

10 million missing voters!

a briefing report on the
failings of the new electoral
registration system

By Jane Thomas, Research Fellow, the Smith
Institute





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Preface

Electoral registration underpins our democratic system. Yet, with several elections and an EU referendum on the horizon as many as 10 million people may not be registered to vote – around 20 per cent of the UK's total electorate.

Changes to the voter registration system mean people must now be registered individually, rather than the previous system of household registration. The problem is that millions are already not registered and unless urgent reforms are made to the new registration system millions more will drop off the list.

The switch to individual voter registration is falling short of expectations and time is fast running out. From December 1st

2015 the new electoral registers based solely on those registered individually comes into force and anyone not transferred over will not be able to vote. Such a scale of disenfranchised voters (combined with the proposed changes to MPs' constituency boundaries) will affect the outcome of future elections, especially in urban areas.

This paper demonstrates the need to rethink voter registration. The government may well see electoral advantage in turning a blind eye to the crisis. On past voting patterns the Conservative party is clearly less affected than the other major parties by the fall in voter registration. However, what is at stake here is not just the prospect of party political advantage but the integrity and value of the democratic process.

Introduction

The very real prospect of as many as 10 million voters not being registered to vote could have a profound effect on elections next year in Scotland, Wales, London and locally, as well as the forthcoming EU Referendum, European elections and the next general election.

The outcome of the London Mayoral election in May 2016, for example, may be determined by those who can't vote. It is no secret among party organisers that some of the most hotly contested boroughs will suffer disproportionately from electors not being registered to vote. The most recent analysis (based on Electoral Commission data) by Hope Not Hate¹ predicts some 415,013 may "drop off" the London register – equivalent to 6.9 per cent of all voters in the capital.

Inner city areas with high "churn" or turnover of population year-on-year are predictably disproportionately affected. In London, for example, Kensington and Chelsea is forecast to see 17 per cent fall off its register; in Hackney it's a staggering 23 per cent, whilst in Ealing and Bromley it's just 3 per cent. In closely contested boroughs this could well be a game changer.

Hope Not Hate predicts that in Scotland over 230,000 people are at risk of disappearing off the register, with Glasgow projected to lose 14 per cent (67,225)² and Edinburgh some 6 per cent (24,201). Inner city areas, especially those with a young and/or student populations and high levels of privately rented property, are most at risk. The problem is compounded by the fact that some 9 per cent of electors are simply not registered at all.

It's not just next year's elections that will be affected by voter numbers. The new registers (which as they stand favour more affluent rural and semi-rural areas which have stable populations) will be used by the Boundary Committee when it draws up its review to determine the revised constituencies for the 2020 election. The likelihood is that inner city constituencies where voter registration is already relatively low will be most affected.

The total number of people not registered (either because they weren't on the old system or captured by the new system) could be over 10 million people, which is greater than Labour's total vote at the 2015 election and equal to the populations of London and Greater Manchester combined. As discussed in the following chapters the effects are geographically and demographically uneven. Other factors also come into play, such as levels of voter turnout, which can exaggerate the effects of lower rates of voter registration.

Regardless of the nuances and complexities as to how insufficient voter registration affects different elections in different places in different ways, the case for speedy reform is strong. Unfortunately, progress so far has been pitifully slow and nowhere near ambitious enough. For that to change there has to be a greater political momentum and willingness to act. Crucially, Parliament will need to ensure that improving voter registration is placed unequivocally ahead of any short-term party political benefit.

¹ Hope Not Hate Britain's Missing Voters September 9 2015 <http://www.hopenothate.org.uk/voter-registration-report/>

² According to the Herald Scotland's poll of local councils in early 2015 some 22 per cent of residents in Glasgow had so far failed to switch over to the new system of individual voter registration. The paper warned that as many as 800,000 people who signed up for the Scottish Referendum may not be eligible to vote at the 2016 Scottish Parliament elections.

Why are we in this mess?

How have we arrived at a situation where we will have many more voters unregistered than before? In part it is because of the change of government. An unexpected win at the 2015 General Election allowed the Conservatives to complete unfinished business on electoral reform that was halted in 2013. Indeed, the government was quick to put in place legislation just before Parliament's Summer Recess to bring forward the transition from household registration to individual registration by one year. This effectively means next year's elections will be fought on new and incomplete registers, as will the drawing of the new constituency boundaries.

The electorate as a whole have been relatively complacent about our electoral process, believing it to be both comprehensive and democratic. However, several high profile cases around voter fraud led to some serious misgivings about the system of voter registration by household. This in turn led to a plea from the Electoral Commission to move to individual voter registration to safeguard against potential fraud.

