electoral Fraud (Northern Ireland) Act 2002 had improved confidence in the system in Northern Ireland, and that lessons could be drawn in introducing individual registration for the remainder of the United Kingdom.

The Government ultimately accepted the case for the introduction of IER and provided for its phased and voluntary introduction in the Political Parties and Elections Act 2009. The Act intended that, from July 2010, it would be possible for individuals to register using their signature, date of birth and national insurance number as verification. This voluntary system would be reviewed by the Electoral Commission every year until 2014, in particular to ensure that completeness was not affected by the system. The Electoral Commission would then have been required to produce a report on whether the system should become mandatory from July 2015.[350]

Following the 2010 General Election, the new coalition Programme for Government included a commitment to "reduce electoral fraud by speeding up the implementation of individual voter registration".[351] In June 2011, Deputy Prime Minister Nick Clegg published a White Paper and draft legislation[352] setting out how this commitment would be implemented. Key changes from the existing legislation included:

- Speeding the implementation of individual registration to 2014, ahead of the scheduled 2015 UK Parliamentary election;

- Dropping the voluntary phase of implementation, but introducing a transition phase with voting records carried over from household registers for the 2015 election; and

- Requiring all new electors to be registered under the new system for the 2015 election.

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347   Explanatory Notes to the Electoral Administration Act 2006
348   Stuart Wilks-Heeg (2008) *Purity of Elections in the UK: Causes for Concern*, Joseph Rowntree Reform Trust, York: http://www.jrrt.org.uk/wp-content/uploads/2019/06/Purity-of-Elections-in-the-UK-2008.pdf [accessed 21 May 2020]
349   Parliamentary Assembly of the Council of Europe, *Application to initiate a monitoring procedure to investigate electoral fraud in the United Kingdom*, 2008, p 1 http://www.assembly.coe.int/CommitteeDocs/2008/electoral_fraud_UK_E.pdf [accessed 21 May 2020]
350   Explanatory Notes to Political Parties and Elections Act 2009
351   HM Government, *The Coalition: our programme for government* (May 2010): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/78977/coalition_programme_for_government.pdf [accessed 21 May 2020]
352   HM Government, Individual Electoral Registration, Cm 8108, June 2011: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/61282/individual-electoral-reform.pdf

The White Paper also indicated that the legislation would enable trialling of alternatives to the annual canvass, with the option of abolishing the canvass if these were deemed to be successful. Noting that the household registration system was over 100 years old and that Britain was almost alone in retaining this system, the White Paper added that it would introduce a framework to help make registration "easier, more convenient and more efficient, opening the way for other methods of registration such as by telephone or online",[353] with the intention of improving completeness of registers.

The White Paper also stated that, in the Government's view, joining the register was an act of "personal choice" and that it would not therefore be compulsory to respond to a request to complete an IER application form.[354]

Following the publication of the White Paper, the Government published two further sets of draft legislation with provisions in the field of electoral administration, including proposals to extend the Parliamentary election timetable. The Government also undertook pilots of data-matching exercises, enabling the verification of details of voters who had not registered under the new system so that they could be transferred to post-IER registers and would avoid losing their eligibility to vote for the 2015 Parliamentary election.[355]

The draft legislation was subject to pre-legislative scrutiny by the House of Commons Political and Constitutional Reform Committee (PCRC).[356] The report of the Committee expressed concern at the preference in the White Paper for registration to be a purely voluntary act, arguing that "registering to vote has always been seen as a civic duty, and should continue to be so". It noted that, under the IER system already in place in Northern Ireland, it remains a criminal offence not to complete a registration form when requested to do so, and there was no reason for there to be inconsistency on this matter between Northern Ireland and the rest of the UK.[357]

The PCRC report welcomed some of the proposed administrative reforms put forward in draft legislation but questioned why other reform proposals recently suggested by the Electoral Commission had not also been brought forward. These included allowing eligible electors in the queue at the close of poll to be given a ballot paper, and powers to request a fresh identifying signature from those voting by post.[358]

The Government's response to the PCRC report was published in February 2012.[359] Changes proposed to the draft legislation included:

- The data matching exercise during transition would automatically transfer voters to the new IER registers if their details could be verified, requiring no separate application to register;

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353 *Ibid.*

354 *Ibid.*

355 Political and Constitutional Reform Committee, *Individual Electoral Registration and Electoral Administration* (Tenth Report, Session 2010–12, HC Paper 1463)

356 *Ibid.*

357 *Ibid.*

358 *Ibid.*

359 HM Government, Government Response to pre-legislative scrutiny and public consultation on Individual Electoral Registration and amendments to Electoral Administration law, Cm 8245, February 2012: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/78881/Govt_Response_to_pre-legislative_scrutiny_public_consultation_IER.pdf [accessed 21 May 2020]

- Removing the option to 'opt out' of registering on receipt of an invitation to register; and

- Considering whether to introduce a civil penalty for failing to respond to an invitation to register.

The Government was clear throughout the development of the legislation that it was aiming to improve both accuracy and completeness; the then-Cabinet Office Minister Mark Harper MP told the PCRC that "the Government is very clear… that we are as focused on completeness of the register as we are on accuracy, and that remains the case".[360]

The Electoral Registration and Administration Bill received its first reading in the House of Commons on 10 May 2012 and passed at third reading on 27 June 2012. It then passed to the House of Lords where it received its first reading on 28 June 2012. After some delays to the passage of the bill, it was ultimately passed by the House of Lords on 23 January 2013 with amendments including a measure to postpone the scheduled Parliamentary boundary review from 2013 to 2018. The Commons subsequently approved this amendment and the Bill received Royal Assent on 31 January 2013.

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360 Oral Evidence taken before the Political and Constitutional Reform Committee, inquiry on Individual Electoral Registration and Electoral Administration, 13 October 2011 (Session 2010–12) (QQ 219–287) (Mark Harper MP, Minister for Political and Constitutional Reform)

APPENDIX 6: CONTENTS OF THE ACT

The Electoral Registration and Administration Act 2013 consists of three parts. Part 1 provides for the introduction of individual registration and reforms to the annual canvass. Part 2 introduces a range of changes to the administration of elections. Part 3 makes financial provisions to implement the Act and makes provisions for its commencement.

