



Compulsory voting

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Authors: Isobel White

Ross Young

Parliament and Constitution Centre

The decrease in turnout at elections has led to calls for a debate about introducing compulsory voting in the United Kingdom. This Note examines the arguments for and against legislation to require voters to cast their votes and whether it is a citizen's duty, as well as a right, to vote.

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A. Background

In the 1930s the question of compulsory voting was the subject of debate in both press and Parliament. Files in the National Archives deal with a series of private members' bills on the subject, the first being in 1921.¹ A subsequent bill which was introduced on 24 March 1922 by Colonel Archer Shee proposed that failure to vote should be a crime.² The matter was the subject of a motion in the Lords on 17 March 1926.

Following low turnouts in parliamentary by elections in the 1930s³, there was a ten minute rule bill in 1934 (*Representation of the People (Disenfranchisement of Negligent Voters)* Bill by H G Williams) and a bill introduced by Sir Frank Sanderson in November 1937.⁴ A minute prepared by a Home Office official made clear that the Bill was to be blocked. An undated note in the National Archives file stated that 'the Secretary of State [Sir Samuel Hoare] was disposed to be favourable to the principle of this bill' and therefore an extensive memorandum dated 18 November 1937 was prepared to list the arguments against compulsory voting:

- The cost of enforcement would be high and the law on compulsory voting in the Netherlands was unenforceable.
- In some constituencies electors could only choose between Labour and Communists – not a full choice. In Czechoslovakia, where compulsory voting was in force, many Sudeten Germans apparently voted Communist purely as a protest against the Czech state.
- If we were to introduce a system of compulsory voting, it would strengthen the case for PR on the ground that some provision ought to be made for the representation of minorities' Australia used the Alternative Vote and compulsory voting had only been introduced there due to turnouts as low as 59.37 per cent.

The Home Secretary accepted the advice of officials and told the Cabinet that the *Annual Holiday Bill* would occupy the whole of that sitting, and if the bill were reached, the Parliamentary Under Secretary of State would make a long speech setting out the arguments; an early example of blocking a private member's bill. A motion in the House of Lords on 4 May 1938 also found no favour with the Government.

Sir Frank Sanderson made another attempt with a bill in May 1939⁵ but this was no more successful. By the time of the 1950 general election turnout was approaching 84 per cent, and the issue faded from the political debate.

Falling turnout in the 1997 election, 71.4 per cent compared with the 1992 turnout of 77.7 per cent, brought the question back to prominence. It was discussed in the Home Affairs

¹ HO 45/24045 *Compulsory Voting*

Bill 76 April 1921

² Bill 57

³ Home Office minutes noted that low turnouts in local elections were also common in the 1930, with figures as low as 30-40 per cent

⁴ Bill 32 1937

⁵ Bill 145 *Compulsory Voting Bill*

Select Committee report *Electoral Law and Administration*.⁶ The Committee's conclusions were as follows:

Compulsion

26. One issue raised in evidence was the possibility of making it compulsory to participate in elections. There is already a legal or civil obligation of this kind in a number of countries, including Australia, Belgium, Cyprus, Luxembourg, Italy and four of the eight provinces in Austria. Although it is often referred to as 'compulsory voting', the elector is compelled only to return a ballot paper. It can be left blank. Indeed some countries provide blank ballot papers for those who wish to register an abstention. There has never been a serious debate about compulsory participation in this country and it is difficult to know what the public reaction would be. Professor Blackburn expressed the view that it might be timely to consider the option seriously, given appropriate safeguards, and he was able to point to one opinion poll—the State of the Nation poll conducted by MORI for the Joseph Rowntree Reform Trust in 1991 — that showed that more people were in favour than against. Asked about their attitude to 'making voting compulsory', 49 per cent supported it and 41 per cent opposed it. Details from the poll show that it was not an issue for the 'chattering classes'. Professor Robert Worcester's figures show that the middle classes (AB voters) were on the whole against, but a clear majority of working class voters (C2 and DE) were in favour. There was no difference, however, between the political parties. Supporters of all three main parties were in favour by roughly equal margins. Professor Blackburn believed that a scheme could be made to work satisfactorily so long as it was introduced with cross-party support and without unduly harsh enforcement.