Prior to that we had relied on an electoral registration system that had changed little from its origins in the 1918 Representation of the People Act, which created a clear obligation on public officials to initiate enquiries in order to prepare an accurate electoral register. This register was a record of the names and addresses of all people eligible to vote in elections held in the UK.

In order to vote at an election an individual must be registered on the electoral register. Entitlement to vote in general elections extends to all UK adults (18 and over) and Irish and Commonwealth citizens who are ordinarily resident in the UK (with a small number of exceptions such as those convicted in prison). The fact that the system was outdated is not in any question given that it had never moved substantially from the original principle of voting based on tenure (or ownership of property) to a system of household registration, in which one person in every household is responsible for registering everyone else at that address.

The introduction of postal voting on demand via the Representation of the People Act 2000 created many opportunities for malpractice. This alongside the rather arcane system of registration through households lent itself to abuse – demonstrated in the 2000s with some notable fraud cases.

Previous Labour governments were arguably reluctant to change the system for fear of the effects on the electoral register. Initially Labour tinkered around the edges – introducing continuous rather than annual registration and in 2006 introduced performance

standards for local authorities. However, a number of high profile fraud cases (notably in two Birmingham wards in 2004) led to calls for reform of the system. Indeed, the Electoral Commission has been calling for individual registration since 2003.³

The Political Parties and Elections Act (2009) proposed a timetable for shifting to individual registration by the end of 2015. It was to be a phased introduction allowing for monitoring at each stage to ensure registration rates did not drop off – or if they did, to allow the opportunity to capture them. The proposals included moving to the collection of personal identifiers on a voluntary basis up until 2015 and thereafter it would become compulsory for new voters to provide them.

At the time there was cross party support for the Act. Conservative MP, Eleanor Laing (then Shadow Minister for Justice), said:

"I am very pleased to have the opportunity to put it on record once and for all that we agree with the government that the accuracy, comprehensiveness and integrity of the register and of the system is paramount.....I can assure the Minister and the House that any future Conservative Government would never take risks with the democratic process. They would take absolutely no risks with the integrity or comprehensiveness of the register or with its accuracy."⁴

Speaking for the Lib Dems, David Howarth MP said:

"The validity and credibility of democratic elections depend both on the register being comprehensive and on it's having a great deal of integrity. If the register is not comprehensive, it is not the electorate who are making a choice but some subset of the electorate.... I do not think that anybody was suggesting that the timetable be artificially shortened, or that any risk be taken with the comprehensiveness of the register"⁵

The fact is that up until 2010 there was a broad cross party consensus about the need for reform of the registration process, and what problems that reform should address. More importantly all parties accepted that keeping the register as accurate and as comprehensive as possible was absolutely vital to the whole democratic process. A healthy register equals a healthy democracy was what they all appeared to be saying. If this is the case how have we arrived at a position where we are faced with a register that falls well short of completeness, and with some big question marks over accuracy? What has happened to challenge the orthodoxy that accuracy and completeness are central to the integrity of the register?

³ See http://www.electoralcommission.org.uk/_data/assets/electoral_commission_pdf_file/0015/16053/Registration_9799-7973__E__N__S__W__.pdf

⁴ Eleanor Laing, MP Shadow Conservative Minister, Hansard 13 July 2009

⁵ David Howarth MP, Shadow Lib Dem Spokesperson, Hansard 13 July 2009

Accuracy and completeness

During the debates on the 2009 proposals much was made of how fundamental accuracy and completeness is to voter registration – to ensuring the “quality” of the register. Accuracy meaning no false entries onto the register; and completeness referring to the percentage of eligible people. Each register lasts for 12 months before it is “revised” and during that period the rate of completeness can decline by as much as 10 per cent owing mainly to population movements (the rate of decline is higher in London boroughs).

Registration until the recent changes was a combination of an annual household survey between September and November and individual rolling registration introduced on the back of the Howarth report in 2001.⁶ The annual canvass was used to update the register in light of population movement and demographic change and to ensure, as much as possible, the register remains complete and accurate.

The electoral register is still used to select people for jury service, for certain specified law enforcement and crime prevention purposes and can be purchased by credit reference agencies to confirm any address(es) supplied by an applicant for a bank account, credit card, personal loan or mortgage. In fact, citizens are obliged to register *if asked to do so* and can face fines of up to £80 for refusing without a valid reason.

The problem is that rates of completeness have declined. According to the Electoral Commission figures, completeness was at a high point of 95 per cent in the period 1950–1966, stabilizing from 2006–2013 to around 91 per cent, and falling to around 86 per cent in 2014.⁷ The research undertaken by the Electoral Commission also showed an emergence of local and regional variations in both completeness and accuracy.⁸ Worryingly, what is also revealed is that around 7.5 million people are not correctly registered at their current address. This does not mean they are not registered – but it does affect the accuracy of the registers.