Many of the Act's provisions are enabling measures to be implemented by secondary legislation. The Government's post-legislative memorandum, submitted to the Committee and published as a Command Paper in March 2020, sets out in full the secondary legislation that was passed under the provisions of the Act to enable its implementation.[361]

Part 1: Individual electoral registration and reform of the annual canvass

Section 1 amends the Representation of the People Act 1983 to set out the circumstances in which an entry may be added to the register by an Electoral Registration Officer (ERO), facilitating the new IER system. It states that the ERO must be satisfied that the applicant is entitled to be registered and that the application is made by that person. It also stipulates that EROs must have regard to guidance from the Minister in determining applications to register. This stipulation ends five years after coming into force, on the assumption that the system will have been sufficiently well established for the guidance no longer to be necessary.

Section 2 amends the 1983 Act to enable regulations to be made to establish a system of verification for applicants to register and register entries. This includes a requirement to provide evidence of eligibility and to enable the specification of the form and content of applications and declarations.

Section 3 amends Schedule 4 to the Representation of the People Act to require proxy voters themselves to be registered if they are to vote on behalf of another elector at a local or Parliamentary election.

Section 4 maintains a requirement to hold an annual canvass, but with some changes from the current requirement. The canvass is to be conducted in a manner set out in regulations.

Section 5 inserts a new section into the 1983 Act requiring EROs in Great Britain to give invitations to register to unregistered persons of whom they are aware. This is accompanied by provision for regulations on the form, documentation, content and frequency of invitations sent. It also enables regulations to permit an ERO to make a requirement to register by a specified deadline, and to impose a civil penalty if the requirement is not complied with by the eligible voter.

Section 6 delayed the review of Parliamentary constituencies from 2013 to 2018.[362]

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361 HM Government, Post-legislative Scrutiny of the Electoral Registration and Administration Act 2013 Memorandum to the Lords Electoral Registration and Administration Act 2013 Committee, CP 237, March 2020: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/873703/Post-legislative_Assessment_of_the_Electoral_Registration_and_Administration_Act_2013.PDF [accessed 21 May 2020]

362 We have not considered this specific measure in our report as it was a time-limited provision without direct consequences for the other measures in the Act. We have, however, considered the impact of the registration system on the boundary review process more broadly.

Section 7 gives the Minister the power to amend or abolish the annual canvass, and to reinstate it after its abolition. It also gives them the power to make an order to put in place alternative arrangements for determining the names of people in their area who are entitled to be registered but are not registered.

Section 8 requires the Electoral Commission to prepare a report if the Minister consults it on a proposal under Section 7. Section 9 enables the creation of pilot schemes on changes to the annual canvass, if proposed by a local ERO. It also requires the Electoral Commission to prepare a report on any such pilot.

Section 10 enables the Minister to pilot any changes to registration provisions. Section 11 requires any orders made under Part 1 to be approved by Parliament before they are made. Sections 12 provides for interpretation of Part 1 including the definition of terms used, and Section 13 introduces Schedules 4 and 5, which contain amendments of legislation and transitional provisions.

Part 2: Administration and conduct of elections etc

Section 14 amends the Fixed-Term Parliaments Act 2011 to extend the UK Parliamentary election timetable from 17 to 25 days, by requiring that Parliament be dissolved 25 days before the specified election date. It also makes related changes to the timetables for Parliamentary by elections and to deadlines for appointing polling and counting agents.

Section 15 changes the rules for scheduling of parish and town council elections, so that they are no longer postponed if they take place on a local election day when a Parliamentary or European election is also taking place.

Section 16 changes the rules for publication of notices of alteration of registers prior to an election. Prior to the Act, when an election was forthcoming there was a requirement to publish a notice of alteration on the 5th or 6th day before the poll. However, because postal ballots can only be sent to electors on the register, this risked voters being disenfranchised if they were only added to the register at this point. This section therefore requires an additional earlier notice of alteration to be published on the final day for delivery of nominations, normally the 19th day before the poll. A further notice of alteration is also required to be published at some date between the 19th day and the 6th day, the exact timing of which is at the discretion of the ERO.

Section 17 changes the rules for periodic reviews of polling places and districts. Prior to the Act, these were required to be reviewed every four years. The Act changed this cycle to five years, for consistency with the provisions of the Fixed Term Parliaments Act 2011.

Section 18 inserts a new section into the Representation of the People Act 2013 to enable the Secretary of State, on recommendation of the Electoral Commission, to reduce or withhold the fee of a returning officer for reasons of poor performance. It also sets out the factors to which the Commission must have regard in making any such recommendation.

Section 19 changes the rules for close of poll, to enable voters who are in a queue at close of poll to be issued with a ballot paper despite the closing time having passed.

Section 20 enables candidates who are standing on behalf of more than one party to request for the emblem of one of those parties to be included on the ballot

paper. This brings the rules into line with candidates standing for single parties, who may already choose to display an emblem.

Section 21 amends the rules dealing with admission to polling stations, meaning that PCSOs will have the same right to enter polling stations as police constables can currently. It also gives PCSOs the right to vote in polling stations other than their own if they are prevented from voting in their designated place by their employment on the day of the poll.

Section 22 amends the Representation of the People Act 2000 by enabling a requirement to notify people who have voted by post when their ballot has been rejected, along with associated provisions around the timeframe for such a notification and the way in which the information is communicated. This Section is intended to avoid situations where voters are unaware that their vote has been rejected and the reasons for this, so risking similar rejections at future polls.

Section 23 repeals Part 1 of the Electoral Administration Act 2006, concerning the establishment of a Co-ordinated Online Record of Electors (CORE). The Government announced on 21 July 2011 that it would not proceed with this project.

Part 3 and the remainder of the Act make technical provisions in relation to the extent, commencement and implementation of the Act. These are uncontroversial and have not been considered as part of the inquiry.

The implementation of the Act

Following the passing of the Act, the date for the introduction of IER and the beginning of the transition period was set as 10 June 2014 in England and Wales and 19 September 2014 in Scotland. The latter date was set to avoid a conflict with the Scottish independence referendum, which was held on 18 September 2014.

