



HOUSE OF LORDS

Select Committee on the Electoral Registration and Administration Act 2013

Corrected oral evidence: Electoral Registration and Administration Act 2013

Tuesday 5 November 2019

3.25 pm

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Members present: Lord Shutt of Greetland (The Chair); Lord Campbell-Savours;
Lord Dykes; Baroness Eaton; Baroness Mallalieu.

Evidence Session No. 7

Heard in Public

Questions 83 - 91

Witnesses

I: Darren Hughes, Chief Executive, Electoral Reform Society; Michael Sani, Co-founder, Bite the Ballot.

Examination of witnesses

Darren Hughes and Michael Sani.

Q83 **The Chair:** Good afternoon, gentlemen. Welcome to this evidence session of the Select Committee. You have in front of you a list of interests that have been declared by members of the Committee. The meeting is being broadcast live via the parliamentary website. A transcript of the meeting will be taken and published on the Committee website, and you will have the opportunity to make corrections to that transcript where necessary. That was the formal bit.

May I start by asking the pair of you how significant you think the introduction of individual electoral registration and online registration has been? Has the Act achieved its objectives of improving the quality of the electoral register in both accuracy and completeness?

Darren Hughes: Thank you for the chance to share our thoughts on this topic. We judge it to have been a success. We regard the decision to introduce individual electoral registration as the correct policy objective. Moving away from the previous household registration system was certainly an improvement, and it has presented the opportunity for an improvement in the completeness and accuracy of the register, which is very important, but it does not guarantee it. That is probably the area that is of interest to look into; it presents the opportunity but does not guarantee it. If those things are not thought through effectively and resourced adequately, and joined up where the inevitable gaps are identified, you either perpetuate existing problems in the previous system or you fix some of the previous problems only to create new ones.

After this number of years, on balance, it has been successful, but there are a lot of areas where we should continue to improve to ensure that the goals of completeness and accuracy are met. Simply saying that we have changed the system will never be enough on its own.

Michael Sani: I share that sentiment. It was a timely piece of legislation and the right thing to do, but the proof is in the pudding. Huge parts of society are still underregistered; that has not changed. The cuts in funding to local authorities have made it more difficult to ensure the robustness of the register, whether it is individuals filling in the form or households. That has not helped.

The strategy and methods to implement IER were not as effective as they could be. Take, for example, the younger demographic, an area that I have spent a lot of my time trying to engage in democracy. We know that young people are a captive audience in schools; we know that is where they are, yet there were no real efforts to ensure that there was education in schools about the electoral roll. There was an opportunity for younger citizens to understand the benefits of being registered, from the effects on their credit rating to giving us a more representative jury service, since jurors are plucked from the electoral roll. With their NI number, which in many cases they have just received, it gives them the

opportunity to make an informed decision, and to join this wonderful process, to be part of our democracy.

We have seen fantastic methods of signposting from the Government. When I fill in a government form, by default I am often asked whether I am on the organ donor list. We know how effective those signpostings can be, but we saw none of them for IER in new applications for a driving licence, getting a new passport or changing an address on a particular government system. There was nothing to say, "Hey, if you move home, register to vote". That could have eased the burden on local authorities.

The Electoral Commission still promotes a strategy of sending every household a letter and, if they do not reply, sending them another letter with a little bit of red text to tell them that there is a £1,000 civil penalty. Given the amount of money spent on postage for unopened letters to people who do not even live at those addresses, that could have been thought through as part of a holistic strategy for IER.

The only other problem that IER has presented is that it has placed another burden on local authorities with the duplication of applications. If an election comes, as it has now, and I think, "This is important; am I registered to vote?", I cannot go to any central place to check whether I am on the electoral register; so, in order not to take chances, I go through the government portal again. The local authority has to process every single application. It has no idea whether Michael Sani is registered five times, for example.

These are crucial elements as we look forward, not to blame anyone, but to do a bit more. IER is here and I think it is effective; it gives someone an opportunity to take individual responsibility to play a role in democracy, but there are a few bits around the edges that could make it a more thought-through process, to ease the burden on all of us and, crucially, increase the participation of those who are integral in playing a role in our society.

Lord Campbell-Savours: Mr Hughes, in the documents you submitted to us you say, in paragraph 3.2: "The accuracy of the registers decreased by seven percentage points since 2015, while their completeness decreased by 6–7 percentage points", obviously in the same period. I was listening to what you were saying about accuracy. In my view, there seems to be a slight conflict between what you are saying here and what you were saying in your written evidence. However, that refers specifically to Northern Ireland. Could you explain why you think it is happening in Northern Ireland?

Darren Hughes: What is happening in Northern Ireland on IER?

Lord Campbell-Savours: The paragraph says: "In Northern Ireland, the local government register is 73% complete, and the parliamentary one is 74% complete, with both being 80% accurate in December 2018". Then you talk about the accuracy of the registers decreasing by seven percentage points since 2015. What is happening in Northern Ireland

whereby there have been those decreases, which you must have picked up in your researches?

Darren Hughes: As you are aware, Northern Ireland has had the system of IER for longer, and then it was introduced for the other nations. I need to reflect on the exact reasons, but things that come to mind might be the fact that, because it was a new system for England, Scotland and Wales, more emphasis was put on promoting it in its early stages, which may have led to a discrepancy in the completeness. I can certainly look at that and try to provide more information about what might have led to those differences.

On your first point, the question we were asked was about the overall existence of IER, and I was offering some positive comments about the overall architecture of it.

Lord Campbell-Savours: That is what alerted me.

Darren Hughes: That is right. Of course, we do not know necessarily what would have happened if we had stuck with the previous system, because there were a lot of inaccuracies there, too. If this is not resourced well, and administered correctly and with priority, people do not have a simple way of checking, as Mike said when he referred to the multiple registrations. There is a lot of inconsistency in democratic services departments; this is so decentralised that there can be really good practice in some areas and quite poor practice in others.

Lord Campbell-Savours: You go on to say: "In Northern Ireland, around 26% of eligible voters are missing from the local and parliamentary registers". What is happening in Northern Ireland?

Darren Hughes: It might be worth calling for information from the Electoral Commission in Northern Ireland, which might have research that it has conducted into that. We were just looking at the headline figures and taking a comparison across other parts of the UK.