Under-registration is most likely to be found in metropolitan areas, smaller towns and cities with large student numbers, as well as coastal areas with significant population turnover and/or high levels of deprivation. In terms of specific social groups registration rates are low amongst young people, private renters and specific black and minority ethnic groups.⁹

The levels of under-registration become more pronounced of course in London, which has relatively higher levels of BME households, young people and people living in privately rented homes.

The overwhelming cause of inaccuracy is the result of people moving and not informing the relevant Electoral Returning Officer. Hence the “churn” is much higher where there is less stability in the population in terms of length of residence – most often in urban areas.

Registration rates also vary greatly by age. According to the Electoral Commission: “The lowest percentage of completeness is recorded for the 17–18 and 19–24 age groups (55 per cent and 56 per cent complete respectively). In contrast, 94 per cent of the 65+ age group were registered”.¹⁰

However, differences in registration based on class or ethnicity – often talked about – are not only relatively small (little difference based on class, less than 10 percentage points difference based on ethnicity) – and are dwarfed by the property dimension. For example, completeness ranged from 89 per cent among those who own their property outright and 87 per cent among those with a mortgage, to 56 per cent among those who rent from a private landlord. In relation to accuracy, the rate of ineligible entries at privately rented properties was four times that found at owner occupied addresses. This figure is expected to rise as more people (especially young people) are housed in the private rented sector, especially in urban areas.

According to the Electoral Commission's evidence in 2011 there was: “a decline in the quality of the registers in the early 2000s with a subsequent stabilisation, but not recovery, from 2006.”¹¹ The Commission also noted a correlation between those groups who are less likely to vote and those groups who are most likely not to be registered.

A Hansard report in 2014 showed that only 24 per cent of 18–24 year olds said they were certain to vote in a general election compared with 67 per cent for those aged over 75.¹² This led the Electoral Commission to reflect that one of the most important reasons for declining levels of registration is increasing disengagement with politics. In other words a desire to participate in elections remains a key driver for registering. The figures speak for themselves. The 2014 report show 70.1 per cent registered in the age group 20–24 but for those aged 65+ it rises to 95.45 per cent.

But what of voter fraud? This is after all one of the main reasons given by the Coalition government to speed the pace of change on voter registration.¹³ Levels of voter fraud are, however, hard to quantify.¹⁴ Analysis of recent elections pinpoint problems,

6 For a really comprehensive overview of the history of electoral registration refer to Electoral Registration and Administration Bill No 6 2012–13 RESEARCH PAPER 12/26 17 May 2012

7 Electoral Commission: Quality of the 2014 electoral registers in Great Britain http://www.electoralcommission.org.uk/__data/assets/pdf_file/0005/169889/Completeness-and-accuracy-of-the-2014-electoral-registers-in-Great-Britain.pdf

8 See http://www.electoralcommission.org.uk/__data/assets/pdf_file/0019/83305/Interim-report-on-case-study-research-into-the-electoral-registers-of-Great-Britain.pdf

9 Electoral Commission research on seven case study areas found that under-registration is notably higher than average among 17–24 year olds (56 per cent not registered), private sector tenants (49 per cent) and black and minority ethnic (BME)

British residents (31 per cent) http://www.electoralcommission.org.uk/__data/assets/pdf_file/0018/87111/The-completeness-and-accuracy-of-electoral-registers-in-Great-Britain.pdf

10 *ibid*

11 http://www.electoralcommission.org.uk/data/assets/pdf_file/0007/145366/Great-Britains-electoral-registers-2011.pdf

12 Hansard Society, Audit of Political Engagement 11, 2014.

13 “Coalition Agreement page 26

14 According to leading expert Dr Toby S James, from the University of East Anglia, “levels of voter fraud are ultimately unknown because of the problems involved in measuring them”, evidence to Commons Select Committee, September 2011 <http://www.publications.parliament.uk/pa/cm201012/cmselect/cmpolcon/1463/1463vw04.htm>

but the evidence of widespread abuse or fraud is simply not there although the allegations and perceptions of it remain.¹⁵

Speaking in the House of Commons on September 15th 2010 Mark Harper MP, Parliamentary Secretary at the Cabinet Office and Minister responsible for this legislation, said:

"Although proven electoral fraud is relatively rare, we should be concerned about the impact that such cases have on the public's

*confidence in the electoral system. The most recent survey, which was taken after the general election in May, found that one third of people think that electoral fraud is a problem. We can be confident that any allegations will be properly investigated by the authorities, but it is right that we take steps to make the system less vulnerable to fraud, because tackling that perception is an important part of rebuilding trust in our democracy, which is why this Government is committed to speeding up the implementation of individual registration."*¹⁶