A number of Orders were made under provisions of the Act in order to facilitate the introduction of IER during and after the transition. These Orders are listed in full in the Government's post-legislative memorandum on the Act.[363]

Among other actions, the Government also laid Orders to enable the sharing of registers for the purpose of data matching, and to postpone the annual canvass from July to October 2013, thus running to February 2014 in England and to March 2014 in Scotland and Wales, rather than December 2013. This was justified on the basis that the registers produced under this canvass would be more accurate and complete at the point of transition to IER.[364]

A Confirmation Dry Run (CDR) was held in summer 2013, to match all register entries against data held by the Department for Work and Pensions. The Cabinet Office published an evaluation of the CDR in October 2013 which found that it had worked "better than expected" with an average match rate of 78 per cent and a median rate of 81 per cent.[365] The Electoral Commission made a similar finding, although it noted that match rates varied significantly between

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363 HM Government, Post-legislative Scrutiny of the Electoral Registration and Administration Act 2013 Memorandum to the Lords Electoral Registration and Administration Act 2013 Committee, CP 237, March 2020: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/873703/Post-legislative_Assessment_of_the_Electoral_Registration_and_Administration_Act_2013.PDF [accessed 20 May 2020]

364 *Ibid.*

365 House of Commons Library, Individual Electoral Registration, Briefing Paper, SN06764, 24 February 2016, p 10

areas. The Commission told the PCRC in early 2014 that there was no reason not to proceed on schedule.[366] The new IER system went live on 10 June 2014 and was accompanied by a national public awareness campaign conducted by the Electoral Commission.

In June 2015 the Electoral Commission published a report on progress in implementing IER in which it recommended that the end of transition should remain at December 2016 to minimise the risk of removing accurate entries from the register. The Government nonetheless decided to bring the date forward to December 2015, and in July 2015 laid an Order to this effect. This meant that from 1 December 2015 EROs were required to remove entries to the register where they had not had their entitlement to register confirmed or where they had not made a successful new application to register under IER. This date was set to coincide with the second 'new canvass' undertaken under IER.[367]

This decision attracted some debate at the time, in particular because the December 2015 register was to be used as the basis of the subsequent Parliamentary boundary review. In its post-legislative memorandum, the Government set out the reasons for bringing forward the end of transition:

> "Ensuring the registers were as accurate as possible for the December 2015 register was of particular importance, as this was due to be used for calculating the electoral quota for the Boundary Commissions' review of boundaries. Keeping inaccurate entries on the register would have skewed constituency data and would not have properly reflected the electorate for individual constituencies".[368]

The Government also stated that the AEA supported an early end to transition and that the Electoral Commission ultimately took the view that ending transition early had no notable effect on the completeness of registers and that it was likely to have improved their accuracy.[369]

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366 *Ibid.*
367 *[Post-legislative Scrutiny of the Electoral Registration and Administration Act 2013 Memorandum to the Lords Electoral Registration and Administration Act 2013 Committee](#)*
368 *Ibid.*
369 *Ibid.*

APPENDIX 7: BACKGROUND TO THE POST LEGISLATIVE SCRUTINY PROCESS

The task of the UK legislature is not simply to make law, but to determine whether major legislation it has enacted is having the effect it was designed to achieve. This is the purpose of the House of Lords' post-legislative scrutiny programme.

The principle that major legislation should routinely receive such scrutiny dates from a 2004 report by the House of Lords Constitution Committee, which noted that such scrutiny rarely took place and that, when it did so, it was usually in response to emergent problems with an Act. [370] A 2006 Law Commission report agreed and proposed a joint Parliamentary Committee on post-legislative scrutiny.

In 2008 the Government responded, stating that House of Commons Committees should decide whether to conduct such scrutiny and announcing a new requirement for Government to publish a post-legislative memorandum within three to five years of Royal Assent. This would include details of the implementation of the Act, relevant delegated legislation, and a preliminary assessment of how the Act had met its objectives.

The first House of Lords post-legislative scrutiny committee was appointed in the 2012–13 session to examine adoption legislation. In 2013–14, exceptionally, two post-legislative committees were appointed, and one has been appointed in each subsequent year.

Recent Acts to have been scrutinised by the House of Lords include the Natural Environment and Rural Communities Act 2006 (2017–18) and the Bribery Act 2010 (2018–19). The Electoral Registration and Administration Act 2013 is the first legislation passed under the 2010–15 Government to have been subject to post-legislative scrutiny by a House of Lords Committee.

At the inception of this Committee, no post-legislative memorandum had been prepared for the Electoral Registration and Administration Act 2013, so we requested that this be produced to help inform our inquiry. The memorandum was ultimately published as a command paper in March 2020, with draft versions having been shared with us earlier in our inquiry.

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370 Liaison Committee, *Review of House of Lords Investigative and Scrutiny Committees: towards a new thematic committee structure* (6th Report, Session 2017–19, HL Paper 398)

APPENDIX 8: NOTE OF POST-ELECTION SEMINAR WITH ELECTORAL REGISTRATION OFFICERS: TUESDAY 11 FEBRUARY 2020

On 11 February 2020 we held a seminar with Electoral Registration Officers in Westminster. The seminar was intended in particular to hear evidence and lessons learned on the running of the 2019 UK Parliamentary election, to help inform our inquiry and its conclusions. We also took the opportunity to ask attendees about wider issues in relation to electoral registration and administration. The discussion is summarised by theme below.

The attendees at the seminar were:

Susanna Benton, Leeds City Council

Julie Briggs, Chesterfield Borough Council

Frances Cleland, Test Valley Borough Council

George Cooper, London Borough of Haringey

Andrew Francis, South Cambridgeshire District Council

Rhys George, Cardiff City Council

Martin John, Oxford City Council

James Moran, Sheffield City Council

Kath Richards, Runnymede Borough Council

Andrew Smith, London Borough of Wandsworth

Pete Wildman, Scottish Assessors Association

Zoe Wilkins, London Borough of Hammersmith & Fulham

Electoral administration of the 2019 General Election

- How well was the election run?
- Key challenges including workload and resources
- Concerns about voting fraud and related offences, and how they might be tackled

George Cooper of the London Borough of Haringey said that the election was well run but only because of the hard work of election teams and others involved in its organisation. He described it as one of the hardest elections he has had to run, working every weekend and late hours. There were many duplicate registration applications, different 'customer expectations' of elections and differing requests in relation to how to vote. Frances Cleland of Test Valley Borough Council said that it was difficult to manage voters' expectations in terms of the assistance administrators were able to provide.