There are broader problems of people not registering, due to our not being able to contact people from communities that might always struggle to register; we can identify groups that are difficult to register. There are sometimes factors that are hard to control for, from fatigue through to many iterations of elections. There have been a lot of polls in Northern Ireland. There are structural issues, but there are also examples of incidents that can lead to a disparity. I would be happy to send more information on that.

Lord Campbell-Savours: Thank you.

The Chair: To make it clear, we have people lined up to come from Northern Ireland, so we will be able to pursue those points.

Lord Campbell-Savours: I was picking up on some of the evidence that was given.

The Chair: Fine, I accept that. Do you want to come on to your own questions?

Q84 **Lord Campbell-Savours:** Yes. What reforms are necessary to ensure that the electoral registration system helps to facilitate high levels of democratic engagement? That is a general question for both of you.

Michael Sani: Ultimately, there needs to be a form of political education—non-party, obviously—to give each citizen of school age the opportunity to understand their role in society, local, national and global, the channels of communication and how to utilise the opportunity to play a role.

One of those points would be to ensure that everyone understands the benefits of registering to vote and has an opportunity to do so. That is an integral part of our democracy. Young people often tend to be the least likely to participate and there is a correlation with polarisation in the young. They have not developed the ability to form their own opinion, so someone is going to form it for them, whether their community or their household. If they are not greeted with the opportunity to understand fully this democracy and to play a role, they might move to a different area and have no idea that they need to register in that new household.

We need to make sure that citizens are well informed, and we need to update the processes from the Electoral Commission that go to local authorities, because, for me, they feel quite outdated, in a digital-by-default system. That is not to overlook citizens who are not online; there are methods that support people who are not online and serve them well. For those who are online, especially in the younger demographics, there could be updated advice for the Electoral Commission to share with local authorities on how to target those people.

We need a centralised register so that people can check whether they are registered to vote.

Lord Campbell-Savours: Is that what you would call the single national register?

Michael Sani: Yes.

Lord Campbell-Savours: I will come back to that in a second.

Michael Sani: Certainly. It would be fantastic to have government signposting; that would be a good use of sharing government data so that if, as a citizen, I move, I can change one central address, and it filters through to all the different outlets where I need to reregister my address, from health through to my driving licence and the electoral roll.

There is merit in piloting automatic voter registration with attainers, to see how it goes, with, again, very good information. There is always a stir, if we go down the route of automatic registration, around needing one central database for ID, and then, obviously, ID cards. I understand that debate, and the polarisation on all sides, but for younger citizens I

think it is less of a scare. They are well aware of what is known about them; they are a lot freer with their information. It works in Northern Ireland. We saw it.

Lord Campbell-Savours: Can we move on to Mr Hughes, please?

Darren Hughes: Mike made a lot of good points about engaging with young people. We are involved with the campaign to extend the franchise to 16 and 17 year-olds. That initiative is not some hairbrained thing to try to encourage more young people; we have always been clear that it has to be integrated with effective citizenship education and political information, so that young people can learn about not just their rights but their responsibilities as citizens and, in addition to the mechanics of why it is important to register to vote, learn what you do as a citizen once you are registered.

How do you have the confidence to ask a question? How do you know what kinds of questions to ask? How do you process political information that you receive from political actors and what the media are saying? How do you analyse that kind of information? Those are good skills to have in adult life. If we extended the franchise, as has been done in Scotland and as is taking place in Wales, and linked that with citizenship education so that it was not just registration but what you do once you are registered, that would be a good thing.

In the context of this legislation, there is scope for us to have a registration revolution in the way we treat voter registration in the UK. There are all the points of contact that citizens regularly have with government, but they do not result in the opportunity being offered to register to vote. It could easily be changed; we could change the default setting quite simply—and, I think, very effectively. It is often referred to in the United States as the motor voter law. It is all the basic things citizens do, such as getting a driver's licence or a passport, and registering for various government services; all those opportunities have been linked to voter registration. When that has been well resourced and thought through and made accessible, with a real effort made to reach out to underregistered groups, those sorts of initiatives have worked quite well.

I emphasise the point Mike made about being able to check whether you are on the register. Many other countries do that. There are better, more effective and efficient and cheaper ways for voters to check whether they are on the register than getting them to register again and then going back and saying, "There's a problem". Those are the things I would like to do.

Lord Campbell-Savours: Can I ask you about the single national register, to which a number of people have referred in previous evidence? How do you think it would work? I am quite interested in it.

Darren Hughes: At its most basic level, it would need to be built. It is such a decentralised area of government. Generally, the direction of

travel from Westminster for everything to do with democratic engagement in the last 20 years has been devolution and decentralisation. This is an example where there is a lot of administrative decentralisation, and it comes with opportunities for innovative authorities, but with the risk that it can be hard to make major changes that would be simple.

We need some sort of system, such as a specially built database against which voters can check their own details or some way of knitting together the existing databases, taking into account data protection and so on. I think that is achievable and it would be much more straightforward. We have done part A, and you can now register to vote online. That was treated like a major breakthrough, when it was quite a straightforward thing to do. What we have not done is part B, which is the logical missing part: how you can quickly update your details or check whether you are on the register.

Lord Campbell-Savours: Mr Sani, what would be the benefits of a national register? How would it simplify the system?

Michael Sani: It would avoid duplication. It would enable local authorities to have a more up-to-date snapshot of areas of underrepresentation in their communities so that they can better target underregistered groups. They are all working on different systems, and in many cases that is why the default option is to let everyone know an election is coming and they need to register, rather than, "Well, they're registered; let's leave them to it".

The Chair: You are talking about local authorities, but if it is a central thing, it is obviously going to be done by some central outfit, is it not?

Michael Sani: No, it is a central register for citizens to look at, but it is a central register that local authorities can access, too. They can say, "Show me my constituency", but the data is all drawn from one central path.

The Chair: You suggest that it is done centrally. It would not be done by local authorities.

Michael Sani: I think local authorities would have access to it. Whether it is held centrally or not, it is a necessity that there is one full, robust register.

Lord Campbell-Savours: Has anybody done a paper on the single national register?

Michael Sani: Yes, there is lots of evidence. Toby James, who gave evidence to you, has lots of information, but it would be worth seeing whether others could contribute to the Committee. I have read a few things over the years, and I am more than happy to send something in.