15 According to the Electoral Commission: "the evidence currently available to us...does not support the conclusion that electoral fraud is widespread in the UK" (2013). Electoral fraud in the UK The Electoral Commission 2013 http://www.electoralcommission.org.uk/_data/assets/pdf_file/0004/155335/Electoral-fraud-evidence-and-issues-paper-revised.pdf

16 <http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm100915/debtext/100915-0001.htm#10091526002047>

Moving towards individual voter registration

The Coalition agreement in 2010 placed constitutional reform high on the agenda. The Liberal Democrats wanted a referendum on PR, the Conservatives wanted to introduce fixed term parliaments and reduce the number of MPs. So with the Liberal Democrats blessing the Coalition brought in the Parliamentary Voting System and Constituencies Act (2011), which provided for a reduction in the number of constituencies from 650 to 600.

The Act stated that with a few exceptions (for island areas in Scotland and the Isle of Wight) all new constituencies are to be within 5 per cent either side of the UK electoral quota.¹⁷ In general, this shift in the balance of representation will benefit the Conservatives whose voters tend to be older, home owners and less transient – and as has already been shown more likely to appear on the electoral register.

In June 2011 the Government launched a draft Bill and White Paper on Individual Electoral Registration (IER). There were a couple of significant moves associated with this. First, the start date for implementing IER was brought forward, from after 2015 to June 2014. It was also proposed to drop the household canvas in 2014 (as a cost cutting measure).

Under those proposals voters were asked to register individually from 2014 by providing their date of birth and national insurance number, all to be verified before being added to the register. But the likelihood of a general election in 2015 meant that the names on the existing household register could be carried over on to the election register, so reducing the impact. However, anyone with proxy votes or postal votes would have to register under the new system from 2014 or they forfeit their vote. Any elector who cannot be confirmed will not be removed from the registers immediately and would have until December 2016 to provide their personal identifiers.

In addition to the White Paper the Government commissioned a series of data-matching pilots as part of its commitment to make the electoral register more accurate and complete. The pilots were to be a test of the ability to match names and addresses on electoral register with names and addresses on existing public authority databases.

Evidence by the Electoral Commission to the Political and Constitutional Reform Committee in the autumn of 2011 observed that:

"It is logical to suggest that those that do not vote in elections will not see the point of registering to vote and it is possible that the register may therefore go from a 90 per cent completeness that we currently have to 60-65 per cent."¹⁸

17 This is established by dividing the total electorate (other than in the island exceptions) by 596. These 596 seats are allocated to the rest of the country on the basis of the numbers on the electoral register in December 2015 (using the May 2015 numbers would be 77,618 electors). Creating constituencies with fewer than 0.95 quotas of electors (73,738 electors) or more than 1.05 quotas of electors (81,498 electors) is not permitted.

18 <http://www.publications.parliament.uk/pa/cm201012/cmselect/cmpolcon/1463/11091503.htm>

John Stewart, chairman of the Electoral Registration Officers, told the Committee that the drop-off was likely to be 10 per cent in "the leafy shires" but closer to 30 per cent in inner city areas. He said there would be an incentive not to register as the list is used for jury service and to combat credit fraud. Stewart added that he expected large numbers of young voters would not register. The press picked up on this with the Guardian reporting "shocked MPs told electoral plan could remove 10 million voters."¹⁹

The Electoral Reform Society started to talk about the "missing millions" with the switch to Individual Voter Registration (IVR) and pointed to the Northern Ireland experience where the number of voters fell by 10 per cent when they switched to IVR.²⁰ The Association of Electoral Administrators meanwhile expressed concerns about the increased costs and the risks of maladministration without the necessary funding, training and guidance. As with many others they echoed the need to have the underlying principle of accuracy and completeness as the rationale for any changes.

MPs started to draw attention to the link between housing tenure (particularly those in the private rented sector), housing churn and registration. Simon Hughes, the former MP for Bermondsey and Old Southwark, for instance, claimed that 'voter turnover' in his constituency was around 25 per cent.²¹

Approximately 5 million entries in the electoral registers are changed each year primarily (but not exclusively) through moving. By July 2014 as many as two to three million people across the UK would no longer be resident at the address recorded on the December 2013 (household) electoral registers and therefore would not receive an IER form in July 2014.

