



**GOVERNMENT RESPONSE TO THE
CONSTITUTIONAL AFFAIRS AND OFFICE OF THE
DEPUTY PRIME MINISTER: HOUSING, PLANNING,
LOCAL GOVERNMENT AND THE REGIONS
COMMITTEES' REPORT: 'ELECTORAL REGISTRATION'**

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**Presented to Parliament by the
Secretary of State for Constitutional Affairs and Lord Chancellor**

**by Command of Her Majesty
July 2005**

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Introduction

The Government is grateful to the Constitutional Affairs and Office of the Deputy Prime Minister Select Committees for their report. The report provides a thoughtful analysis of many of the key issues: how we prevent people being disenfranchised by ensuring everyone is registered to vote; how we stop fraud by ensuring the system is secure; how we can make use of new technologies to provide a better service to the public. This analysis is particularly valuable as we continue to develop the forthcoming Electoral Administration Bill, which was announced in the Queen's Speech and includes a package of measures on registration intended to address these very issues.

An important aspect of the Committees' report is its recognition that there are no easy answers, and that a balance must be struck to ensure that the registration system is both secure and inclusive. Work to strike this balance is ongoing, and many of the Committees' suggestions are still under consideration. We will inform the Committees when this work has concluded.

The report is published in the context of a renewed focus on electoral registration, with both the Electoral Commission and the Department for Constitutional Affairs due to publish the results of research studies into this area later in the year. The Voters and Voting Insight project aims to help us gain a greater understanding of the attitudes of the electorate towards our democracy – especially those who are currently the most disengaged – and to provide a solid evidence base for policies and innovations that might increase engagement. The Voters and Voting Insight report will be published later this year and, alongside the Electoral Commission's research and the Committees' report, will help to provide a solid evidential basis for future policies.

In addition to these pieces of work, and in order that the views of stakeholders continue to be properly represented, DCA recently issued a discussion paper inviting comments on various measures designed to improve the electoral process. Over 150 submissions from interested parties were received, and DCA will publish a response later this year.

Each of these studies and reports will be of value as the Government crystallises its views over the coming months. We are grateful for the Committees' important contribution.

This response broadly follows the structure of the Committees' report, except where it has seemed logical to take the discussion of more than one section together.

Individual Registration, Personal Identifiers and Security

The Government agrees with the Committees that any electoral registration system must offer the greatest number of eligible people the opportunity to vote. We also agree that the electoral register must be secure and accurate.

The Committees, noting the balance between improving security and maintaining and increasing participation, identified four options for moving forward. The Government is still considering each of these options in order to find the most appropriate balance between improving the security of the electoral process and protecting against drops in participation. We will consider the various models in greater depth over the coming months and thank the Committees for their analysis. We will also work with representative organisations to ensure that the Committees' important points in relation to people with disabilities are thoroughly addressed.

We remain to be persuaded by the Committees' recommendations that we should consult on the use of an electoral PIN, or that we should create a unique individual number for electoral purposes. An electoral PIN would be of use solely in the context of electronic voting, but a model for this voting method has not yet been finalised, and further piloting would be required before e-voting could be used nationally. We see the unique individual number discussed by the Committees as essentially a database management issue to be resolved in the final design of the consolidated record of electors created via the CORE project, which is discussed further below.

We are minded to agree with the Committees and the Electoral Commission that National Insurance numbers (NINOs) should not be collected as part of the electoral registration process, at least in the short term. In the longer term, it is possible that the NINO could facilitate cross-database information matching, as recommended by the Committees, and we will consider this issue in greater depth as our work in this area progresses.

Encouraging Registration

The Government thanks the Committees for their work in this area. Both the Committees' report and the written and oral evidence supplied to the Committees by a wide range of interested parties will be invaluable both in tackling the existing problems of under-registration, and in ensuring that any future implementation of proposals relating to security does not impact negatively on participation. As the Committees noted, the two separate pieces of research being undertaken by the Department for Constitutional Affairs and the Electoral Commission on the issue of registration levels will also inform our future plans. Both pieces of research are due to be published later in the year.

The Government notes the Committees' various recommendations to the Electoral Commission on the development of innovative and targeted promotions campaigns to encourage registration. We will discuss with the Commission how these recommendations could be taken forward, recognising the Commission's previous success with innovative campaigns, such as their use of the Royal Mail redirection service.

The Government sees the benefits of the Committees' recommendation that registration officers should be given clarity as to whether they may encourage, rather than just facilitate, registration. We will consider how that clarity might best be provided, in order to ensure that registration officers may promote registration in their area. The Government also sees merit in the Committees' recommendation on giving the Electoral Commission the ability to set performance standards in relation to electoral administration, including registration. We consider this issue in greater depth over the coming months.

The Committees made several suggestions in relation to data-sharing, and the Government believes that this is an idea that merits greater exploration. One possibility is that data-sharing could be facilitated by the Citizen Information Project (CIP), which is due to report shortly with an outline business case on the feasibility and desirability of increasing data sharing across Government, with the aim of improving the accuracy of data held, reducing the burden on citizens informing Government of changes of details, and delivering general efficiency savings to Government in consequence. Electoral registration has been considered throughout CIP, and there have been regular meetings between the CIP and CORE teams in particular. If the wider CIP business case is accepted and the project taken forward, we will seek to ensure that potential benefits to electoral registration are realised.

We will also consider whether additional data sharing between electoral registration officers and other agencies is feasible and desirable, and will undertake discussions with the Information Commissioner about likely data protection implications.