27. In its consultation document 'Modernising local government: local democracy and community leadership', the Department of Environment, Transport and the Regions said the Government was therefore "not inclined to pursue this option". However it did include compulsory voting as an option, albeit an 'extreme option', in its consultation document, leaving the door open for others to make the case. In his evidence the Parliamentary Under-Secretary George Howarth MP said the Government had "no plans" to consider compulsory voting, but he too added that he would not rule it out and "if there was an argument mounted we would have to consider it". The Labour Party made it even clearer in its own evidence that it did not rule out compulsory voting and would welcome a debate on the subject. "While Labour has never been in favour of the introduction of compulsory voting for national or local elections," it said, "we are not opposed to a more open debate on the issue and as such welcome its inclusion in the DETR's document". Compulsory voting is clearly not a part of this country's traditional approach to such matters but it is far from clear that with certain safeguards it could not obtain public support and it may be that the Select Committee would want to take a closer look at this issue." Both main opposition parties were opposed to compulsory voting. The Conservative Party Chairman Lord Parkinson opposed it on the grounds that "it is a democratic right, I believe, not to vote". He was less concerned about low turnout, arguing that "our system works pretty well and three-quarters of the people turn out. Actually we get quite a high turnout". Mr Chris Rennard said the Liberal Democrats were "concerned about low turnouts" but opposed compulsory voting because they would not like to see people fined for not voting. If, however, people were given an incentive to vote, such as £5 off their

⁶ HC 768 97/98

council tax, instead of a fine for not voting, he could "not see any reasonable objection to that".

28. Compulsory voting is normally discussed in the context of national parliamentary elections, but it would make far more difference in local elections - especially in areas where turnout is as low as 10 or 15 per cent - and would also raise far more difficult questions of enforcement. This may be why the Local Government Association says in its evidence that compulsory voting is "not generally supported by local authorities". SOLACE [Society of Local Authority Chief Executives] warns that "a significant number of dissenters might be expected [and] it would be necessary to consider the sanctions, policing methods and enforcement agency for non-compliance". The chief executives do not however come out against compulsory voting, regarding it as more of a political than a technical issue, and point out that, while the British ethos has been against compulsion until now, Australia "has had compulsory voting for some considerable time without particular problems".

29. Our view is that while it may not be desirable to have any form of compulsory voting we nevertheless consider that there should be a public debate over this, bearing in mind the much higher rate of voting in democracies where such a system exists.

A number of academics have supported compulsory voting, as a means of integrating the community. See for example the evidence of Professor Robert Blackburn to the Home Affairs Committee in 1998⁷ and his comments in his book *The Electoral System in Britain*.⁸ Blackburn suggests that the introduction of compulsory voting in the United Kingdom 'would be consistent with the legal compulsion in the first place to register one's name and address as a voter.'⁹ He discusses the traditional view of compulsory voting:

...first, that it is an infringement of civil liberty: that politics is essentially a voluntary exercise...and people should be left alone to decide for themselves how and whether to vote. In other words, a great many British people instinctively feel that there is something rather totalitarian about being forced to vote...Second, it is often argued that compulsory voting is unnecessary in Britain and as a principle of election law tends to be resorted to only in states with a weak democratic culture or fragile national identity. Third, it is sometimes said that compulsory voting produces a highly undesirable 'donkey vote'...A final reservation has been the alleged impracticality of enforcing such an obligation. This is a factor that has especially troubled those who might be expected to enforce it.¹⁰

Blackburn suggests that some of these arguments, when looked at closely, are rather weak. He points out that there are few practical problems attached to compulsory voting in Australia; that the 'donkey vote' argument is highly suspect and that draconian enforcement would not be likely. Blackburn suggests that the real issue is a constitutional one; whether it is a citizen's duty, as well as a right, to vote, and he says that there is 'is unquestionably a moral obligation to cast one's vote.' He concludes:

⁷ Q22-30

⁸ *The Electoral System in Britain*, St Martin's Press, 1995. p109-112

⁹ *ibid*, p109

¹⁰ *ibid*, p110

This question of compulsory voting, then, raises issues which are of great symbolic and practical importance. It is a proposal which the next Speaker's Conference on Election Law should consider far more seriously than it has in the past.¹¹

In *Votes for All: Compulsory Participation in Elections* by Tom Watson and Mark Tami, published by the Fabian Society in 2000, the authors examine the arguments for compulsory voting and report on how it functions elsewhere:

Compulsory voting as a response to low turnout is more common than is often realised. One study of 44 democracies found an element of compulsion in 13 (30 per cent). These were Argentina, Australia, Austria, Belgium, Brazil, Chile, Costa Rica, Ecuador, Greece, Mexico, Turkey, Uruguay and Venezuela.¹²

Watson and Tami point out that a number of studies indicate that wherever compulsory voting has been introduced turnout has been raised, particularly in those countries where there are penalties for not voting. Compulsory voting can therefore be seen as a 'cost-efficient institutional remedy to the problem of low turnout in advanced democracies. It raises turnout, and as a result, elections become more representative (in both a socio-economic and party political sense) and the elected become more legitimate.'¹³

Watson and Tami examine the main arguments against the introduction of compulsory voting in the United Kingdom. These are:

- It is not very British: compulsory voting is not part of the British democratic tradition and such a scheme may run counter to British political culture;
- It would be unpopular;
- It is wrong to force people to vote: in a free society one should have the right not to vote;
- There would be problems of enforcement; and
- Enforced participation is worse than no participation at all.