Registration is made more difficult in urban areas by the growing prevalence of gated communities or areas where access is difficult (such as tower blocks). But it also affects other places, such as university towns. Cambridge, for example, has one of the largest electoral turnovers every year. Bristol and Sheffield face similar situations. Paul Blomfield MP for Sheffield Central warned in a House of Commons Opposition Day debate "at the University of Sheffield there is block registration of all eligible students in university accommodation. That will end with the proposed legislation."²²

In the late summer of 2011 around 20 pilot schemes comparing electoral registers with data from public authorities began in earnest. The pilots saw the Electoral Registration Officers matching the names and addresses on their electoral register with names and addresses on existing public authority databases as a way of checking authenticity of voters. The departments included

19 <http://www.theguardian.com/politics/2011/sep/15/shocked-mps-electoral-register-shake-up>

20 <http://www.electoral-reform.org.uk/blog/the-missing-millions>

21 Opposition Day debate on January 17th 2012 <http://www.parliament.uk/business/news/2012/january/opposition-day-debate-on-individual-voter-registration/>

22 Ibid.

the Department for Work and Pensions, Department for Transport; Department for Education; HM Revenue and Customs; Department for Business, Innovation and Skills; and the Ministry of Defence.

On the whole these pilots were not effective at getting new electors on to the registers, and proved to be both time consuming and costly. The Electoral Commission called for:

*"Further testing of national databases by local authorities would need to be undertaken in order to establish whether data matching is made available for use to all local authorities... takes place outside the annual canvass period and avoids other significant electoral events"*²³

A subsequent pilot was undertaken to establish how effective and accurate the proposals for "data mining" (using information held on national public databases) would be to assist Electoral Registration Officers (EROs) in maintaining electoral registers.²⁴ This pilot tried to establish the effectiveness of identifying unregistered electors and whether it would be a cost effective method of registering new electors. The pilot involved targeting three groups of electors known to have low registration rates – attainers (those not old enough to vote but can apply to register before the election date), home movers, and students.

Their findings were unconvincing. The Electoral Commission concluded that the number of new registrations were low in light of the time and resources spent to achieve them. It was also reported that data mining would require a central agency to be responsible for managing the connection between national data holding organisations and undertaking data processing work.

However, disagreements between the Coalition partners blew plans for the new parliamentary boundaries for 2015 off course. Reform of the House of Lords was abandoned, and in retribution the Liberal Democrats pulled their support for boundary changes. The outcome was that the Boundary Commission would now submit reports by October 2018, in time for their recommendations to take effect by the 2020 general election.

The timetable for moving to individual voter registration nevertheless remained as it was, and on February 1st 2013 the *Electoral Registration and Administration Act 2013* received Royal Assent. From 10 June 2014 in England & Wales (and from 19 September 2014 in Scotland) individuals would now be required to register themselves, as well as provide their National Insurance number and date of birth on the application form so that their identity can be verified. Transitional arrangements were made to allow matching existing data against the records held by the Department for Work and Pensions to automatically confirm electors on the register during the transition to IER, but this would come to an end in 2016. The Act also gave the Secretary of State the power to bring forward the end of the transition to December 2015.

Alongside this the Government proposed not to hold a full household canvass in 2014 because, "as well as being more expensive ... a canvass followed by invitation risks confusing people who may not respond to an IER invitation having already responded to a canvass, believing that they have done enough to register."²⁵ Such a statement inevitably raised alarm bells, although on reflection not loud enough.

In any 12 month period there could be five million changes to the electoral registers. In the year before a general election that has far reaching implications. As Jenny Watson, Chair of the Electoral Commission, said at a Political and Constitutional Reform Committee hearing "If we think about the period between the 2013 register and the 2014 register, when individual electoral registration and transition starts, we know that that will already have decayed in accuracy by around 5 to 6 percentage points. That means around two million to three million people will probably have moved in that time. What that does not do is address the variability of that figure throughout the country."²⁶

The case for a rethink on voter registration was becoming stronger by the day. A Confirmation Dry Run (CDR) was held in the summer of 2013. This involved the matching of all 380 electoral registers (around 46 million electors) against records held by the Department for Work and Pensions. Each elector was marked with a Red/Amber/Green status – Green for a positive match, Amber for a partial match and Red for no match. The Electoral Commission's report-back in October 2013 showed that across the UK there was a 78 per cent record match between the electoral registers and the DWP system, a six percentage point improvement on the earlier pilot.²⁷ But it was also found that nearly 19 per cent were showing as "red" – in other words unable to verify the individual elector. Match rates also varied tremendously – from 46.9 per cent in Kensington and Chelsea to 86.4 per cent in Mansfield. It also highlighted the existing concern that that areas with high concentrations of students, young adults and private renters were the hardest to verify, and therefore move onto the new registers.