Lord Campbell-Savours: How is it linked to addresses? How would a national register relate to a ward, and a change of address in a ward? In

practice, how would local addresses be registered?

Michael Sani: I am not sure. Personally, I think it should be linked to NI numbers because everyone has an NI number. Then there could be a central system, and you could search to see whether an NI number was registered to vote or not. We are getting into the detail, where people would have expertise. If there was the intention to do it, someone would have a very good, cost-effective way of doing it well to avoid the problems we have shared with you today and which I am sure local authorities would share with you. Duplication burdens them.

Q85 **Lord Campbell-Savours:** My next question can be very briefly answered and is for you and Bite the Ballot. Bite the Ballot refers to the “missing millions”, individuals who are not on the electoral register or who are incorrectly registered. What more can you tell us about who they are, why they are missing, and how they can best be reached?

Michael Sani: Predominantly, they are young people; then there would be the BAME communities and disabled communities, students and frequent movers. Those tend to be the groups that are underregistered. There are a variety of reasons, to give a short answer.

Some people have never been engaged, so they have no idea that they have to register. That included me; I did not register to vote until I was 27. I know that is difficult to believe, but I went to a state school where no one told me about politics, and I had parents who did not bring politics into the family home. I was actually part of a majority of people, which is why I started a campaign to try to change that. It is about education, first and foremost.

If people are moving and in transit, they need to be reminded to reregister when they move, so we need good-quality communications. If I register with a GP in my new area or if I update my address on my driving licence, as Darren mentioned, I could be asked whether I am registered to vote in the constituency. Those are very easy methods of signposting, and that would be the way.

We could work with groups that hold a certain authenticity in communities. Faith groups are very prominent in being able to push people to register to vote. They look up to their faith leaders, if the message comes from there. There are holistic approaches. The big disability networks play a role but are heavily underresourced.

Lord Campbell-Savours: How is your organisation funded, by the way?

Michael Sani: Grants, predominantly.

Lord Campbell-Savours: From local authorities?

Michael Sani: No, I had some service-level agreements with local authorities until 2015, but the cuts to local authorities under the new Government stopped that.

Lord Campbell-Savours: Who funds you now?

Michael Sani: The organisation is actually closing; the charity is due to be struck off. Frankly, it is not the job of a small charity to do this.

Lord Campbell-Savours: Are you separately employed somewhere else?

Michael Sani: I am a social entrepreneur, trying to run social enterprise projects in different areas.

One final point is that the work we did with the All-Party Parliamentary Group on Democratic Participation was to foster a network of key people across different sectors to try to tackle those issues at a policy level, thereby alleviating the need for charities to pop up to try to do the heavy lifting.

The Chair: You were saying that it is Bite the Ballot that is going to be struck off, not the funder.

Michael Sani: No, Bite the Ballot is closing.

The Chair: What view do both of you take of people who do not want to register and people who do not want to serve on juries because they make more money if they do not? There are also things such as council tax. If you are careful and you are not on the register, you might be able to get a reduction if there is only one person in the house, and so on. What view do you take of people who just do not want to be on registers?

Darren Hughes: This issue was canvassed in 2011-12, when the legislation was going through, because the Government's original intention was to have an opt-in system so that people would make an overt choice to register. It was through that process and the debate and discussion that they landed back to its being something compulsory: you must register.

We fall into the latter category on that; we make very few requirements in citizenship, but one of them is that you register to vote so that you at least have the opportunity to cast a ballot if you choose to. That is also important because, in theory, all votes are equal, and there is not meant to be a power imbalance.

There could be a variety of reasons why people would elect not to register, and a variety of factors in play, so it is about having a level playing field and saying that we expect every adult over the age of 18 to register to vote if they are eligible. The decision that citizens take about not wanting to do X, Y or Z, and not wanting to vote, becomes one that they take as a fully-fledged citizen who is registered to vote, rather than standing back from it and saying, "I don't want to participate".

That is more on the principle. Of secondary order is the fact that things such as the census and electoral register are enormously helpful tools in planning and delivering public services and in public policy development

and delivery. It would be a mistake to deny policy planners and decision-makers the richness that can exist when those things are managed well by saying that people would opt in to the electoral register. We would sit firmly in the camp of saying that it must be compulsory to register to vote.

Baroness Eaton: What would you say to what is, granted, a reducing population of the very elderly, who have very serious reservations about being on a national register because, historically, their families were put in difficult situations—under Hitler, for instance? Questions on registration are difficult. I have family members who would be very unhappy at having to be formally registered. How do you explain it to them? How can you give them confidence that there will not be a Government one day who abuse the privilege of knowing which people are on the list?

Darren Hughes: That is a very interesting point, and I take your assumption that there are small groups of people for whom there may be certain issues. It is about how we would respond to those.

Baroness Eaton: They are mostly dying off; there were quite a lot of them at one stage. It is an age thing.

Darren Hughes: The system as it stands works for the vast majority, so we can carry on with that. In instances when people, for a variety of reasons such as safety, do not want their name appearing in a published register, it is right that there would be the opportunity to comply with the registration laws but have their details withheld from public perusal, if they have asserted that there is a justifiable reason for that to happen in those small numbers of cases.

When I first registered to vote, there was a choice to not have your details sold on to marketing companies, and that sort of business. It has been thought about in some respects. In those narrow, small circumstances, there would be an argument for people to have to register—that would remain the requirement—but for there to be discretion about how far it was distributed or published.

Baroness Eaton: How does it sit with the new data protection laws?

Michael Sani: I believe it already exists. The former Minister for the Constitution, Chris Skidmore, introduced a piece of legislation on anonymised registration, targeted for victims of domestic violence, so it can be done there. I am sure this would be the same. It already exists. There would be one central database for the electoral roll, but there are many databases held by government. Driving licences are held on one central database, which holds the same information, such as date of birth and address.

Baroness Eaton: It is about who has access to it, rather than its existence.

Michael Sani: Yes.

Lord Dykes: From your experience and knowledge, do you know whether there is a register of all names in countries where voting is compulsory, or are there exceptions?

Darren Hughes: There is a publicly available register of all names in some international examples, but with provisions, as Mike says. There is an anonymised option, providing that criteria are met. Obviously, you do not want 45% of the country saying that they do not want their name on a printed register; that defeats the point of having a public register.