However, Watson and Tami conclude that 'the only way to guarantee high turnout is to transform that right [to vote] into a duty.'¹⁴

A poll for the Rowntree Reform Trust in October 2000¹⁵ found that 30 per cent of those polled agreed or tended to agree that compulsory voting should be introduced and 34 per cent strongly disagreed, with a further 15 per cent tending to disagree. This would indicate a substantial degree of opposition to the policy.

The 59.4 per cent turnout rate for the 2001 election brought a new urgency to the debate. There was a slight improvement in 2005 with turnout rising to 61.4 per cent. Library

¹¹ *ibid*, p112

¹² *Votes for All: Compulsory Participation in Elections*, by Tom Watson and Mark Tami. Fabian Society, 2000

¹³ *ibid*, p12

¹⁴ *ibid*, p19

¹⁵ State of the Nation England Questionnaire for the Joseph Rowntree Reform Trust October 2000. Available from <http://www.sunday-times.co.uk/news/pages/sti/2000/11/12/stateofnation2.html>

Research Paper 05/33 *General Election 2005* gives full details of turnout per constituency.¹⁶ Over time, turnout has fallen in different types of elections, national, European, and local. A variety of explanations have been offered, including complacency, disillusionment with the political process, disengagement from politics, and the first past the post voting system.

The British Election Study team at the University of Essex considered some of the determinants of turnout in their review of the 2005 general election using data from the 2005 survey. They found a number of important differences between social groups in patterns of turnout, many of which are well known. For example, younger people are less likely to vote than their older counterparts. Whereas only 45 per cent of 18-to-24 year olds are likely to vote, among the over-65s 87 per cent are likely to do so. The BES team also noticed that higher numbers of older voters take up the opportunity to vote by post, in part explaining their higher propensity to turn out. The BES study found little difference between men and women, either voting in person or by post. The 2005 survey found that non-white electors were slightly less likely to vote than their white counterparts – 56 per cent of black and minority ethnic electors reported having voted in 2005 compared to 68 per cent of white voters.

The British Election Study also found that manual workers and their families were significantly less likely to vote than voters from non-manual backgrounds – 57 per cent compared to 71 per cent. Among income “poor” respondents, only 49 per cent reported having voted compared to 68 per cent of those on higher incomes. Turnout among those with post-A level educational qualifications was 76 per cent compared to 63 per cent among the less qualified. Postal voting meant that turnout among disabled people was slightly higher (69 per cent) than among the non-disabled population (66 per cent).

Overall, the BES team concluded that the “effective British electorate is becoming progressively older, election by election”. A “life cycle effect” in which currently young non-voters would turn into voters as they became older had, itself, become more unlikely. Unless “remedial steps” are taken to counter-act the effects of abstention among the current under-45 population, the BES team contended, voter turnout “looks set to continue trending downwards in the future”.¹⁷

Mark Franklin has analysed turnout for different groups of individuals in 22 different countries and discussed a number of important variables, including number of elections, proportionality of the electoral system and socioeconomic status.¹⁸ He concludes that: ‘low turnout in the United States is partly due to the perceived lack of connection in that country between election outcomes and public policy...but the United States is the country in which citizens most frequently turn to non-electoral modes of political participation’.

In the European Union Belgium, Luxembourg and Greece have compulsory voting at present. Italy no longer has compulsory voting, according to the Inter-Parliamentary Union.¹⁹ There are a mixture of penalties available, principally fines. In the Commonwealth, Australia

¹⁶ <http://www.parliament.uk/commons/lib/research/rp2005/rp05-033.pdf>

¹⁷ David Sanders et al., *The 2005 General Election in Great Britain: a report for the Electoral Commission* (2005) available at <http://www.essex.ac.uk/bes/Papers/ec%20report%20final.pdf>

¹⁸ *Comparing Democracies* 1996 ed Lawrence LeDuc, Richard G Nixon and Pippa Norris

¹⁹ see entry for Italy via the IPU website www.ipu.org

has compulsory voting.²⁰ Other countries include Latin American states – Argentina, Uruguay, Brazil, Costa Rica, Ecuador and Venezuela. The table shows turnout rates in recent elections for selected countries with compulsory voting:

Turnout in selected countries with compulsory voting

Country	Date	Chamber	Valid votes	Spoilt papers	Total votes	Electorate	Valid votes as % of electorate	Total votes as % of electorate	poilt ballots as % of electorate
Australia	09/10/2004	House of Representatives	11,413,148	619,319	12,032,467	13,021,126	87.7%	92.4%	4.8%
Belgium	10/06/2007	Chambre des Representan	6,671,360	360,717	7,032,077	7,720,796	86.4%	91.1%	4.7%
Greece	16/09/2007	Vouli Ton Ellinon	7,159,817	...	7,355,684	9,921,343	72.2%	74.1%	...
Italy	09/04/2006	Camera dei Deputati	38,153,343	1,145,154	39,298,497	46,997,601	81.2%	83.6%	2.4%
Luxembourg	13/06/2004	Chambre des Deputes	188,664	11,182	199,846	217,979	86.6%	91.7%	5.1%

Source: Inter-Parliamentary Union

Clearly it is difficult to separate out the effect that compulsion has on turnout, as opposed to cultural and political factors.

In a number of states with compulsory voting, the law is not effectively enforced. Its existence as a statute seems to engender compliance. Voting is compulsory in Australia but in practice, as Scott Bennett notes in his study *Winning and Losing*, this means compulsory attendance at the polling station, since voters cannot be forced to complete a ballot paper. The provision is long-standing, dating from 1924, and in practice is accepted by the general public. It is welcomed by political parties, which do not have to use resources to persuade people to vote and it is notable that the major political parties enjoy continuing high support. The electoral system used in the Australian lower house is the Alternative Vote, and electors must complete all preferences for the vote to be valid. Bennett notes that ‘ a significant number of voters give their first preference vote to the top name on a House of Representatives ballot paper, and then complete their vote by simply voting down the ballot paper’.²¹ This is known as the donkey vote. There is a fine for non-attendance and if this is not paid the matter escalates into a court appearance. For a summary of compulsory voting systems and their sanctions see the Electoral Commission’s report *Compulsory voting around the world*.²²

B. Parliamentary developments since 2000

1. Private Member’s Bill 2001

On 27 November 2001 Gareth Thomas, MP for Harrow West, introduced a Private Member’s’ Bill, the *Compulsory Voting Bill* under the ten minute rule procedure. Mr Thomas said:

I believe that everyone has a responsibility to vote, to cast judgment on those of us who are elected to the House, on the parties that we represent and on our handling of the important national issues of the day and key local constituency concerns. Even if a guarantee could be given that turnout in parliamentary elections was set to rise

²⁰ S243 of the *Commonwealth Electoral Act 1918*

²¹ *Winning and Losing* p57

²² *Compulsory voting around the world*, Electoral Commission, June 2006. Available at http://www.electoralcommission.org.uk/files/dms/ECCompVotingfinal_22225-16484_E_N_S_W_.pdf

dramatically, the Bill would still be entirely justified, but the fact that the turnout on 7 June was the lowest since universal suffrage was introduced adds a particular urgency to the case for compulsory voting.

Elections are a test of opinion in the country. They are a way of holding politicians to account and legitimising our elected bodies. When the turnout is high, elections are more representative, the elected bodies more legitimate and politicians more accountable.

In addition, if rates of turnout are different between sections of the electorate—between different communities, or between those on different incomes—there must be a risk of political parties prioritising the concerns of those most likely to vote. We are not at that stage in this country—Labour Members are certainly not—but some commentators certainly believe that low turnouts in America have focused the collective minds of the parties on those who vote regularly and argue, in turn, that the sense of alienation from the political process has increased among marginalised groups.²³

Opposing the Bill, James Plaskitt, MP for Warwick and Leamington, argued:

Although he has raised a legitimate concern, he has identified entirely the wrong solution.

The freedoms of choice in a democracy must include the freedom not to choose. Some people might always wish a plague on all our houses and it would be wrong to force them to participate. Others might wish not to express their choice from time to time when they do not feel that the options available are good enough, and we cannot force them to participate. We need to avoid the arrogant assumption that whatever we and the political parties offer to the electorate at any time is obviously good enough for them to make a choice: sometimes, for some of them, it will not be.

My hon. Friend's Bill risks sending the unfortunate message to the electorate that we are saying, "We are offering you a choice. If you don't like it and it is not good enough for you, we are afraid that we shall still make you choose from among the options."

My hon. Friend suggests a way out in his proposal to allow space for a registered abstention on the ballot paper, but that is not a sufficient solution because an abstention expressed on the ballot paper may be no different from one recorded by staying at home.