Electoral Registration Officers across England and Wales published revised electoral registers in December 2014. Examination of these by the Electoral Commission found the registers contained approximately 920,000 fewer entries than the registers published in February/March 2014 (following the 2013 canvass), which indicates a decrease of approximately 2 per cent. The fact then that there was no proper household canvass in 2014 meant neither home-movers nor attainers had been captured effectively. There were also significant local variations with reductions in Ceredigion (-12 per cent), Cardiff (-11 per cent) and Oxford (-11 per cent). while in other areas, like Wellingborough (+6 per cent) and East Devon (+5 per cent), there has been an increase. These reductions supported the view

23 http://www.electoralcommission.org.uk/__data/assets/pdf_file/0010/146836/Data-matching-pilot-evaluation.pdf

24 http://www.electoralcommission.org.uk/__data/assets/pdf_file/0016/162106/Data-mining-pilot-evaluation-report.pdf

25 <http://www.publications.parliament.uk/pa/cm201012/cmselect/cmpolcon/1463/146307.htm>

26 <http://www.publications.parliament.uk/pa/cm201012/cmselect/cmpolcon/1463/146307.htm#n54>

27 http://www.electoralcommission.org.uk/__data/assets/pdf_file/0019/163144/Confirmation-Dry-run-2013-Results-report.pdf

that student were most vulnerable to “dropping off” the new registers.

The registers also contained a significant proportion of people—estimated at 5 per cent of entries, or between 2 and 2.5 million people—who were retained on the electoral registers under transitional arrangements, but had not registered under IER

and would therefore be removed from the registers when the transitional arrangements came to an end. The Electoral Commission also reported problems with the data it had received which meant it was impossible at that time to “undertake a detailed analysis of progress with the transition to IER in this report”.²⁸

28 http://www.electoralcommission.org.uk/__data/assets/pdf_file/0008/182375/Analysis-of-the-December-2014-electoral-registers-in-England-and-Wales.pdf

Voter registration and the 2015 election

Voter registration had a big part to play in the 2015 general election. Although the Cabinet Office stated that the move to individual voter registration would not affect the general election since anyone on the old household register in December 2013 would be entitled to vote in 2015 the lack of a comprehensive 2014 household survey mean that Electoral Registration Officers were playing catch-up from 2013.

The electoral registers have, of course, never been 100 per cent complete and were declining in both completeness and accuracy due to demographic changes before 2013. However, the switch to IER from June 2014 hardly helped given the additional burden placed on cash-strapped local councils to contact 46 million voters instead of 20 million households.

Nevertheless, it was the lack of annual household survey the year before a general election that does so much damage to the accuracy of a register. As already noted the Electoral Commission assumes that the register decays (loses its accuracy) by between 5 – 6 percentage points in the period between each annual household survey, mainly accounted for by the 2 to 3 million people that move home. That translates into 2 – 3 million not receiving the IER form in July 2014 and therefore not registering.

There was a concerted drive to increase registration throughout the first few months of 2015, including a public awareness campaign, a National Voter Registration Day and specific

strategies to target students. This undoubtedly helped as both the parliamentary and local government registers saw an increase of 1 per cent from February/March 2014, when the last registers were published under the household system. But as yet there has still been no systematic review of levels of completeness or accuracy of the registers used for the general election – this will not be done until the December 2015 returns are completed.

University towns have been particularly affected. Previously universities were able to register students in bulk, usually by their halls of residence. However, moves to IER no longer allowed this. Three months before the general election there were reports of a nearly 90 per cent drop at East Sussex university plunging from 3,500 registered students in 2014 to just 377. Scotforth ward in Lancaster had only 22 of its 7,000 students registered to vote.²⁹ According to the credit card company, Experian (which obtains electoral data for credit checking), the number of 18 year olds registered to vote fell by almost half in 2014.

This dramatic decline in newly eligible voters is largely because parents no longer register their children and universities no longer register large groups of students.³⁰ Toni Pearce, President of the National Union of Students commented that: "the transition to any new voter registration system represents a considerable risk, and there remains a huge amount of work to do to ensure that significant numbers aren't disenfranchised by the process".

29 http://www.huffingtonpost.co.uk/2015/02/02/one-million-voters-have-fallen-off-britains-electoral-register_n_6600740.html

30 <http://www.thisismoney.co.uk/money/news/article-2930210/Number-18-year-olds-registered-vote-election-crashes-half-following-changes-electoral-roll.html#ixzz3pfHVAmN>

Millions “dropping off” the register

Despite last ditch efforts to increase voter registration, the 2015 general election was conducted with registers that had declined substantially since 2013 in terms of accuracy and completeness – and with particular adverse consequences for areas that have a propensity to vote Labour – urban, young/student and places with a high proportion of the private rented sector. The situation was far from satisfactory in this year’s elections, but by all accounts it looks set to get worse with the prospect of millions “dropping off” the register altogether.