The Committees' suggestion in relation to the creation of a 'one stop shop' for registering with councils for electoral, council tax and other purposes also merits further consideration. The Committees' view that this is potentially helpful to electors and that it could assist in increasing participation is persuasive, but we believe that further thought is required as to how such a system might work in practice.

The Committees recommended that the closing date for registering to vote should be closer to an election. The Government has already stated an intention to legislate, possibly moving the deadline to eleven days before polling day. This is in line with the Electoral Commission's recommendation of moving the date to close of nominations, but recognises that this date differs in relation to different types of elections. This change requires primary legislation and, as such, is unlikely to be in place for the 2006 local elections, as recommended by the Committees.

The Government notes the Committees' finding that there is merit in retaining the carry-forward of names where no form has been received, and has no current plans to remove this facility. The carry-forward, which provides a year's grace where a person is legitimately registered but fails to respond at an annual canvass, helps ensure that people are not disenfranchised.

On the wider issue of the annual canvass and whether it could be replaced by a less frequent audit, the Government has considered this issue and included it within the policy paper sent out for discussion on 26 May. In response to that discussion, a great deal of concern was expressed that moving away from the annual canvass at this time would lead to unacceptable decreases in the accuracy and completeness of electoral registers. It was felt that this change could only be made if data-sharing arrangements were in place to inform registration officers of movements in their area. Future possibilities for data sharing are discussed above, but the Government is unlikely to move away from the annual canvass at this point.

The Committees considered 'rolling registration' – the ability to register to vote outside of the annual canvass where a person's details have changed – and questioned whether it should be made compulsory. We remain of the view that the current system, in which compulsion is attached solely to the annual canvass, is the correct balance and that compelling all persons to register as and when their details change would prove difficult to administer and enforce. The Government is, however, minded to accept the Committees' recommendation that the offence of providing false registration information should also cover rolling registration.

The Committees also highlighted the important issue of ensuring that service personnel based both overseas and in the UK are registered to vote. The Electoral Commission has published new guidance to registration officers on this issue, which the Government welcomes. We intend to look further at this subject, including investigating over the coming months whether the relevant administration and/or legislation might be improved.

The Department remains committed to ensuring that the Armed Forces are given the necessary advice in a timely, straightforward, and understandable manner to inform them how they can register to vote and, once registered, how to exercise their vote. MOD is currently working with the Electoral Commission to identify and build upon those areas where improvements can be made, and in particular are considering what scope exists to simplify registration procedures, and to make a Service registration form available to every individual annually.

Electronic Forms of Registration and Development of a National Register

The Committees recommended that the Government focus on developing a system of online registration more advanced than the 'no change' model, which currently allows people to confirm at an annual canvass that their details have not changed. We intend to consider this issue further and thank the Committees for their consideration of the subject.

The Committees recommended that the Co-ordinated Online Record of Electors (CORE) project create national access to electoral registration data, but that information should continue to be collected and maintained locally. The Government has previously agreed to this recommendation in its response to the Electoral Commission's report *Voting for Change*. The feasibility and options study for the CORE project looked at the range of possible models for delivering national access to local registration data. These ranged from the fully de-centralised (where there would be no centralised dataset) to the fully centralised (where the register information and effective control of it was only at the centre). The Government is currently considering which may be the most appropriate model to move forward with.

The Committees recommended that national access via CORE should be available for data collected at this year's canvass. However the Government believes that it is unlikely to be feasible to deliver a CORE infrastructure of the sort envisaged in sufficient time to use canvass 2005 data as the most up-to-date annual register with which to populate it. This is partly due to the need to first obtain primary legislation to implement CORE centralised data arrangements, but also due to expert opinion that 'build-time' (which could not commence until after the legislation was in place) would take an estimated 15 months for the functionality required.

The Committees noted the importance of involving the Information Commissioner in the CORE project. We have subsequently sought and obtained the Commissioner's views and are taking them into account in moving the project forward.

The Committees also noted the importance of ensuring that the policy on CORE and other changes to the registration system were in line, and that CORE could accommodate future changes to the information collected at registration. The Government recognises the importance of this, and officials working on CORE and other registration issues have worked closely together throughout the life of the project and continue to do so.

Access to the Register

The Government is not persuaded by the Committees' recommendation that we should consult on the possibility of limiting the use of the electoral register to electoral purposes. The Government consulted extensively in preparing the Representation of the People Regulations 2002, which established a new framework for access to, and the sale and supply of the electoral register and the purposes for which it may be used. The current arrangements strike a balance between protecting the privacy of individuals whilst ensuring that the register is available for certain limited purposes that bring a benefit to the wider public. The Government is satisfied that the right balance has been achieved, and this position has been supported in subsequent court cases concerning the supply of the electoral register.

On the issue of providing information to electors, the guidance notes that accompany the canvass give information about the full and edited versions of the register and the purposes that information given by the elector will be used for. We believe the information provided is sufficient but will keep this under review.

The Committees recommended that a marked register of returned postal votes should be available to political parties. The Government has already accepted that a marked register of postal votes should be created and has committed to legislating when parliamentary time allows. We see merit in the suggestion that this information should be available to parties for electoral purposes, and will consider this issue further.

The Government is pleased that the Committees support the idea of anonymous registration for people for whom appearing on the public register would be a threat to safety. Such a scheme will require future primary legislation, with the evidence a person will require in order to register anonymously to be consulted on and set out in regulations.

The Government notes the Committees' support for the idea that people with disabilities should be able to indicate a preference for information to be provided in alternative formats, or request specific assistance, on a registration form. We believe that this idea has merit and have discussed it with a number of groups representing people with disabilities. We will continue such discussions as we consider this issue in more depth over the coming months.



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ISBN 0-10-166472-9



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