My hon. Friend runs the risk of forcing many resentful voters to the ballot box. I fear that it would not be long before minority parties, extreme parties or fringe parties saw an opportunity to place themselves on the ballot and perhaps garner many votes that they would not otherwise have received from resentful voters who do not wish to be at the ballot box and who choose not to mark the abstention slot.²⁴

²³ HC Deb 27 November 2001 c860

²⁴ Ibid c862

2. Adjournment debate 21 June 2004

Compulsory voting was also the subject of an adjournment debate initiated by Huw Irranca-Davies on 21 June 2004. Responding to the debate, the then Parliamentary Under-Secretary of State for Constitutional Affairs, Chris Leslie said:

...the Government do not now favour the introduction of compulsory voting. There are obvious attractions to removing any worries about electoral turnout at a stroke, but although I sympathise with the laudable intentions expressed by my hon. Friend, we are not convinced that compulsory voting is the answer, or that its advantages would outweigh some of the possible disadvantages.

Of course it would be legally possible to require people to attend a polling station or to vote in some other way, such as by post. However, there can be no guarantee that they would mark their ballot papers properly, or make a reasonable choice between candidates. Ultimately, voting is a matter for the free will of the elector, and rightly so. Democratic engagement is a right, and perhaps a duty—but in a free society, it should be open to citizens not to take part if they do not wish to do so.

There is also the issue of enforcement. Criminalisation of non-attendance at a polling station would be a very big step to take in British civil society. The immediate reaction to an introduction of compulsory voting here might be that considerable numbers of electors would mark their ballot papers at random, deliberately spoil them, or actively refuse either to vote or to pay any imposed fine for non-attendance. Enforcement would be a mammoth task, perhaps disproportionate to the nature of the offence.

Quite apart from the burden that that could place on the courts and the prison system, such protests could cast doubt on the fairness and validity of elections and the electoral process. What would it say about the mandate if more people spoiled their votes than voted for a candidate?

I hear my hon. Friend's comment that one possible solution would be to have an abstention box added at the bottom of the ballot paper, but I am afraid that there are also problems with the "none of the above" option that he advocates. Democracy is about choosing a direction of travel for society, not about descending into a void of indecision. What if the number of votes in that abstention box were greater than that in any of the others? Would we re-run the election, and how many times could an election be re-run? Would we elect the next best candidate, who obviously had little support? Those questions are not easy to answer, so we remain unconvinced about that idea.

It remains the Government's view that persuasion, in terms of engaging people in the act of voting, is better than coercion. It is difficult to see how, in this day and age, compulsory voting could be practical or enforceable. Nor is it by any means clear that it would be desirable to compel the electorate in that way. By way of analogy, schoolchildren can be forced to read Shakespeare or Dickens, or to go cross-country running, but they certainly cannot be made to enjoy those things. The long-term answer lies in persuading the unconvinced of the merits of those activities, to engage their interest and perhaps even their enthusiasm.

Compulsory voting could not solve the problem that faces us: a lack of engagement in conventional politics. We should not be forcing people to vote but making them want to vote because they see it as good and important. Political parties and politicians from all sides have a key role to play in that. If we engage with voters, inform them,

interest them and show them that their views really count, they will turn out and participate.

My hon. Friend rightly raised the experience of other countries, and I understand that the independent Electoral Commission plans to review the literature on the international use of compulsory voting. We will be interested to see the results of that work, but there are a few obvious lessons to be learned from practice elsewhere.

First, compulsory voting is by no means widespread. In South America, three countries—Peru, Uruguay and Chile—have compulsory voting. Of course, Australia has famously had compulsory voting since the 1920s. In addition, three of our European neighbours use compulsory voting: Belgium, Luxembourg and Greece. Most commentators agree that although compulsory voting works well in Australia and regularly produces high turnouts, it would not be possible to introduce it there now had its people been voting voluntarily. There would be considerable public and political opposition. As for our European colleagues, turnout in Belgium and Luxembourg is, as my hon. Friend said, consistently high at around the 90 per cent. mark, including for the recent European elections. However, in those countries, as in Australia, the population tends to regard it as a civic duty to vote and is willing to be coerced. Conversely, however, in Greece, the recent election turnout was 62.8 per cent., despite compulsory voting, which is hardly a resounding endorsement of that system.

That helps to demonstrate that compulsory voting is possible where the population is willing to be coerced and where enforcement is effective, but the experience in Greece suggests that simply having a law in place is not enough. However, it will be interesting in due course to see the international facts and figures collated and marshalled by the Electoral Commission. I gather that it is due to report on that next spring.²⁵

3. Recent Parliamentary Questions

At oral questions on 5 July 2005, Harriet Harman, then Minister of State at the Department for Constitutional Affairs, was questioned by a number of MPs on the subject of compulsory voting:

Sir Patrick Cormack (South Staffordshire) (Con): Is there not a great deal to be said for considering the suggestion made by the Leader of the House yesterday in his very thoughtful speech of a move towards compulsory voting?