On 16 July 2015 the Government laid the *Electoral Registration and Administration Act 2013 (Transitional Provisions) Order* before Parliament. This Order ended the transition to IER twelve months early in December 2015. The Government argued that by retaining “carry forward” electors (those who had not yet registered individually under the new system) beyond December 2015 there would be an “unacceptable risk to the accuracy of the register”. However, according to the Electoral Commission’s analysis of the registers used for the May 2015 elections there were still 1.9 million entries being retained under the transitional arrangements in place for the move to IER from the previous household system.³¹

The cumulative effects of failing to register students and other groups is hard to predict with scientific certainty. However, as the evidence presented in this report suggests we may not be dealing with 1.9 million missing off the new electoral registers as stated by the Electoral Commission, but a figure closer to 2.5 million. The evidence from universities, so far, is especially alarming. The latest Hope Not Hate survey of what universities might be doing in terms of voter registration for this autumn found that few were planning any voter registration efforts at all and most were scaling down their activities from last year’s general election. The survey showed that Cambridge has already “lost” 17 per cent of its electors and that’s before the heavy drop off expected with students in the new academic year. The implication is that voter registration in university towns will decline dramatically.³²

The likelihood is that the new intake of students plus those that move each year are less likely to register will push the total upwards. This is compounded by evidence that there has been significant drop off in the number of attainers registering – in 2015 the figure was 247,705 compared to 314,451 in December 2014. If the government gets its way these retained entries that are still on registers by 1 December 2015 will be removed.

Furthermore, under the Parliamentary Voting System and Constituencies Act (2011) the electoral quota for the constituency boundaries will be determined on the basis of the electoral register in effect two years and ten months before the date by which the Commissions’ reports are to be submitted (1 October 2018). The relevant electoral registers will be those produced in December 2015, which the Boundary Commissions expect will be available to them around February or March 2016.

If the register numbers in December 2015 are inaccurate the boundary review will contaminate the entire basis of the electoral system. As the psephologist and academic Lewis Baston writing for the Constitution Society claimed – IER and a boundary review with reduced number of constituencies are on an electoral collision course with massive consequences: “The result could be a fiasco that would also be extremely vulnerable to the charge of being a gerrymander”.³³

The Electoral Commission has not yet published a detailed ward-by-ward analysis of its most recent review of the electoral registers. However, it has provided Hope Not Hate with a breakdown of the 2015 general election register by local authority area.³⁴ The data makes compelling reading, not least because it reinforces the same observations – i.e. the groups most vulnerable to “dropping off” the register remain those in the private rented sector, young people especially attainers, students and those not born in the UK. It is these groups that are most likely to move home frequently and therefore harder to track and get to register.

The effects are most dramatic in London. The London boroughs (including Brent, Hackney, Haringey, Lambeth, and Redbridge) are among local authorities, for example, that have 10 per cent or more of their total registers unconfirmed. Hackney has the highest level at 23 per cent. As it stands these registers will be used for the London Mayoral elections in 2016.

Efforts to boost voter registration and accurately inform the boundary reviews becomes even more challenging of course where there is no General Election to mobilise people into getting registered. And, it is made even harder now as there is even less money for local authorities to run major voter registration drives. The government accepts that more needs to be done, but many politicians remain unsympathetic. Eleanor Laing MP, for example, stated: “if a young person cannot organise the filling in of a form that registers them to vote, they do not deserve the right to vote”.³⁵

31 http://www.electoralcommission.org.uk/__data/assets/pdf_file/0006/190464/IER-June-report.pdf

32 Ibid <http://www.hopenothate.org.uk/voter-registration-report/>

33 Electoral Collision Course? The Boundaries and the Register After May 2015 by Lewis Baston Constitution Society 2014

34 Hope not Hate - Britain’s Missing Voters : Individual Electoral Registration and the Boundary Review 9th September 2015

35 BBC News ‘People failing to register to vote could be fined as part of shake-up’, May 2012

Time to change course?

The prospect of some 10 million people unregistered and unable to vote (2.5 million absent from the new register and 7.5 million not even on any register) is hardly a sign of a mature and healthy democracy. Indeed, the validity and credibility of future elections rests on the register being both accurate and comprehensive. It is for the government to lead on this. Failure to do so may be costly.

The UK is admired by the world as a good example of democracy in action. A debacle around voter registration similar to what happened in the US Presidential elections of 2000 risks seriously damaging that reputation and casting a long shadow over the integrity of our political system.

However, Ministers seem unwilling to face up to the impending crisis. The government continues to deny there is a problem. As Chloe Smith MP, told the House of Commons Westminster Hall debate on voter registration on 22 October 2014, "we are not facing disfranchisement....in the grand scheme of things, it is not hard to get on the electoral register in our country".