Lord Dykes: But there is no basic problem in countries where it is compulsory.

Darren Hughes: Not as I understand it.

Q86 **Lord Dykes:** You are both very keen on the notion of automatic registration, but are there disadvantages that you would worry about in constructing such a system?

Michael Sani: There would be one for me, and we are in a similar category now. If I am automatically put on a register without understanding what that is, what the benefits are and what is expected of me as an individual citizen, it will not necessarily increase turnout or participation. We have both raised the integral role of citizen education. That would be my only concern, if we suddenly went to automatic registration.

Lord Dykes: You would have a grand national plan for proper civics and the briefing of citizens.

Darren Hughes: I think that is right. You have to get the mechanics right, but that is no good if no one knows that it has happened. You have to get the culture right for what it means to be a citizen and a voter, and to know that it is well resourced, effective and robustly done, so that it is not accused of being hijacked by this side or that side.

A more generic concern, which would not be specific to this issue, is making sure that, any time we take data from citizens, the systems we build are secure and cannot be infiltrated or corrupted. Those are concerns that go well beyond this topic, but they should be on our minds at all times, because we know that there are people who want to infiltrate, influence or manipulate information for means that I think we would all find distasteful. We have to be vigilant about those things all the time, but that is not a reason not to do it; it is just in direct answer to your question about concerns.

Lord Dykes: Was the growth in respondents to Bite the Ballot, when you first launched it, encouraging and rapid? Did that also give you the feeling that automatic registration was a doable thing?

Michael Sani: Yes, that is why I mentioned pilots with attainers, for 16 and 17 year-olds. We can register to vote at 16, even though nationally

we cannot vote until we are 18, so that is a fantastic statement that you are engaged and ready to participate.

We saw rapid growth in the national voter registration drive, because it was a timely campaign in the calendar year, where across sectors we could ask anyone from employees to households to faith groups to register to vote. There was an appetite for it; the biggest driver was when people felt engaged and felt as if they were part of something, so they arrived as individuals and left as a movement. Many of the young people I met in my time running Bite the Ballot said, "It's just me; nothing ever changes". That adds to apathy and polarisation—and the breakdown of our society—because individuals are losing sight of their role. There is an opportunity to put people on the roll and make sure they are informed.

Lord Dykes: If the foundation is ceasing, who will pick up the pieces and carry on with that work?

Michael Sani: We have government institutions. We have the Cabinet Office democratic engagement team. There are people who could do this, but they make hard work of it, and do not deliver, and no one holds them to account. That is a shame, because we have proved that it can be done on a shirt button, and these people are sitting on huge budgets. They lack the cognitive diversity to think of anything outside what would work for them, and that is a sad factor. They are less likely to involve civil society in a meaningful way.

Lord Dykes: This may be unfair to the people involved, but would you say that even elected politicians in this country who have been elected for quite some time are not well versed in these subjects and themes, about proper, full registration?

Michael Sani: I am unsure. There is a spectrum. Some people are fantastic and well versed and seek to increase the franchise, and others are completely overworked and overstretched, and consider that having to answer to anyone else would drown them. It must be different for individuals in all the parties.

The Chair: You mentioned the fact that you are being dissolved. When does that happen?

Michael Sani: We are in the process of striking off with the Charity Commission. It is worth saying that we have worked hard to put 21 recommendations in a new report, which is cross-sector, in the hope that we would not be needed. We are going to do a final campaign in this election.

The Chair: I shall come back to that.

Q87 **Baroness Eaton:** This is a question for both of you, and I do not mind which order you reply in. It is in two parts.

What impact do you think the Government's proposal to introduce voter

ID at polling stations will have on tackling fraud and on voter turnout? Both your organisations have urged that voter ID should not be the Government's priority. Would you like to explain why you think it should not be?

Darren Hughes: We are very critical of the proposal, so it is a delight to share with you the reasons. It is particularly interesting, given the discussion we have just finished, that there has been a lack of resources put into areas where we know we can make a big impact. Mike's organisation ran national voter registration day and brought a focus on trying to get young people on the electoral register, with a lighting effects show on the side of this very building a few years ago, to try to bring interest to it. We know there are stretched democratic services budgets for local authorities; that has been part of the cuts, as they have had to trim their budgets. Often these sorts of areas only come around once in a while and, if people miss out on something, they do not notice it happening, in an individual sense. It is a big problem.

The Cabinet Office paper says that the Government are prepared to spend £20 million on the voter ID scheme. At some point, politics is always about making choices with resources. If you have £20 million to spend, and you decide not to do it on the kind of registration efforts that we have been talking about, particularly involving young people, when all the research shows that if young people vote in their first election they are more likely to become lifetime voters, you are making a big choice. That choice would, therefore, logically mean that voter ID is so necessary because fraud is so rampant that it is worth denying the measures you could spend the £20 million on for registration, because you are prioritising a voter ID scheme.

We are talking about fraud, or personation, which is somebody pretending to be you and using your vote in your constituency, thereby denying you the right to use your own vote; it is as specific as that. We are told that the reason we need to go down that path is that it is happening in so many places, yet in our experience this has not been elevated beyond anecdotes within political parties. It is not something that civil society organisations say is happening, and it is not something that community organisers or leaders say is happening; it all comes from campaigners and activists in political parties. It is great that people join political parties, but the minute they do they become quite blinkered about every other party; they become very religious about their own party and very suspicious of others.

We have looked at the evidence from the 2017 election, where 44 million votes were cast; only 28 allegations of personation were made, and there was only one conviction. We are going to spend £20 million and deny the registration revolution—the things that Mike and I have been talking about—while potentially putting in place a barrier to voters, many of whom do not have photo-ID, all to fix a problem that has not been established as existing. It will affect turnout and it will not tackle fraud, because I do not think we have a problem with people stealing votes. I

do not believe that we have a problem with people arriving to vote at a polling station, only to find somebody used their name that morning.

Baroness Eaton: If public perception is that there is a great deal of fraud in the system, do you not think that the integrity of the system is very important in democracy? I take slight issue in that I think you have oversimplified the fraud situation. It is very difficult sometimes to ascertain precisely and get people to follow it through. I think there is more of it than you suggest. I agree that those are the actual findings, as regards prosecutions, but there are places where there is obviously a great deal of unhelpful activity around elections, more than just at the ballot box. I have heard what you say, but could you please tell me what you think is the public perception?