Ms Harman: For a start, we do not have any proposal on the table to introduce compulsory voting, backed up by criminal sanctions, but we must all think very hard about how we ensure that people are on the electoral register. A major problem is the near 3 million people who do not even get to the starting point because they are not on the electoral register. We must make absolutely sure that everyone is confident in the result of the election because it is free from fraud, but we must also ensure that people feel like turning out to vote, that they are committed to voting and that they vote. We need to address a range of issues—not just as the Government, but as

²⁵ HC Deb 21 June 2004 c1159. Available at <http://www.publications.parliament.uk/pa/cm200304/cmhansrd/vo040621/debtext/40621-28.htm>

individual politicians and members of political parties—although I am not sure that forcing people by law to go to the polls is the way to do that.²⁶

And again...

Mr. Oliver Heald (North-East Hertfordshire) (Con): But does the Minister agree with the Leader of the House that there should be compulsory voting and will she consult the public about that? In fact, will there be consultation before the Government make proposals on electoral systems? Surely it is contrary to liberty to force a person to vote. With turnout especially low in Labour constituencies, surely the onus is on the Government to raise their performance and give the people reasons to vote. At a time of rising violence, the police should be protecting the public from crime, rather than chasing non-voters and fining them £100 a time.

Ms Harman: As I have said, we have no plans to introduce compulsory voting. If we did have plans to do so, there would be full consultation. Since the hon. Gentleman asked, I personally do not think that compulsory voting is the way to increase turnout. It is not just the Government's responsibility to encourage people to turn out because if his party wants to get elected, it must encourage people to turn out to vote for it. We must all address the problem.

Mr. David Winnick (Walsall, North) (Lab): Has my right hon. and learned Friend noticed a massive campaign to change the voting system, because I have not? Will she bear it in mind that as far as compulsory voting is concerned, it is not an accurate description of what my right hon. Friend the Leader of the House proposed? No one would be forced to vote. It would simply be an obligation on the part of the citizen to vote, to abstain in person or to indicate beforehand that they have no intention to vote. The system is used in other democracies, such as Australia. Why not here?

Ms Harman: All of us who are in this place because of the electoral system have deeply held views about the voting system and what makes people turn out to vote. As I said, my preference is not to have compulsory voting backed by law. As for whether I have noticed a massive campaign to change the voting system, we do not necessarily have to wait for such a campaign before we have a sensible debate. We have to give acute attention to the voting system, the system for getting on the electoral register, how we tackle fraud, how we ensure that people have confidence in this House of Commons and what we as individuals do to ensure that that confidence is sustained. We do not need to wait for a massive campaign. A debate is going on and we listen to it.²⁷

These exchanges refer to the speech by Geoff Hoon, then Leader of the House of Commons, to the IPPR on 4 July 2005 in which he gave his thoughts on compulsory voting:²⁸

Evidence from around the world suggests that the countries with the highest turnouts in elections require their citizens to participate in democratic elections. We tend to call this "Compulsory Voting", but this is something of a misnomer given that all that is really required is attendance at a polling station. The topic has, of course, been considered before. Attempts were actually made to introduce it in Parliament in 1937.

²⁶ HC Deb 5 July 2005 c160-1

²⁷ HC Deb 5 July 2005 cc162-3

²⁸ <http://www.ippr.org.uk/events/archive.asp?id=1516&fID=44>

Winston Churchill supported the concept in a speech in 1948, calling it a “civic duty”. Two of my Parliamentary colleagues, Mark Tami and Tom Watson, wrote an excellent pamphlet for the Fabian Society making the case. And in 1998, the Home Affairs Select Committee looked at the issue, but felt the time was not right, but saying that “there should be a public debate”. That public debate never happened.

Following another General Election with a low turnout perhaps the time for this debate has now arrived. To me, and this is entirely my personal perspective, a higher turnout, will generate more political participation across all strands of society. A higher turnout is vital if we are to ensure a representative, healthy and vibrant democracy in our country. International experience points to Compulsory Voting being the most effective way to increase turnout. The most obvious way to bring those who feel alienated into the political process. The best means to enhance civic participation. To bring back the sense that we can all work together. To show that there is such a thing as society.

Matching the rights we cherish, with the responsibilities that bind us together. Surveys have suggested that an element of compulsion can increase turnout by around 10%. More recent evidence confirms the high turnouts in countries with compulsory voting. 92% turnout in recent elections in Australia. The same figure in recent elections in Belgium. A significantly better result than the 61% we manage to achieve in the UK.