The fact that the voter registration system is outdated and needs reforming is not in dispute. Every evidence-based analysis of electoral registers over the last 20 years shows that both accuracy and completeness are declining – the two features of any electoral register that make it credible or not. Any yet Ministers continue to refer primarily to electoral fraud, neatly sidestepping the bigger issue of making registers more accurate. Typically, John Penrose, Minister for Constitutional Reform, boasted in July 2015:

"Individual electoral registration has already cleaned up the voting rolls significantly, getting rid of "ghost voters" and reducing the risk of fraud with new checks on ID. It's been a huge success, with 96 per cent of all voting rolls now confirmed as genuine."³⁶

This is disingenuous on many counts, not least of all it's the large numbers of unconfirmed entries, those that don't make it onto the new register by December 1st, which the Government needs to concentrate on.

The fact that the Conservatives have a working majority in the House of Commons meant that the Act bringing forward IER could not be annulled. This despite the fact that the Electoral Commission strongly advised the government to wait a year.³⁷

On 27th October 2015 peers in the House of Lords were given the opportunity to put a brake on the timetable when Lord Tyler proposed a Motion to annul the Order bringing forward individual registration. Opponents of the accelerated timetable sought to block the measure through a so-called "fatal" motion but this was rejected by peers by 257 to 246 votes. Given the working majority the Government has in the House of Commons it now seems any hope of gaining a delay have gone.

This left a call to arms to get people switched onto the new register. Labour's new grassroots network, Momentum, for example, launched 'Democracy SOS' in a bid to sign as many people as possible onto the register. Increasingly we are facing the prospect of millions falling off the register and the consequences and ramifications of this are immense.

The immediate consequence is skewed election results in next year's elections, especially in those places where people are most likely to "fall off" the register – areas where there are young people/students, and a high density of private rented sector with high levels of churn. It is these demographic cohorts that are increasing rapidly in London and in some of the other large cities.

There are also implications for the next general election. The new boundaries will be drawn up on the new register compiled from December 1st this year. Yet for the boundary review to have any credibility it should be an accurate reflection of the population that elected representatives serve.

The risk is that the UK is sleepwalking into a situation where an MP may have a constituency twice the size of others in terms of people they have to represent but equal in other in terms of people on the electoral register. Perversely, given the predicted state of the electoral registers, the new constituencies could be doing the exact opposite of what they were intended to do which was create constituencies of equal size.

Given all this what can be introduced to mitigate against the potential inaccuracies of the electoral register? The IPPR in their recent Report "Reforming Democracy"³⁸ called for boundary commissions to be given a new duty to consider the electoral competitiveness of a seat when reviewing constituency boundaries. Lewis Baston, meanwhile, suggests using population, rather than the registered electorate, as the base number for allocating seats. Alternatively the UK could introduce a population registration system as they do in the Nordic countries.

Another suggestion is to set up a central electoral register. Currently 386 EROs manage separate electoral registers and yet the technology exists (in the form of databases held by many Departments of State) to move to a national database.

Sadiq Khan MP, Labour's London Mayoral candidate, advocates electoral registration on voting day, which is used in the USA. The Labour Group at the LGA are also calling for councils to actively encourage voters to automatically register when they interact with voters. More could also be done to promote on-line registration and raising awareness about electoral registration through schools and colleges.³⁹ Another more controversial proposal would be to introduce

36 <http://www.theguardian.com/politics/2015/jul/30/electoral-registration-changes-will-not-disenfranchise-voters>

37 Daily Mirror, 26 October 2015

38 <http://www.ippr.org/publications/the-democracy-commission-reforming-democracy-to-combat-political-inequality>, 2015

39 The British Youth Council calls for information on registration through the Citizenship curriculum, partnered with voter registration drives at schools, universities, and other places and services that young people use.

automatic voter registration at age 18 for everyone, and maybe even compulsory voting (more accurately compulsory turnout).⁴⁰

There are of course no easy solutions, but reform must include tackling election fraud and increasing voter registration. One should not come at the expense of the other. Furthermore, the

government must accept that having an accurate and complete electoral roll is critical to a fair boundary review process and to maintaining our democratic heritage. Government has to take this issue more seriously. Voting is a 'responsibility not a right'. However, casually leaving 10 million voters off the register is hardly an act of responsible government.

⁴⁰ The legal requirement to vote exists in Angola, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Costa Rica, Cyprus, Dominican Republic, Ecuador, Egypt, Greece, Honduras, Luxembourg, Nauru, Panama, Paraguay, Peru, Philippines, Rwanda, Singapore, Thailand, Turkey and Uruguay.