Darren Hughes: Perception is, self-evidently, always important, but surely evidence-based policy decision-making is more important. In the end, if something is not happening, and you are asked to make a response to it and you decide to follow what the data and evidence tell you, that is what policymakers should be doing, rather than saying that they will take policy decisions and spend public money on things that people think might be a problem, even though the data and the evidence tell us that they are not.

At some stage, you have to stand up and say, "This might be a rumour and a strong anecdote in my party, and I might have campaigners, doorstep activists and canvassers telling me that it is a thing, but I have to go back and look at it". I understand and respect that because of your position; you cannot vote in elections; but I would be interested to know what you would do personally if you arrived to vote to find that somebody had used your vote that day.

Baroness Eaton: It happened to me.

Darren Hughes: Somebody took your vote?

Baroness Eaton: Yes, they did.

Darren Hughes: And you could not vote?

Baroness Eaton: Well, I think we probably broke the rules. They had marked them off; it was somebody with my name or a similar name.

Darren Hughes: Right, so it was a mistake as opposed to somebody setting out to defraud you.

Baroness Eaton: Yes, it was a mistake.

Darren Hughes: This scheme is not about mistakes. It is about people who actively try to defraud other people's votes to change an election outcome.

Baroness Eaton: Yes, but they vote for each other without somebody necessarily turning up and not voting, because somebody else has voted

and they do not need to go to the polls. There is a whole host of stats.

Darren Hughes: I know, but it is important to go into it, because that is what dominates the debate. All I am trying to add is a practical dimension. Let us say that we have 44 million votes and 10,000 acts of personation take place. Do we really think that in the age of Facebook and Twitter, social media and even talk radio, there would be that many citizens who would put up with their vote being taken? How many votes do you need to take? What constituencies do you take them from? I could go on and on. It is like taking a sledgehammer to crack a nut.

Baroness Eaton: I accept what you say.

Darren Hughes: The difficulty is that it is very hard to get people in politics and the media, or those involved in policy, all of whom normally have a passport or a driver's licence, or both, to think about life for people who do not have those things, either because they are too young or they are too old and have decided they no longer want to use them, or because they do not have access to them. In the last year or two, the Windrush scandal has shown how a lot of people do not have the documentation that everyone else takes for granted. You cannot brush over those things.

We are introducing a new system at significant public cost that will put up barriers to people who do not have the correct ID. One of the biggest risks is that people forget to take their ID, because they think they will pop in to vote as they are jogging back from the gym. They are told that they do not have their ID, then their day carries on and they forget to go back. We are allowing all these new injustices to form, in order to try to answer an allegation of fraud that is not documented as true outside the anecdotes of political parties.

There are more concerns about postal voting, but the scheme is not about that; it is about taking your card when you go to vote. That is why we feel concerned about it, because that is exactly how these so-called well-meaning things started in the United States. It leads to massive barriers and disfranchisement for voters. I cannot understand how the Government, who should be in favour of maximum registration and high levels of voting, can go down this rabbit hole. That is why we feel so strongly about blowing the whistle on it.

Michael Sani: I have one point to add, from a solutions perspective. In the missing millions report, we did not raise it as an area of priority because of the evidence. Faith in the institution is important, but, if we were to go down this route, rather than having a £20 million overhaul, and that is it—black and white—we should look at its implementation with the young, and the benefits of that. We could introduce a system whereby we have a central form of ID that acts as X, Y and Z, and is beneficial to people, because, as with the Northern Ireland model, they can use it for internal flights, or for going to drinking establishments or overage films. If we implemented it in that way, and everyone had access to it and felt that there was trust and faith, and it was not alienating

certain demographics, it could work. But a quick overhaul that alienates certain portions of society, as Darren rightly said, could damage faith in the institution even more.

I am in favour, but it needs to be well thought through and pilots need to be done. The young are a lot more resilient and a lot more open to change, and if we said, "This is one central register so that, when you move, all your data is shared across government institutions; it's a data revolution for you", it could be really beneficial.

The Chair: Is there a problem about the photo? Is it ID of any sort? Would a credit card do or a utility bill? Many people take their poll card with them, but I have known people to get to the polling station door and say, "Oh dear, I haven't got my poll card; I won't be able to vote". I say, "Off you go; you certainly can". What is the concern? Is it that it is any form of ID, or is it the photograph?

Darren Hughes: The trials that have taken place have tried different things. Some have been with photograph ID and others have been non-photo. Some have been with two forms of ID, if they did not have a photo, but only one if it did. In fairness to the Government, they have tried to think of lots of different ways in the trials to see whether they work, but none of those things placates the overall problem.

Take the example of the utility bill. If you are worried about fraud and you introduce an ID system based on somebody having a utility bill, how easy is it fraudulently to copy a utility bill? You open up a whole new area of fraud to chase that kind of supposed problem. You would be forcing 44 million or 45 million people—hopefully more, if we can boost voter turnout—all to have to go to the polling station with photographic ID, when 3.5 million people in the UK do not have photographic ID. Those numbers are impossible for people who talk about it to understand.

The Chair: You are coming back to photographic ID, as if that was something specific. Utility bills have never had a photograph.

Darren Hughes: No, that is right. But it would be crazy to use a utility bill, given the simplicity of creating fraudulent ID. As we say, personation fraud is not happening at the level that is being assumed.

Lord Campbell-Savours: I have a very quick question, which will require a one-sentence answer from both of you. Are you in favour of national identity cards? Could you see the benefit? Mr Sani referred to what could happen if it was widespread and everybody was involved, and then he would not see a problem. Would that be your position, Mr Hughes?

Darren Hughes: We would not have an organisational view on something like that.

Lord Campbell-Savours: But you must have a personal view.

Darren Hughes: I am a New Zealander; I grew up in New Zealand and I did not participate in the earlier debates in this country about the topic. I know it has been a very emotive topic for a lot of people over many years.

Lord Campbell-Savours: But not for you.

Darren Hughes: No, that is right. That is why I do not have the perspective that I think would be required to decide whether there should be a national ID thing. I do not have a personal opinion.

Lord Campbell-Savours: Mr Sani, you are in favour, I understand.