Kath Richards of Runnymede Borough Council agreed that in the digital era the expectation of electors was different–for example, some voters would leave registration to the last minute but not appreciate that it would take five more days for them to be formally added to the register, so for example voters living overseas

would expect to receive a postal vote automatically as soon as they had applied to register.

Andrew Francis of South Cambridgeshire District Council said that the greater visibility of Local Authorities through channels such as social media, combined with greater expectations of service, were challenging for administrators. There were also more allegations of corruption in the social media era.

When asked what could be done to ease the burdens for administrators, Andrew Smith of the London Borough of Wandsworth stated that timetables are too tight and the current system doesn't work for many electors, particularly overseas electors. He noted that the deadline for registering for overseas voters is the same as for everyone else (12 working days or 11 working days for postal votes). Andrew Francis agreed, and argued for better public information in relation to postal voting and for overseas voters, who should be advised to request a proxy vote as a first assumption.

Kath Richards said that, while extra staff were helpful, it was also important for the staff to know what they were doing, and training was itself time consuming for administrators. Pete Wildman of the Scottish Assessors Association agreed, and said that there were challenges for additional inexperienced staff taken on during elections, such as electoral management software.

Andrew Smith said that only two per cent of electors in his area lived overseas but they took up 25 per cent of resources. They had the capacity to recruit additional staff when an election was scheduled, but this was harder for an unscheduled election such as December 2019. He added that while many overseas voters took up the proxy voting option, there remained a number who thought that the postal voting was the only option available to them.

George Cooper said that elections place an additional burden on local taxpayers because registration costs have to be covered by Local Authorities. In his area he estimated that around 14,000 electors placed duplicate applications which the council had to process and which the Cabinet Office would not pay for. He estimated that the additional cost amounted to 20 per cent above the maximum recoverable rate that could be reclaimed for running the election, all of which was activity which would not be happening if the election had not been called. He added that there was an expectation among applicants that they would hear an immediate response to their application to register and when this did not happen, some would put in repeat applications.

Martin John of Oxford City Council stated that electoral fraud allegations involved 'lots of heat but not very much light'. There were often many allegations, often with nothing to them or nothing that could be proved. The police often also did not have the resources to pursue allegations.

Zoe Wilkins of the London Borough of Hammersmith and Fulham said that there was no way for administrators to determine how many people voted twice in a national election. Pete Wildman of the Scottish Assessors Association said that because administrators could not retain national insurance numbers on their database, it was harder to check for fraudulent applications. Martin John said that even under IER it was relatively easy for landlords to register people at residential addresses.

George Cooper said that abuse of proxy votes might be becoming more of an issue, particularly as emergency proxy applications were becoming more widespread. He

argued that the distinction between proxy votes and emergency proxy votes was 'increasingly a false one' and that there had been an increase in people falsely claiming to have been appointed as proxies. He also noted that there appeared to be an increase in cases of people attempting to vote by post and then also in person. Martin John added that in the case of proxy votes there was nothing to check a signature against, which reduced the security of the process.

Kath Richards said that around 200 postal votes in her area had been rejected because of an incorrect signature. She said there was a risk that older people might be at greater risk of having votes rejected because of imprecise signatures. She noted that in most of the electoral process people are taken at face value and this can cause risks. She had only had two personal experiences of fraud in 20 years and felt that some of the measures to tackle fraud were 'a sledgehammer to crack a nut'.

Andrew Smith said that he would not want to give the impression that there is a lot of fraud, and generally the system works quite well to counter fraud, though the current law on emergency proxies makes it a difficult system to administer.

Individual electoral registration

- Issues created by the high volume of online registration applications
- Issues created by the high levels of requests for postal and proxy voting
- How the registration process might be improved for administrators and examples of good practice
- Whether there is a case for further reform or modernisation to improve the registration process and the quality of registers

Andrew Francis said that the Electoral Commission and Government were very keen to promote a 'register to vote' agenda and did not want to muddy the message by making it more complicated in relation to duplicate registrations. He said that he did not want communications to put people off from registering, but it did need to get better. He added that, overall, the online registration process had been a major improvement for voters.

Kath Richards of Runnymede Borough Council said that the message on the registration website needs to be more precise. She noted that, for example, non-British EU citizens did not get the information they needed at the EU election. There should be more information without overload. Pete Wildman of the Scottish Assessors Association said that people also did not necessarily read all the information that was available.

Attendees agreed that an online lookup service would be a good way to reduce duplicate applications and ease workload for administrators. George Cooper of the London Borough of Haringey noted that such a system already worked in the Republic of Ireland. He said it was absurd, given the number of functions that could be carried out online, that such a service was not available, and that administrators should not have to waste their time fixing problems with the registration process. Pete Wildman noted that such a service would need to have real time information which may be a challenge and that it may not be possible to stop all duplicate applications.

Zoe Wilkins of the London Borough of Hammersmith and Fulham asked why there needed to be a five-day wait after a registration application was made before a voter was added to the register. She said that this was not used and is a barrier

to people being registered instantly. Martin John of Oxford City Council said that the five-day rule was unnecessary and a hangover from printed notices being published, and hinders both electors and administrators. Attendees also agreed that it would be beneficial for overseas voters.

Kath Richards said that there should be a message promoted online saying that if you have received a poll card you have registered. She argued that this would save many duplicates. James Moran of Sheffield City Council said that there should be stronger messaging with regard to people voting by post or proxy not needing to go online and re-register. Martin John also noted that people think postal vote applications mean they are registered to vote, and do not understand that there are two separate processes.