When Compulsory Voting was abandoned in the Netherlands in 1970 turnout dropped by 10%.

In many ways, it is the logical extension of the legal demand we place on citizens to register to vote. And I believe it will make campaigning in election periods more healthy and more engaging. Ensuring that political parties must talk to everyone – not just the chattering classes or those who are likely to vote. Changing the debate, bringing new issues to the table. Putting the focus back on persuasion, not just mobilising people to vote. Breathing new life into our political process – and at the same time leading to higher levels of participation in other forms of political life. I know that there will be concerns.

Some will feel that low turnout does not matter. Some will suggest this is in some way “un-British”. Others will defend the right not to vote. But I am not advocating removing that right. All I am suggesting is that those registered to vote should have to apply for a postal vote or attend their local polling station on Election Day. The logical extension of requiring people to register. It is vital that there should be an option available to abstain or spoil your ballot paper. I know there will be concerns about enforcement. But experience in other countries suggests that only a small number of people would refuse to take part. In my view, any penalties should be modest and rather like the introduction of seat belt legislation, would only require one or two cases to be brought to encourage everyone to participate.²⁹

Bridget Prentice, Minister of State at the then Department for Constitutional Affairs, was asked about the subject by Ann McKechin in May 2006. She answered:

²⁹ *ibid*

Bridget Prentice: The Government have noted with interest the findings of the report just published by the Institute for Public Policy Research on this subject, and will wish to give them careful consideration.³⁰

For further details of the IPPR report to which she referred see below.³¹

C. Electoral Commission research into use of compulsory voting in other countries

The Electoral Commission examined the issue of compulsory voting as part of its work on ways of improving turnout at elections. Alan Beith, answering questions in the House of Commons on behalf of the Electoral Commission, announced this in February 2002:

Mr. Gareth R. Thomas (Harrow, West): If the Electoral Commission will review compulsory voting in parliamentary elections.

Mr. A. J. Beith (representing the Speaker's Committee on the Electoral Commission): I understand from the chairman of the Electoral Commission that it believes that there is merit in opening up the question of compulsory voting for wider debate and that it should be examined in more detail as one of a series of options that may help to contribute to higher rates of participation in elections.

Mr. Thomas: I am very grateful to the right hon. Gentleman for his response. Does he recognise that compulsory voting works perfectly well in Australia, Belgium and many other countries? Is it not time to recognise that compulsory voting, albeit with the opportunity to register an abstention, would not put an onerous burden on our citizens, as some would have us believe?

Mr. Beith: The hon. Gentleman must not infer from my reply any enthusiasm on my part for compulsory voting. The commission has decided, as the Select Committee on Home Affairs recommended, to open the matter up for debate, in which the hon. Gentleman has already participated extensively. One of the first steps is to look at the operation of compulsory voting in other countries.

Mr. Paul Goodman (Wycombe): Is it not fundamental in a free society that people should not be forced to the polling booths if they do not want to vote?

Mr. Beith: That is a view which a number of us hold, and I am sure that it will be one of the views that the Commission considers. In the end, of course, it would be a matter for legislation if compulsory voting were introduced.³²

Compulsory voting did not form part of the Commission's *Voting for change* initiative, published in May 2003.³³ However, the Commission commented:

³⁰ HC Deb 8 May 2006 c158W

³¹ Emily Keaney and Ben Rogers, *A citizen's duty: voter inequality and the case for compulsory turnout*, IPPR, May 2006, <http://www.ippr.org.uk/publicationsandreports/publication.asp?id=458>

³² HC Deb 25 February 2002 c437-8

³³ http://www.electoralcommission.org.uk/files/dms/Votingforchange_9916-7978_E_N_S_W_.pdf

The Electoral Commission recognises that compulsory voting would not in itself address the underlying causes of low turnout, and in particular the apparent lack of engagement between potential voters and politics. However, the Commission believes there is merit in opening up the question of compulsory voting for wider debate, and that it should be examined in more detail as one of a series of options which might help to contribute to higher rates of participation in elections. The Commission will be conducting research into international use of compulsory voting as an initial step.³⁴

This research was published as *Compulsory voting around the world*, in June 2006. In his foreword to the report, the Chairman of the Electoral Commission, Sam Younger, describes the aims of the research the Commission carried out:

The principal aim of this research was to provide factual information about how compulsory voting operates in different countries. This report analyses the historical background to the introduction of compulsory voting in several countries across the world (and its abolition in others). We have also looked at current legislation and enforcement, sought to identify common features of compulsory voting systems and reviewed academic studies into the impact of compulsory voting on turnout and political engagement. Finally, two important caveats. This report does not consider the merits or otherwise of compulsory voting for the UK, and the Commission makes no recommendation in this regard. Additionally, this report is not an exhaustive global survey, but aims instead to take an analytical approach to understanding the issues involved.³⁵

