



Electoral Register

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This note looks at the present registration process, its security and proposals for change to the system.

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A. Electoral registration

At present registration is a combination of annual household registration and individual 'rolling' registration ie changes of personal details can be registered during the year on the initiative of the individual elector.

In England, Scotland and Wales an annual canvass form is sent to each household by the local council between September and November. The householder (or a named person) is required to complete and return the form on their own behalf and on behalf of anyone else who lives in the household and who is eligible to vote. The completed form must contain details of those resident and eligible to vote on a prescribed date, 15 October.

In February 2001 the *Representation of the People Regulations (England and Wales) 2001*, made under the *Representation of the People Act 2000*, introduced major changes to the system of electoral registration. Before that date, there was an annual qualifying date (15 October) for entry onto the register and people who moved accommodation between qualifying dates had to remain in their old area's register and vote there if an election was held. An annual register was published on 16 February each year. Background to the Government decision to move to a new 'rolling register' is contained in Library Research Paper 99/94 *The Representation of the People Bill*.¹

Since February 2001 the introduction of a rolling register has provided a voluntary means by which an individual can amend his or her registration details. To do this an individual needs to complete an application form and return it to their new Electoral Registration Officer. The applicant needs to state his previous address and the ERO is required to inform the previous ERO as soon as practicable. The previous ERO may take the applicant's name off the register at the old address, unless there is sufficient evidence for the applicant to be registered in two places at once. Applications can be for addition, deletion or amendment. If the application is made in the first half of the month the name is added to the register at the beginning of the following month. There is no monthly update during September, October or November during the annual canvass period when all households are required to register; changes notified during this period are added to the register when it is published on 1 December. Library Standard Note no 3363 *Registering to Vote-deadlines* gives the latest date to register in each month of 2005.²

B. The registration rate

The term 'registration rate' should be defined as the electorate registered each February as a percentage of the voting age population. Not everyone resident in a constituency will qualify to vote and so the calculation will necessarily be inexact. For example, some will be non British Commonwealth or EU residents, who do not have the right to vote. Others will be students who may be registered to vote in a different area. The Government Actuary's Department principal 2003-based projections suggest the voting age resident population of GB in mid-2005 will be 45,593,000.

¹ <http://hcl1.hclibrary.parliament.uk/rp99/rp99-094.pdf>

² <http://hcl1.hclibrary.parliament.uk/notes/pcc/snpc-03363.pdf>

The 1 December 2004 GB parliamentary electorate recently published by ONS (*UK Electoral Statistics 2004*) was 43,135,000. This implies a 'registration rate' of 94.6%. The local electorate was 43,602,000, a rate of 95.6%. These rates will tend to increase with an expanding voting age population (the mid-2004 projection is 45,308,000) and as people register in time for the election. Projections per constituency are set out in a recent deposited paper.³

C. Managing the register

At present current practice in maintaining electoral registers is determined locally and there are no mandatory national standards for maintaining information on the register. In January 2004 the Government launched a new project, CORE (Co-ordinated Online Register of Electors), to standardise local electronic electoral registers across the country and make them fully interoperable regardless of the local system in use. CORE aims to make the electoral registration process easier, accurate, secure and cost effective and is an intrinsic part of the government's electoral modernisation agenda. Nick Raynsford, Minister for Local and Regional Government, announced the project in a written ministerial statement on 15 January 2004:

As the Government reaffirmed in its White Paper Response—"The Government's Response to the Electoral Commission's report: The Shape of Elections to Come—A Strategic Evaluation of the 2003 Electoral Pilot Schemes" (CM5975)—we are committed to developing multi-channelled, e-enabled elections, culminating in an e-enabled general election sometime after 2006. As a further step to achieving this goal we are today, in partnership with the Department for Constitutional Affairs including the Scotland Office, launching a new project to modernise the electoral registration process in Great Britain and which will lead to the registration infrastructure that can underpin multi-channelled, e-enabled elections.

This project—CORE (Co-ordinated Online Register of Electors)—will be in two phases. The first will standardise local electronic electoral registers across the country and make them fully interoperable regardless of the local system in use. The second phase will allow authorised users to access local registration data centrally and will support a multi-channelled, e-enabled general election. The project replaces the earlier proposed LASER project to modernise the registration process, which was to have been led by the Improvement and Development Agency. Copies of a project outline, which the Office of the Deputy Prime Minister is publishing today is available in the Libraries of both Houses.

Throughout the project we will be working closely with local government, the registration software suppliers, and other key stakeholders. Government are providing £12 million Capital Modernisation Fund resources to meet the costs of the project,

³ Dep 04/2028

and we will shortly be consulting local government and others on the details for taking forward the project, including details of the funding arrangements.