Zoe Wilkins said that the groups that faced particular issues with registration included young people who were more likely to move home frequently, non-English speakers and older people in care homes. She questioned whether care home residents would receive the correct information about registration. Administrators would often visit care homes themselves before a scheduled election, but would not have time to do this before a snap election. Julie Briggs of Chesterfield Borough Council said there were issues in some care homes where staff have completed forms and requested signature waivers. Andrew Francis said encouraging people in care homes to register was an issue everywhere and that he would periodically visit the homes to take steps to verify applicants.

Attendees went on to discuss the annual canvass and canvass reform proposals. Andrew Smith stated that it would formalise some activities that were already taking place with regard to targeting particular groups. Martin John said that the December election 'ruined' the annual canvass, as the canvass stopped as soon as the election was called. He added that the form is very big and too difficult to use.

Pete Wildman said that ultimately registration is a voluntary system. People who did not register for events such as the Scottish independence referendum will never register, and some people will still just choose not to. Kath Richards stated that it is usually the same properties every year that need to be canvassed. She noted that when the election comes around some of these people want to register or in other cases want credit, and blame the Local Authority if they are not registered.

Martin John also noted that it was now much more difficult to get people to answer the door, because people were less likely to answer the door unless they knew someone was coming to visit or they had a delivery coming. Zoe Wilkins also noted that it was harder to persuade people to register under the IER system because they were worried about identity theft owing to the requirement for a date of birth and National Insurance number. People do not understand why they need to give information to the council, especially if they don't even want to vote.

Attendees agreed there were no 'no go areas' for canvassers but Andrew Smith noted it was sometimes difficult to access some properties because of concierges. This was a particular issue in parts of Wandsworth Borough where apartment blocks with concierges dominated, such as the Battersea Nine Elms area. Andrew Francis also stated that there had been an increase in threats against canvassers in the last ten years, with people being threatened or calling the police. He described it as 'not a very pleasant job' and that it involved spending a lot of money on people who were quite disengaged with the electoral process.

Frances Cleland of Test Valley Borough Council said that she hoped it would be possible to match the vast majority of people and that they would subsequently be able to target others more effectively. Rhys George of Cardiff City Council said that the franchise extension for Welsh elections would pose additional challenges for managing the canvassing process, as there would be different franchises for Welsh elections and UK Parliamentary elections.

Andrew Francis stated that data sharing agreements were sometimes difficult to secure for district councils in two-tier areas, even though there were obligations in place. He cited data on attainers as a particular example of this. George Cooper agreed that data sharing was more straightforward where councils had unitary status and so more information was held within the same authority.

Frances Cleland said that some form of automatic registration would be helpful, though they would need to take care for example in the cases of anonymous people who are on registers. The numbers of anonymous people on registers are very small but there could be serious consequences if they became identified. She added that lots of people expect automatic registration to be in place already, and assume they are on registers already because they are known to Local Authorities.

Public engagement

- The main challenges around raising public awareness and encouraging eligible electors to register
- Experiences of working with community groups and civil service to promote registration

George Cooper of the London Borough of Haringey said that there were people missing from the registers but he did not think it was millions across the country. Effective public messaging can encourage people to register; he gave the example of Martin Lewis, the financial presenter, who encouraged people to register to gain access to credit. Pete Wildman of the Scottish Assessors Association said that the bigger challenge was to engage with voters outside election periods.

Andrew Francis of South Cambridgeshire District Council said he would be surprised if anyone had the resource to conduct effective public engagement. He noted that Local Authority election teams tended not to have the numbers to be able to do that sort of work. Rhys George said that public engagement work needed to be properly and continually funded and resourced, and properly thought through. He added that the Welsh Government was looking at educational resources and ways to amend the curriculum. Andrew Smith added that engagement work was not the natural skill set of elections staff, whose expertise was technical.

George Cooper said there had been effective work done in engaging with disability groups, such as on improving the accessibility of polling stations. In conducting this sort of engagement, election teams were able to improve their learning. Martin John of Oxford City Council said that it is possible to do lots of work for scheduled elections, such as schools outreach, but it is harder to do when there are no major elections scheduled as in 2020. Schools tend to be less interested if there is no election forthcoming.

Improving electoral integrity including voter ID and proposed changes to postal and proxy voting

- The potential impact of the measures being proposed by the Government, including voter ID and changes to postal and proxy voting

Martin John of Oxford City Council agreed with the proposition that, if a national ID card scheme had been in place, the introduction of compulsory ID at polling stations would be easier, simpler and cheaper. He said that the prospect of 30,000 students in Oxford who may not have a passport or driving licence with them requesting ID from the council 'fills me with dread'. Kath Richards of Runnymede Borough Council noted that it may be possible for these voters to use their student union card.

Rhys George of Cardiff City Council stated that there was potential for confusion in Wales in future as the Welsh Government was opposed to voter ID while the UK Government is supportive. This means that some elections in Wales in future will not require ID while others will, potentially causing confusion to voters.

With regard to promoting voter ID, Kath Richards said that there should be a national campaign to raise awareness of the new requirements. Martin John of Oxford City Council agreed, saying that the first voter ID election should not be a General Election and there should be a massive national publicity campaign, but that the Electoral Commission had rowed back on such campaigns in recent years.

Andrew Francis raised the concern that voter ID might be seen as a registration rather than election function and therefore the Cabinet Office may not fund the costs to Local Authorities. He noted more generally that Government are not fully funding administrative changes in the way they used to, and that this applies to all Government policy proposals, including the extension of the franchise to all voters living abroad.

Concluding remarks

Attendees were asked to conclude by suggesting what one reform they would most like to make to registration and administration. Responses included the abolition of additional reminder forms on the annual canvass, the introduction of a registration look-up tool, general reduction of bureaucracy, and tightening up the application process for postal and proxy votes. Differing views were expressed on the emergency proxy process, with some attendees arguing it should be streamlined and others arguing that the current procedures were appropriate.

APPENDIX 9: NOTE OF COMMITTEE VISIT TO THE LONDON BOROUGH OF TOWER HAMLETS: WEDNESDAY 26 FEBRUARY 2020

We visited the London Borough of Tower Hamlets on 26 February 2020 to learn more about the challenges of electoral registration and administration in an inner city Borough. Tower Hamlets also has particular experience of dealing with electoral offences, and we sought to learn more about how these have been addressed.