Michael Sani: If it was done the right way.

Lord Campbell-Savours: Thank you.

Q88 **Baroness Mallalieu:** Can I ask you about the unfortunate electoral administrators, from whom we heard about some of the financial pressures and, indeed, work pressures they are under, particularly at the moment with the December election? We have heard concerns about the level of funding, and you mentioned some of them as well. In your missing millions report, there is a reference to the very high levels of stress they are under. What ways could you suggest that would give them more support, particularly at times like this, which must be a nightmare?

Michael Sani: I do not think we have enough time. Obviously, they are the ones who should be answering that question, but, as an outsider looking in, it is about giving them the most up-to-date data so they can hyper-target underregistered groups. They are legally bound to ensure a full and robust register, but they are working without data. That is something I tried to implement myself, with the data-sharing agreement, because credit reference agencies in this country have a far more robust electoral register than local authorities, which is bizarre. I am trying to ensure that there is a system in place whereby the credit reference agencies, Experian being the main one, give that data back to the local authorities, so that they can hyper-target underregistered groups down to the household, thereby making it beneficial to Experian when it buys the electoral roll back for statutory pricing, because it is getting names that were previously missing.

Some of the information released by the Electoral Commission is well-intended guidance, such as, "Tell your marketing team to do this; tell that team to do that", but some local authorities have a team of one, so it is very unrealistic. We need an understanding of what resources are in a local authority and what is expected of them, so that we can make an informed decision, with them in the driving seat, to say, "This is completely unrealistic". That is especially at times when we all go into election mode, and it is pedal to the metal.

Those would be my main points. Then it is about relieving them of pressure. One policy that we hope will turn into legislation was under the

Higher Education and Research Act 2017, a piece of work that we put a lot of effort into. It was around enrolment of students. Students enrol in their university course every year; they give the exact same information that is needed to be on the electoral roll, and they can opt to share that data with a local authority. In Sheffield, in a government pilot, we saw registration levels go from 13% to 76%. We campaigned for that to be policy so that every university must do it, and at the time the Government said, "No, we don't want to force people to do it. We'll give guidance and if by September 2019 the numbers have not drastically changed, there will be a sunrise clause that has ended and it will become policy". We are waiting, and members of the APPG are writing to the democratic engagement team and the Minister, and the Higher Education Minister, to ask what the evidence suggests.

Things such as that would make life a lot easier for local authorities. Data sharing and signposting by default could be a marvellous piece of administrative support. I apply for my driving licence and I opt in to the electoral roll. If I am in a local authority and I can clearly see where my underregistered groups are, I will make more effort to engage those citizens, rather than having to do a sweep of the whole constituency in the hope that I am picking them up.

Darren Hughes: I totally agree with everything Mike said. The only thing to add is that we should all spare a thought of solidarity to those who work in these areas, because it is difficult and stressful work at the best of times. People's patience and tolerance is always stretched around times of elections, particularly those who suffer from the condition called "candidatitus". Electoral administrators have to work so hard to deliver a quality service. In the nations of Wales, Scotland and Northern Ireland, they often have additional responsibilities and duties, with extra public polls, in addition to the ones we are talking about. I definitely echo what Mike said, and we should think of them in the work they are doing on behalf of all citizens at the present time.

Baroness Mallalieu: They indicated that a central base, where you can check whether you are registered or not, would be a great help, because a lot of their work right now is due to people thinking that they have not registered, and they have no means of checking.

Darren Hughes: It is understandable that the issue of duplication is difficult; it takes up time and money. It is so frustrating, because it is hard to accept and understand why it exists in this particular way—that the most effective way of checking whether you are on the register is to reregister. That seems a really clunky way of going about it.

The administrators are already overwhelmed with work and inquiries, and it is not a well-funded area, as we have both alluded to, and that adds pressure. We have had two early general elections fairly close to each other, and they are huge pieces of work, quite apart from the political discussion and policy exchange that will be going on. Mechanically, they are very big pieces of work, and putting impediments or barriers in place makes people's already tough jobs even harder.

Lord Dykes: Not only are those hard-pressed officials, who may be underfunded, grappling with the electoral register and all that, they are delivering an efficient election and election result in numerical terms, nothing to do with the politics. On the latter, to be topical for a moment, are you anxious about additional problems, because the election is on 12 December and there will be dark hours and maybe bad weather? Are those additional things for which the administrators may need extra funding?

Darren Hughes: They present extra challenges for the election. I do not think that many people would think that they are factors or variables that assist the election. I do not think they would say, "Wow, it's going to be an amazing election because it is in mid-December". But I do not think that the fact that it is taking place when it is means that it has to be a negative experience.

It will be very challenging as regards locations and possible inclement weather. Parts of the UK get dark very early at that time of the year, and there will be security and safety concerns for voters and for staff working there. To go slightly outside what we are discussing here, that puts a lot of extra responsibility on the candidates in this election to try to conduct themselves in a way that inspires people still to want to be part of the democratic exercise despite the additional barriers that exist, which are not the case in a spring election. General elections are incredibly important, and I do not think we should allow any of those environmental factors to put us off trying to conduct the best election possible.

Q89 **Lord Dykes:** Can we turn to the thorny question, I suppose, of the annual canvass and data matching? Apparently, this is a somewhat confusing subject for electors, or so we have heard. How could the annual canvass and data matching be simplified to make it more accessible for eligible electors? Are the proposed reforms to the annual canvass a step in the right direction?

Michael Sani: I think this is more your area, Darren.

Darren Hughes: Sorry, yes, I am just collecting my thoughts. The annual canvass is a resource-intensive effort. We have been thinking about the system, and we have already indicated our concerns about the lack of resources available overall. We have tried to think of ways in which we could achieve the same or similar outcomes, without the full expense of the annual canvass. What Mike said earlier is right; if it is being done only as a postal exercise, or there is only one standard way of delivering it, there will be big gaps as a result. When you consider that what drives us is a desire for an improvement in completeness and accuracy, by definition that implies a multimodal approach to conducting it and in what the intention of the annual canvass is.