D. IPPR report

On 1 May 2006 the Institute for Public Policy Research published a report on compulsory voting, *A Citizen's Duty: Unequal Voting and the Case for Compulsory Turnout*. The press notice gave further details:

Ahead of this week's local elections, new research shows that as turnout continues to fall, 'turnout inequality' has also been on the rise. In a new report published today (Monday), the Institute for Public Policy Research (ippr) argues that only compulsory turnout can close the gap and restore the principle of universal suffrage. The idea is backed by two current Cabinet Ministers.

ippr's analysis shows turnout is in long-term decline and that the young and the poor are less and less likely to vote:

In the last two General Elections, the participation gap between manual and non manual workers more than doubled – from around 5 per cent in 1997 to around 11 per cent in 2005. In the 1960s there was a 7 point difference in turnout between the top quarter of earners and the bottom quarter of earners but this grew to around 13 points in 2005. It is no coincidence that the most deprived area in England contains the constituency with the lowest turnout - Liverpool Riverside had turnouts of 34 per cent in 2001 and 41 per cent in 2005.

³⁴ *Compulsory voting*, May 2003. Available at http://www.electoralcommission.org.uk/files/dms/Compulsory-Voting-2006-12_23820-6130_E_N_S_W_.pdf

³⁵ <http://www.electoralcommission.org.uk/templates/search/document.cfm/16484>

In the last General Election, young people (those aged 18-25) were only half as likely to vote as older citizens (those aged 65 and over). All the evidence suggests that young people are not picking up the voting habit as they get older. Rather than voting in higher numbers through the years, turnout among the first low turnout generation – the one that came to age in 1992 – has fallen with each subsequent election, and fallen faster than turnout among older generations. In 1992, 70 per cent of 20 year olds voted, but by 2001 turnout among the same generation, now in their late 30s, had fallen to less than 40 per cent.

Turnout of 59 per cent and 61 per cent of registered voters in the last two General Elections was the lowest since 1918, while local elections have seen a decline in turnout in London from 48 per cent in 1990 to 32 per cent in 2002.

Countries like Belgium and Australia have average turnouts of over 90 per cent in dozens of elections in recent decades and inequality of participation is almost eradicated when turnout is made obligatory.

Turnout inequality increased significantly when the Netherlands abolished compulsory turnout laws in 1970. Turnout for all social groups before abolition was over 90% but turnout after was as low as 66% for those with the lowest level of formal education.

ippr's analysis shows that other reforms – proportional representation, postal voting, weekend voting - only have a limited impact on increasing turnout and often the effects do not last during subsequent elections. ippr found that reforms like these often make it easier for people who already vote, rather than encouraging non voters to get the voting habit.

Ben Rogers, ippr associate director, said:

“Our political class need to face up to the fact that only voter duty can stop the haemorrhaging of turnout. But people also need to know that their votes will count. Compulsory turnout is not compulsory voting. Ballot papers can be spoiled or can contain options to vote for 'none of the above'. We are comfortable with compulsion in other walks of life, such as jury duty or the requirement to educate our children. Surely our democracy is valuable enough to deserve a similar level of backing.”

Rt Hon Geoff Hoon MP, Leader of the House, said:

“Falling turnouts should concern us all. Differential turnouts are even more disturbing. This report provides evidence that more and more young people and members of deprived communities - the very people who have most to gain from political decisions – are falling out of the habit of voting. This report convinces me more than ever than we must consider radical measures to renew our democracy. I personally support ippr's case for compulsory turnout, based strongly on international evidence, and I welcome their proposals on how we take the argument forward.”

Rt Hon Peter Hain MP, Secretary of State for Northern Ireland and Wales, said:

“This report initiates a long overdue debate on our electoral system in Britain and contributes to our wider programme of democratic reform and renewal. Bringing government closer to the people must remain a one of our key priorities. I particularly support the recommendation to design a voting system that regards participation in the democratic process as a civic duty, like jury service. In Australia and other countries, the civic duty to vote reconnects those who are distanced from the democratic and political process, producing consistently high turnouts without any

complaints whatsoever about infringing individual liberty. Issues of public participation and how to strengthen our democratic institutions will continue to shape political debate. This report is a valuable contribution.”³⁶

³⁶ <http://www.ippr.org.uk/pressreleases/archive.asp?id=2083&fID=173>
A Citizen's Duty: Unequal Voting and the Case for Compulsory Turnout is available at
<http://www.ippr.org.uk/publicationsandreports/publication.asp?id=458>