During our visit we met with:

Councillor Peter Golds, Conservative Group Leader

John Biggs, elected Mayor of Tower Hamlets (2015–present)

Will Tuckley, Chief Executive

Rob Curtis, Head of Electoral Services

Meeting with Councillor Peter Golds

Councillor Golds stated that his past experience of Tower Hamlets elections had been 'catastrophic and chaotic', but that since the successful election petition overturning the result of the 2014 Mayoral election there had been a 'dramatic change'. However, he added that we are still faced with an electoral process that is 120 years out of date, stuck in the 19th century rather than the digital age. He noted that there had been changes to the process but they were too late for what happened in 2014.

Cllr Golds described the policing of elections as deficient in too many areas, in particular with regard to a lack of training and a lack of resources. He said that the police were out of their depth on election law and had failed to properly investigate cases in the past. Police may attend polling stations to check for general disturbances but have no knowledge of the Representation of the People Act and may not have heard of it. He noted that delays to the count in 2014 meant that declarations in the European election were delayed across the continent.

Cllr Golds paid tribute to the currently serving officers in Tower Hamlets, stating that they had done lots of work on updating the counting system, but that the law still needed updating to take account of new problems. These included people being paid to vote and taking photos of their ballot as confirmation. These had been dealt with professionally by local staff but national law was not helpful.

Cllr Golds welcomed the change to IER, stating that the former household registration system was 'ridiculous' and that it was too easy to add fictitious or fraudulent names to the register. He said that Tower Hamlets has 'quite dramatically stopped' this process, by which the register increased by tens of thousands and then immediately afterwards contracted. He said that most of the people missing from registers are people asking why they should bother to vote, and IER helps to fulfil the principle of one elector one vote.

When asked what local and national measures he wished to see, Cllr Golds said that the ultimate priority should be rewriting and consolidating electoral law. He said that mandatory voter ID was essential, and was common elsewhere in the world, including in Ireland. At the recent European Parliament elections, most EU voters turned up with identification and expressed concern that they were just

handed a ballot paper without ID. The degree of trust present in elections in years past 'is very different in the complex world of the 2020s'. He added that it cleaned up the elections in Northern Ireland when voter ID was introduced. The principle of the secret ballot also needs stronger enforcement, to prevent incidences of 'family voting', for example when women had ballot papers taken and completed by other members of their family.

Cllr Golds said there was a problem with the police and failure to understand electoral law. He said that he lived in Tower Hamlets because he loved the community and want people to have the pride to vote and serve in their community. For some time Tower Hamlets had had no Chief Executive until the Council was required to make an appointment, at which point a head of paid service was appointed who declined to act as returning officer. Other officers were also removed. When Cllr Golds said that he had received vexatious complaints against him at this time for questioning the conduct of the council.

Cllr Golds said that the Electoral Commission would admit that they have relatively weak powers. They investigated electoral fraud in the borough at a by election in 2012, when Cllr Golds told us that there were significant numbers of fraudulent postal votes, but did not find a case for action. He said that he asked them to withdraw the report but that it was still available on their website.

One reform he proposed was to restrict the handling of postal votes. He said that postal vote laws could be tightened up easily but the priority should be to consolidate and tighten electoral law. We are still on a "catch up procedure" in relation to tackling electoral offences.

Meeting with Mayor John Biggs

Mayor Biggs told us that overall, elections in Tower Hamlets are efficiently run. There is a lot more interest in local elections than in other elections, which is a lot to do with the personalities of individuals. He said that the East End has a tradition of 'exciting elections' going back over 100 years, with notable people elected including George Galloway in 2005 and a Communist MP in 1945. Evidence of local electoral malpractice is mixed. Richard Mawrey's report into Tower Hamlets highlighted malpractice. It did not result in prosecutions but clearly highlighted issues.

Mayor Biggs said that it was possible to overestimate the confusion caused by IER. The electoral 'churn' in the borough is complex–while there was a transient population it was usually the same 20 per cent of the borough which changed each year. There was also a considerable settled population whose registration endured through the years. He did question whether resources were sufficient to manage electoral registration in inner urban areas.

He said that he would work with whatever was directed in terms of how elections were managed but that there were lots of things that could happen better. Postal voting may need more safeguards, but access to postal voting was important in principle because people have busy lives. The Electoral Commission has no enforcement powers. Political parties receive guidance on participation including the handling of postal votes, but there may need to be more support and training for polling station staff. Nurturing a culture of good behaviour is important.

Mayor Biggs said that personally he had no problem with voter ID but that the party may take a different view. He said that he would be against it in the absence of compulsory ID as he would be concerned about disenfranchisement.

He told us that he had no personal experience of fraud, but that elections had become quite unpleasant and personalised. There were anecdotes about personation but he did not think that it was a widespread practice. He did not perceive that there was a great surge of malpractice, and cautioned against escalation from rumours and anecdote to policy.

When asked about whether police powers and training were sufficient to deal with malpractice, he noted that there could be excitement at election days. A cordon around polling stations would be a good idea, and behaviour inside polling stations is important too. Police will be very nervous to be seen to be intruding into the democratic process other than on the instructions of someone else. They may also be reluctant to intervene if they do not understand the law. The priority should be making sure that people are able to exercise their vote.

With regard to electoral fraud, Mayor Biggs cautioned against being 'overly relaxed' and noted that 'most of us are fairly well behaved', but said there was a particular problem with individual egos in fairly closed communities. It was seen to mostly be about a particular minority community where status and power are a big deal. He said that people were moving on from this, but there may be more to be done in relation to civic education, work with schools and a citizenship process. There were cases of 'rogues' and postal vote harvesting, but he was not too sure what measures could address these issues.

Mayor Biggs described the electoral court process as a 'big big problem'. In the case of the overturned 2014 Mayoral election, the four petitioners were from different backgrounds and now face collective debts of over a million pounds because there is no public underwriting. He would agree that this is not satisfactory. We would want to avoid vexatious challenges, but also avoid personal liability for people doing the right thing.