The data-matching component has probably helped, because it is a new angle. That is helpful, but, particularly when looking at the underregistered groups, there needs to be a dynamic range of options available for choice to try to achieve what the annual canvass does,

rather than saying that we will treat everyone the same, and we will do a full canvass. Essentially, that means doing things in a singular fashion, and we are not sure that is cost effective or time effective for the people we are trying to reach out to. That is something we are trying to give some thought to, because it is important that there is consistency, but the greater driver has to be the results, which are about accuracy and completeness.

Lord Dykes: Mr Sani, do you want to add anything?

Michael Sani: No.

Q90 **Baroness Mallalieu:** Mr Sani, you have already mentioned in your evidence that you have done some work with Experian and the Electoral Commission on data sharing. Can you tell us what you have been doing, and outline what the benefits are, as you see them?

Michael Sani: Yes, I am trying to establish a data-sharing agreement between Experian and the Electoral Commission so that Experian can provide accurate data to the commission about where underregistered groups are in constituencies, for the commission to make available to the local authorities, so that when local authorities target underregistered groups they have a more accurate map of where to target.

Within that accuracy, hopefully, there is the opportunity to be a bit more exploratory with the methods. If we can see that those underregistered in an area are 16 to 24 year-olds, sending a letter is probably not the best form of engagement; it would be a social media campaign, or some other way of reaching them. First and foremost, we need an accurate map, and then the freedom of knowing where the underregistered groups are can allow a local authority better to target them, using different methods, depending on age.

Baroness Mallalieu: Can I ask you about Experian, because I do not know very much about how it works? What material can it get its hands on that is helpful?

Michael Sani: Experian buys the electoral roll from local authorities at a statutory price. It adds that data to data it already holds on us—from our spending habits, from our credit rating or whether we have bank accounts—and puts it into one central system. It is able to cross-reference that and have a more accurate picture, because it mixes it with other datasets as well. It is in favour of data sharing; it is just taking some time, with the Electoral Commission's lawyers and others. I am due to have a call tomorrow to ask about it.

I have been trying to do this for two years. The head of the Association of Electoral Administrators says it has been needed for 10 years, so we have made a bit of progress. I am asking Experian to allow us to do a pilot in this election. If it can tell us where underregistered groups of young people are and give us that by age group and street, it could be fabulous for local authorities to use in their methods to engage. But I am not sure if we will get it in time.

Q91 **The Chair:** This is a final question from me, or perhaps not quite the final one. Bite the Ballot has 21 items that it would like tackled. One of our problems when we write the report will be whether we have a lot of things on that list. The worry is, of course, that, if we have a great number on the list, the Government will say that they agree with all the ones that cost nothing and do not make much difference. We might think that we should concentrate on something really important, so what is really important to you out of your 21? What would you go for to change things?

Michael Sani: Data sharing, so that, if I update my details on any government system, it updates across the periphery of government services, including the electoral roll. Political education and engagement of young people is a necessity, because I think our society has been seeing the effects of the lack of engagement for a number of years. I would like pilots for automatic voter registration so that the other recommendations can kind of dwindle away, because we transfer to a system where people are automatically registered at the age of attainers when they get their NI number, which could in future have an identification on it for them to use to vote.

The Chair: What are your thoughts, Mr Hughes?

Darren Hughes: In the whole picture, one positive change I would like to see is that any contact with government services would automatically result in a question about registration—the idea of the motor voter-style law. That would bring that opportunity, and it would be positive.

The thing I am worried about and which is a negative, which has the potential to be a marking point where we look back and say, “Ah, that’s when it all started”, is the voter ID proposal. Because of the reaction when we tried to engage on it, we question the motivation, but we are also worried about the operation and practice of it, and what it will mean down the years. Often, water starts lukewarm and then becomes quite hot, and it is hard to know what to do about it. The negative thing to draw attention to in improving the Act would be measures that would prevent the development of the practice of voter ID and going down a route that we would see as Americanisation.

There is one positive from America, in the motor voter law, and one negative from the US, in the system of voter ID, which is designed to make it harder to vote and will impact on the people we should be most concerned about—the underregistered and the underrepresented, whose voices are always the quietest in our community.

The Chair: I just want to inform the two people who have come to see us that a mere 45 years ago Lord Dykes, Lord Campbell-Savours and I found ourselves on ballot papers at a general election in the winter, in February 1974. Edward Heath, on 7 February, decided that there would be an election, Parliament was dissolved the next day, and we went to the polls on 28 February, so there were three weeks from start to finish.

We now find ourselves in a situation whereby, through a decision of Parliament, or at least part of Parliament—the House of Commons—we decided to have an election and gave six weeks and two days. The House of Lords agreed the day after, but, nevertheless, the point is that it is six weeks and two days. That is more than double what we had, but, having said that, we were blessed with an electoral register; we did not have anything like the rolling register. You have double that time; you have loads of time. In your organisations, how are you going to spend your time in the next six weeks?

Darren Hughes: I wonder whether that anecdote fits into the category of, “It was much harder in my day”. We are all required to say at various points, “These people don’t know how easy they’ve got it”.

As the Electoral Reform Society, we are going to spend our time pointing out why we do not believe that we have a system where the number of seats a party will receive matches the number of votes it gets. We think that is a bad thing, so we will talk about it a lot and loudly in the coming six weeks and two days, minus however much of it has already elapsed.

Michael Sani: We are going to co-ordinate a national voter registration drive, which will take us up to voter registration deadline day. We will be working in educational establishments, if we can get resources there, from Monday, to provide teachers with the comfort and ease to bring a party-neutral set of games and experiences that end with a call to action to register to vote. That has been effective over the years.

There will be a large-scale social media campaign, which has been slightly hindered by the policies recently on social media to clamp down on political promotion. We find ourselves in a grey area; we are not telling anyone to vote; we just want them to register. That is proving a bit difficult, but we will get over it. We are very much in campaign mode and excited about it. One thing that we have seen, which I am sure you have seen in the news as well, is that young people are registering in huge numbers. If there was any malicious intent, which I doubt, in putting the election on 12 December, it does not seem to be working. It is quite an exciting time. I hope that they turn out and, regardless of the result, remain engaged, whether they are disappointed or excited, because it is crucial for them to play a role.

Lord Campbell-Savours: I have a couple of questions. Mr Sani, I noticed your response to the Chairman when he asked you about the great number of recommendations you have made, which appear to me to be trying to make the existing system work. Would you be prepared to think outside the box and imagine, perhaps at some stage in the future, that we have national identity cards and a national single register?