We are committed to making voting more accessible and straightforward for the electorate and to allow people more flexibility in where and when they vote. This project aims to improve the quality of electoral registers and ensure that accurate and timely registration will support the needs of the electorate and authorised users and help facilitate voting in the future. It is an essential element of our electoral modernisation agenda.⁴

D. Electoral Commission proposals for reform

The Electoral Commission published a report, *The electoral registration process*, in May 2003.⁵ This review examined the law and practice in relation to electoral registration in the United Kingdom and set out the views and recommendations of the Commission. Chapter 4 looked at the strengths and weaknesses of the current system of creating electoral registers and drew attention to some of the problems which were summarised as follows:

- The continued use of the annual canvass militates against encouraging individuals to record any change of address between canvasses, since there is little incentive to do so unless a major election is pending.
- House-to-house personal canvassers in some areas are concerned that they are under threat of violence, affecting recruitment in some parts of the UK.
- In some ethnic communities, female occupants of the house for religious and cultural reasons do not answer to personal canvassers when the male head of household is absent, decreasing effectiveness of the personal canvass in some areas.
- Practice among local authorities in canvassing students in higher education is very variable, compounded this year by the requirement for the 'householder' to give residents the opportunity to opt-out of the published version of the register.
- The introduction of the 'opt-out' of the published version of the register means that personal canvassers have the job of explaining the matter to householders.
- Electoral administrators report that the large majority of householders who intend to register do so in response to the form being sent out by post or to follow up mailings. There exist minorities of people in certain localities who are resistant to all attempts to register them and the value of expending further resources without good effect is questionable.
- For some or all of these reasons, more and more authorities report dropping the personal canvass and using mailings only.
- The annual canvass is required in all electoral registration areas on the arbitrary date of 15 October every year, regardless of whether there is an election pending and regardless of the degree of stability of the local

⁴ HC Deb Vol 416 c42-3 WS 15 January 2004

⁵ http://www.electoralcommission.org.uk/files/dms/Registration_9799-7973_E_N_S_W_.pdf

population. Some electoral registration officers have registers based on stable populations with only around 10% of details changing annually; others have a mobile population and record changes for 50% or more of those entitled to vote in their locality.

- There is no systematic research into or analysis of registration levels across local authorities and consequently no national analysis of the cost effectiveness of the annual canvass as the primary means of compiling the electoral register.⁶

The Electoral Commission thought it was essential that more research should be carried out to assess registration levels across local authorities and to assess the effects of rolling registration especially as it has been widely reported by electoral administrators that public knowledge of the rolling register is low and as a result take up is comparatively limited. The annual canvass should be retained as an interim measure but the case for its long term retention or reform should be reviewed.⁷ The Commission also recommended that the basis of registration should move from the present system of a combination of an annual canvass and individual (voluntary) registration to a system based entirely on individual registration.⁸

The Electoral Commission, in its report on the electoral registration process, recommended that electoral registers should continue to be compiled and managed locally but should form part of a national register. The Commission called for national data standards to be mandatory and that the Commission should become responsible for the management of the national register.⁹ The Commission believed that broadening access to registration would be an important factor in improving registration levels particularly for people with disabilities. Online and telephone registration would broaden means of access although there were concerns about security and fraud.

E. Security of the register

The Electoral Commission reviewed the current extent of registration fraud and the measures taken to prevent it in its recent report on the electoral registration process. The Commission consulted electoral registration officers about instances of fraud and the great majority 'reported no experience of fraud or confirmed that they perceived it to be low in the absence of any evidence to the contrary.'¹⁰ However the Commission continued:

On the other hand, discussions with a minority of electoral administrators in some urban areas do reveal concerns about fraudulent registration, in that there are a small number of instances where fictitious voters are entered on the register or false addresses used. There are two main reasons for this. One is entirely unrelated to

⁶ *The electoral registration process: report and recommendations*, the Electoral Commission, May 2003, p21-22

⁷ *Ibid*, p23

⁸ *Ibid*, p13

⁹ *The electoral registration process: report and recommendations*, Electoral Commission, May 2003, p19

¹⁰ *Ibid*, p27

electoral fraud: attempts to register fraudulently are aimed at, for example, fraudulently claiming housing benefit or credit or opening bank accounts. In other words, registration fraud is one part of identity fraud. In the small number of cases where electoral fraud itself has been perpetrated, this has been mainly linked to fraudulent applications for proxy and postal votes.¹¹