He noted that the election court is a 'very specific beast', which found improper conduct in Tower Hamlets but which had never led to criminal or civil action. There needed to be consideration of whether the interplay between election courts and others is working.

He said that Tower Hamlets had always been a changing borough. In recent years it was less likely that refugees would reside in the borough because of the cost of housing. The East End is the most exciting place in the country, with people moving in with energy, excitement and ideas. Bangladeshi communities put others to shame in terms of the energy of communities. Politics in the borough has always been exciting.

He said that it is important to ensure inner city boroughs have the resources to keep registers complete and up to date in light of the rapid pace of demographic change. He would like to have the resource to canvass areas with a high turnover, particularly homes in the private rented sector where population change was particularly high. There was a role for public education in promoting electoral engagement, as well as social media.

While there was evidence of people harvesting postal votes on council estates, it was very difficult to prove that people had voted according to directions from others. He noted that in any community people will compare notes about what is the right thing to do, and in selection meetings people would focus on local issues. He said there was a need to be very careful about extending evidence to sweeping conclusions without a great deal of caution.

Meeting with Will Tuckley and Rob Curtis

Will Tuckley, Chief Executive of the Borough, told us that he arrived in 2015 following the re-run of the Mayoral election which resulted in John Biggs becoming Mayor. Rob Curtis was appointed in January 2018. Both had run elections in other authorities. Will Tuckley told us that he saw it as his job to restore integrity and confidence in the electoral process. There had been a considerable number of elections to run since 2016 and he had worked closely with the Electoral Commission and Cabinet Office in ensuring they were run with integrity. He said that the electoral process in the Borough was now robust but that they were not complacent.

Mr Tuckley said that IER was clearly a big change in how registration is done. Tower Hamlets has the fastest growing population in the country and is projected to continue to grow, with lots of population churn in the locality. The task of being the ERO is probably more arduous than it had been in the past. He added that is used to be much easier to fit registration around electoral events, whereas now the process continues for the whole of the year. They do all they can to make registration accessible, including advertising campaigns and work with schools on democracy and participation.

Rob Curtis showed us a spreadsheet of electoral data from the Borough. He noted that there were 73 different nationalities with the majority being British. There are a large number of residents of Bangladeshi heritage but who hold British passports. He had done a lot of work in relation to canvass reform and in securing single points of contact in residential homes and universities to promote and streamline registration. There was a communications plan for promoting registration and they worked closely with the AEA, Cabinet Office and Electoral Commission.

Mr Curtis told us that results from the annual canvass process vary between areas. He had previously worked in Runnymede, Surrey, where there is a consistent 96 per cent return of canvass forms, whereas in Tower Hamlets only 40 per cent of returns are received following the first canvass form dispatch. Following three additional stages, the final return is around 85 per cent. Knocking on doors is invaluable, although it is resource heavy. The introduction of canvass reform will help with this process.

Mr Tuckley said that there was a systematic process in conducting the annual canvass. There are many canvassers recruited to door knock, but residents often do not work regular hours and part of the challenge is to contact them when they were likely to be in.

When more than five people are registered in a property they receive a visit to confirm residence. The Borough has the second densest population in the country, and getting access to some properties is a key issue and one they are constantly grappling with. It is not easy or straightforward to deal with it.

Mr Curtis described registration funding as a 'thorny issue'. If they want extra money from Government to cover additional registration costs they need to submit a justification led bid. At the UK Parliamentary General Election in 2019 there were 12,000 registration applications received on deadline day alone, of which 6,000 were duplicates. The allocated funding did not reflect the resources needed to cover the registration costs incurred at this election. There were also around 6,000 new properties in the Borough that have been recorded as likely to receive residences, including redevelopments and new high rise apartments.

With increasingly restricted access into these new developments, securing residents' details is also a challenge. Mr Curtis also said that it was clear that the Council receiving 6,000 duplicate applications was 'an issue'.

Mr Curtis told us that people see a drive for electoral registration, either through the media or specific drives from the Commission and Tower Hamlets, and think that they need to apply again. Even if people receive a polling card, they are still not sure that they are on the register and apply again. This additional burden of registration obviously impinges on the administration trying to run an election.

On the issue of dealing with workload, Mr Curtis said a problem with the tight deadlines is that printers invariably want data very quickly once the timetables commence—this can be as soon as the very next day. The whole election infrastructure is subject to a very tight timetable and with no flexibility. It is not unusual for elections teams to work very late into the evenings and at weekends to get things done. He was not sure you could 'throw people at it' because election administration is complicated and if you were to train ten people they may not be present at the time of subsequent elections; this results in a new training requirement at every election. Staff also need training in updates to the many variations to the law when these happen.

Mr Tuckley said the Borough would always try to make sure there were sufficient resources to run the elections. This means the borough is sometimes funding electoral resources from council funds which may not be refunded by the Government. At election times, they would bring in other people from across the council. At the last election, they were concerned that the Government discouraged schools from offering facilities for elections, describing this as 'extraordinarily unhelpful'. There was a need to get messages out about people already being registered and not needing to register again. In this respect, clarity of messaging would be helpful.

Mr Curtis noted that there was now an expectation from the public of immediate responses to queries, including at weekends. On one Sunday afternoon before the election they were receiving 2,500 emails per hour, then follow ups asking why they had not responded. Mr Tuckley added that emails created additional demand and that social media was now also an issue. They and the police monitor social media for elections in their locality on a daily basis, and they make sure the police are on top of each issue they raise. Unhelpful rumours can undermine the whole process. With regard to the General Election, around 600 or more staff are formally recruited. Unfortunately the historical recruitment of bank tellers cannot be called upon any more because they do not exist.

With regard to other possible national changes, Mr Curtis noted that as an AEA accredited trainer he had assisted Pendle Council with their voter ID requirements; this enables Tower Hamlets to be at the forefront and to understand national initiatives. He said that voter ID had some merits but that others were concerned about disenfranchisement, and more work needed to be done.

One initiative the borough had undertaken was participating in the postal pilots in 2018. Essentially, this exercise checked over telephone that people had received postal votes and that the right people had returned them without interference. Mr Curtis said the feedback from this initiative was 'exceptional' and that almost everyone was happy they had phoned. Almost everyone had also confirmed that they had applied for, completed and sent back their postal votes.