Around those two principles, could you design a system that was cheaper, more efficient and more effective for registration and voting? Can you imagine taking those two principles? You sort of conceded on both the national register and the national identity card. Can you imagine a completely different framework from the one we now have? If you can,

and if you cannot respond today, could you write to us about it, or perhaps even express a few views on it now?

Michael Sani: After 12 December, yes. Ultimately, it is worth saying that those recommendations are cross-sector. Bite the Ballot is the secretariat for the all-party parliamentary group. It is a cross-sector set of recommendations that are generally to aid discussion and bring more people into the conversation. Anything is possible, and if those two details that you shared were the starting point—

Lord Campbell-Savours: If they were the core.

Michael Sani: If they were the core, it would be possible, provided that it was clear that it was not to disfranchise any member of society and that it worked for the citizen, especially if we are talking about a central database and central ID. If you were to tell me that I have one ID that acts as everything I need, of course I would say that is fantastic. I am someone who is quite tired of changing every single address and then realising that I have forgotten one.

Lord Campbell-Savours: Could you perhaps ponder over it, over the coming months, and write to us about whether you might be able to develop that sort of framework?

Michael Sani: I could. I could go one step further, and you could commission me to put some good people together and create it.

Lord Campbell-Savours: That is why I was asking about it. I have a second question, which is a bit more difficult, because it deals, essentially, with ethnic minorities in inner cities, where we have a problem. Whether we like it or not, we have.

In the framework you are currently looking at, do you see the possibility for a two-tier system, whereby the rules and regulations that apply in areas that are at high risk—the Electoral Commission, if I remember rightly, has identified 16 or 17 of them—were slightly different from the rules that might apply in parts of the country, such as Cumbria, where I come from, where there is no history whatever of any electoral fraud or any complaints whatever about the electoral system and how it works? Can you envisage that?

I know that these are very sensitive areas, but the Electoral Commission accepts that there are such areas, which originally it was never prepared to accept when we debated these matters five or six years ago in the Commons. Now that it accepts that there is a particular problem area, could you see a two-tier system in operation, in electoral administration?

Michael Sani: If I may, my Lord, I refer back to the points I made when you asked me about the 21 recommendations. I said that we should be thinking outside the box about a system where there is nobody at fear or committing fraud, because everyone feels engaged, stimulated, trusting and part of society. I would turn my attention to creating that. With a younger audience we can engage early, ensuring that they have the

skills, ethics and values to participate, and that they understand the channels of communication and are ready to hold the Government and Parliament to account.

Then I think we would see a decline in the things you are talking about, because they are spurred by fear and frustration, and many are issues in the fabric of our society that need addressing as a root cause—not by this Committee, I am sure. No, I would not want to pick up on those things and say that we need to address them as problems. I am a man who likes to look at solutions across the board. We should not be categorising young people; we should be creating the most exciting opportunities possible for them to be part of this democracy, at all levels of it. That would be my thinking.

Lord Campbell-Savours: Is that your view as well, Mr Hughes, or do you think there is perhaps a need for greater vigilance in certain areas?

Darren Hughes: You have to go where the evidence leads you. In a sense, we already have a two-tier system; in Northern Ireland, for example, people have to present their photo ID to vote. But that is not because of some anomaly; it was in direct response to the fact that there was personation. Hundreds of people were pretending to be someone else, so you had to respond to an exact problem that existed.

There was an issue in one of the London boroughs around postal voting, and our existing law and the existing powers for Ministers acted to fix that, and a prosecution went through the judicial system, using our current laws. We already have the tools when there are issues or problems, and when criminality and breaking the law take place, so we do not need to invent anything new on top of that. We just need to be dispassionate, look at the numbers, think through the practicalities and try to separate political assertion from what is actually happening, when we are trying to decide on our priorities for electoral administration.

Lord Campbell-Savours: You have just referred to the case in east London and, if I recall correctly, in your brief you refer to Andy Erlam, do you not? Was it you?

Darren Hughes: No, it was not us.

Lord Campbell-Savours: Do you know who Andy Erlam is?

Darren Hughes: No, I do not.

Lord Campbell-Savours: He is the chap who took Tower Hamlets to court. Do you know about that case? Okay. Fair enough.

Darren Hughes: In the case I was referring to in my answer, we used all the existing provisions to defend the integrity of our electoral processes. We did not need any special measures or emergency legislation; when there was evidence and a demonstrable attack on the integrity of electoral processes, we were able to fix it through a prosecution and measures that Ministers have. In Northern Ireland, when there was a

significant problem at one stage with personation, there was a response to it.

When there is only one prosecution for personation out of 44.2 million votes, our priority should not be to put a whole new system in place whereby there could be negative consequences. We have been talking with you this afternoon about positive things that could be done, where that £20 million could be much better directed.

Lord Campbell-Savours: Can I ask you to follow up on Andy Erlam?

Darren Hughes: What in particular would you like me to follow up on?

Lord Campbell-Savours: He made a complaint in the case of a local authority, in Tower Hamlets. From all that he has been through arising out of that, and the conclusions he has drawn, he has submitted a substantial amount of evidence to the Committee, and you might want to read what he has to say. He is very much in favour of some form of voter ID, as a result of his experience, and I notice that you are very opposed.

Darren Hughes: Very much so, yes.

Michael Sani: Can I put one final point on record? With the powers of this Committee, it would be good if a spotlight was shone on the parliamentary institutions that have responsibility in this area, such as the democratic engagement team at the Cabinet Office. We should be making such teams accountable for how much money they have spent, where it has gone and what the results were. National democracy week was introduced last year. On the government portal at the time of national democracy week, there was not a single spike on its heart monitor-shaped evidence. I think that is important.

We often hear from large-scale government-funded initiatives such as the National Citizen Service about what it does around citizen engagement, yet there is no evidence of voter registration from those programmes. For me, it is very difficult to call something "the National Citizen Service" if young people leave school not fully understanding what it means to be a citizen and to be registered. There are things that can be done in the short term to ensure that institutions that take a lot of taxpayers' money, which have the privilege to be in this area of engagement, do a bit more, in times when small charities are closing through lack of funding.

The Chair: What you have said is on the record. We will bear it in mind and see what further opportunities are open to us. Thank you very much indeed for coming.