For information on the sale of the electoral register and its use by credit reference agencies see Library Standard Note SN/PC/1020.¹²

The Commission suggested that any changes to the registration process should be accompanied by sufficient security measures to ensure that public confidence in the integrity of the electoral system is maintained. The introduction of unique voter registration numbers and the use of individual signatures for all those on the electoral register would provide additional barriers and deterrents to electoral fraud.¹³

At present the penalty for a householder failing to comply with the request for information at the annual canvass or providing false information is a fine not exceeding £1,000. The householder is the person who is required to supply the information so this would be the person who would be prosecuted. The Electoral Commission has recommended that it should be come an offence for an individual rather than a householder to fail to supply information to the electoral registration officer or to supply false information.¹⁴ The Commission produced a report *Voting for Change* in June 2003 in which it brought together recommendations from a series of policy papers, including those on registration issues.¹⁵

F. The Government response to the Electoral Commission

The Government responded to the Commission's report *Voting for Change* in December 2004.¹⁶ The main proposals and responses are as follows:

Protecting the integrity of the democratic process

1. The basis of registration should move from the current system of a combination of annual household registration and individual (voluntary) registration, to a system based entirely on individual registration. Along with individual registration new requirements for individual voter identifiers should be introduced, in addition to those that currently apply.

The Government is sympathetic to the principles of individual registration and appreciates the benefits that it might bring, but is concerned about maintaining a simple and clear system and comprehensive registers.

¹¹ Ibid, p27

¹² <http://hcl1.hclibrary.parliament.uk/notes/pcc/snpc-01020.pdf>

¹³ *The electoral registration process: report and recommendations*, Electoral Commission, p15

¹⁴ Ibid, p28

¹⁵ http://www.electoralcommission.org.uk/files/dms/Votingforchange_9916-7978_E_N_S_W_.pdf

¹⁶ Cm 6426 <http://www.dca.gov.uk/elections/govresp-vfc-cm6426.pdf>

We are therefore considering the options to support remote voting with an approach that preserves the completeness and integrity of electoral registers.

2. Electoral Registration Officers should have new powers to investigate objections to registration at any time, where reasonable grounds for an objection are specified, and determine the objection with reasons. Appeals should be allowed to the appropriate courts.

The Government agrees the need to revise current objections procedure and it intends to do so as part of a package of electoral reform.

3. It should become an offence for an individual to fail to supply information at any time to the Electoral Registration Officer or to supply false information.

The Government agrees in principle that the existing offence of failing to supply or giving false information on the canvass form should be extended to other communications with the Electoral Registration Officer. It is considering how this might be taken forward.

The DCA/ODPM select committees are undertaking an inquiry into electoral registration. Written and oral evidence is available from the ODPM committee website at <http://www.publications.parliament.uk/pa/cm200405/cmselect/cmmodpm/243/243we02.htm> One of the issues under discussion is the choice between individual and household registration.

G. Marked registers

At present registers are made available to the political parties indicating which electors have voted at polling stations and this position required review because the *Representation of the People Act 2000* restricted the availability of the full register, but left the law uncertain in respect of the marked register. In addition, the increased use of postal votes has meant that the marked register did not necessarily give a full indication of the electors who had voted. The Electoral Commission have made recommendations in February 2005 that these marked registers are made available to the public under supervision, but primary legislation will be required to achieve this.¹⁷ It recommended that marked registers of votes cast before polling day should not be supplied to political parties, candidates and agents before polls closed but should be supplied for electoral purposes after the close of the poll. However whether electors could choose to vote ahead of polling day and must request a vote specifically, the lists of those who have asked to have an advance vote should be made available to political parties. The Government have yet to respond to those proposals.

H. Northern Ireland

Under the *Electoral Fraud (Northern Ireland) Act 2002* registration in Northern Ireland is now on an individual basis. Those registering to vote also have to provide their date of birth, National Insurance number as well as an individual signature. Electors are also required to

¹⁷ *The Marked Electoral Register* February 2005, from http://www.electoralcommission.org.uk/files/dms/MarkedRegisterReportfinal_15781-11616_ENSW.pdf

produce specified forms of photo ID to verify the data when they vote. For further information see Library Research Paper 01/63.¹⁸ The *Electoral Registration (Northern Ireland) Act 2005* allows the Chief Electoral Officer of Northern Ireland to carry over people who did not respond to the 2004 canvass to the register which will be valid for the elections due on 5 May. The names will be added by 1 April, the closing date for registration in order to vote in May. Full details are in Library Research Paper 05/15.

¹⁸ <http://hcl1.hclibrary.parliament.uk/rp2001/rp01-063.pdf>