Mr Tuckley said reforms to administration were 'a vital issue'. He asked whether there were changes to current arrangements which could make elections more straightforward, easier and navigable, but there was also a risk of adding further complication to an already complicated and elaborate system. He said that Tower Hamlets decided not to take part in the voter ID pilot because the design of the pilot was not clear and they were concerned it would add to the logistical difficulty of running the election. He would be worried about further complications to the current system, and noted that 'we still have a Victorian system with Victorian laws, trying to use it in the current context'.

In terms of the internal management of the running of elections, Mr Tuckley noted that they are a council wide responsibility via its General Purposes Committee. Staff will often go to the Committee to talk about issues such as registration and polling places, and brief the Mayor and group leaders. Feedback from political parties and agents is really important in relation to the running of elections.

Rob Curtis was asked about figures on reductions in the rejection of postal ballots. He said that the figure was quite consistent between local and parliamentary elections, and that signature issues were often problems such as husband and wife signing each others' forms getting them the wrong way around. The system of rejecting ballots is very labour intensive.

Mr Tuckley added that there has been a slightly higher rejection rate after registration surges which have led to a higher turnout.

Discussing the recent UK Parliamentary election, Mr Tuckley noted that the timetable was really tight and there were difficulties securing a counting venue, with a location outside the Borough nearby ultimately being used. Securing sufficient staff was also a challenge owing to the short timetable. Mr Curtis also explained that there were problems with the European Parliamentary election held earlier in the year, which was only confirmed in the UK on the deadline for EU citizens to apply to be registered, causing significant difficulties.

Mr Tuckley noted that there had been interventions in the Borough to stop the 'family voting' process whereby groups of people such as families gather around a single booth. The Electoral Commission supported them in these interventions. He added that the main issues encountered on the day were outside the polling places. Staff had to put tapes outside polling places as an exclusion zone. A police officer is stationed outside every polling place, although the jurisdiction of the officer is relatively limited. People are entitled to be on the street but they must not intimidate voters. Presiding officers received comprehensive training to deal with problems where appropriate, which is reviewed after every poll held.

With regard to relations with the police, Mr Tuckley said that the police had found the 2014 experience very difficult, and experienced issues with order and appropriate behaviour. They and the Borough have established procedures and processes in relation to electoral malpractice and fraud which are published regularly during elections and the relationship has been generally strong. The Tower Hamlets officers also liaise with other borough officers and sometimes they attend counts.

Mr Tuckley said that the priority for the organisation was towards Tower Hamlets elections being seen to have integrity and be robust. The London Mayoral and Assembly elections tend to be less controversial in the Borough. The major issue

for Mayoral and Assembly elections was the use of counting machines. The Council does not deal with nominations for the GLA.

With regard to maintaining and sharing good practice, Mr Tuckley said the borough did quite a lot of work with the Cabinet Office and Electoral Commission on electoral integrity. They also take part in the London Electoral Management Board, the AEA and SOLACE. Training and refresher programmes have also been found useful.

Mr Curtis added that there was now a huge network of people and organisations to seek assistance from. He explained that with the rules and procedures increasingly more complex, administrators tend no longer to refer directly to law books but are increasingly reliant on the Electoral Commission, the AEA and the Cabinet Office for advice and guidance.

With regard to pursuing investigations of malpractice, Mr Tuckley noted that he was not in the Borough for the 2014 elections but that where there were issues they could gather evidence and share it with the police. The police could help with information in relation to meeting the criminal burden of proof. Electoral law is anachronistic and issues around fraud need modernisation.

Mr Tuckley noted that the 2014 petition was taken out against the then returning officer. He said that a thorough investigatory job was done and he subsequently instituted a 'clear up team' of independent investigators to deal with issues that they felt had not been properly investigated or looked into. Some issues were looked at again and deemed to have insufficient evidence in support. On occasions there is a rational explanation for what is happening, and it is sometimes difficult to disprove rumours and conspiracy.

With regard to national reforms that could address malpractice, Mr Tuckley noted that they had given evidence to the Pickles review which he said they would stand by. Further steps had been taken in the intervening period to tackle fraud. He said that 'some measures are fairly modest, and add layers of further complication to what we already do'.

Mr Curtis said that there are issues that must be addressed with the electoral registration application process. He noted that incomplete applications could move automatically to a second stage with evidence of identity and residence required. Unfortunately, the ERO cannot check the evidence provided such as passport or photo driving licence and that this 'has to be a weakness' with the evidence, which may be a very high-quality fake document, having to be accepted on face value according to the legislation.

Mr Curtis said that this is an issue that has arisen since the introduction of IER in 2014, and whilst it is accepted that registers are more robust and accurate now, if evidence has been fraudulently produced, they do not have the authority or wherewithal to formally check it and verify its authenticity. When there are late registrations close to the deadline there is no time to check the legitimacy of documentary evidence in support of registrations, and this could be exploited.

APPENDIX 10: ACRONYMS AND ABBREVIATIONS

AEA	Association of Electoral Administrators
APPG	All Party Parliamentary Group
BAME	Black, Asian and Minority Ethnic
BYC	British Youth Council
CORE	Co-ordinated Online Record of Electors
CPS	Crown Prosecution Service
CNI	Critical National Infrastructure
DPP	Director of Public Prosecutions
DWP	Department for Work and Pensions
IER	Individual Electoral Registration
EMS	Electoral Management Software
EONI	The Electoral Office for Northern Ireland
ERA Act	The Electoral Registration and Administration Act 2013
ERO	Electoral Registration Officer
EU	European Union
FTE	Full time equivalent
HEF	Household Enquiry Form
ITR	Invitation to Register
LGBT	Lesbian, gay, bisexual and transgender
MP	Member of Parliament
NDW	National Democracy Week
NUS	National Union of Students
OfS	Office for Students
OSCE	Organisation for Security and Co-operation in Europe
PACAC	House of Commons Public Administration and Constitutional Affairs Committee
RQIA	Regulation and Quality Improvement Authority
SAA	Scottish Assessors Authority
SOLACE	Society of Local Authority Chief Executives