

Speaker's Committee on the Electoral Commission

Oral evidence: Local Government Boundary Commission and Electoral Commission Main Estimates 2022-23

Wednesday 9 March 2022

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Members present: Sir Lindsay Hoyle (Chair); Kemi Badenoch; Mr Clive Betts; Christian Matheson; Karl McCartney; Cat Smith; Owen Thompson.

Questions 1-72

Witnesses

[I](#): Professor Colin Mellors OBE, Chair, Local Government Boundary Commission for England; Jolyon Jackson CBE, Chief Executive, Local Government Boundary Commission for England; and Lynn Ingram, Director of Corporate Services, Local Government Boundary Commission for England.

[II](#): John Pullinger CB, Chair, Electoral Commission; Bob Posner, Chief Executive, Electoral Commission; and Kieran Rix, Director of Finance and Corporate Services, Electoral Commission.

Examination of witnesses

Witnesses: Professor Colin Mellors, Jolyon Jackson and Lynn Ingram.

Q1 Chair: Welcome to this meeting of the Speaker's Committee on the Electoral Commission. Today we will be considering the main estimates for 2022-23 for the Electoral Commission and the Local Government Boundary Commission for England.

Before we begin, I would like to make a brief statement about the estimates approval process. When considering estimates, we are required to have regard to any advice from the Treasury. Earlier this year, during the supplementary estimates approval process with the Electoral Commission and the boundary commission, the Treasury identified a number of technical issues with both estimates. Revised estimates were resubmitted to the Committee multiple times, before final corrected versions were laid.

We have had similar issues in previous years. This process of repeated resubmission is inadequate, and I would be grateful for confirmation from the boundary commission, and later the Electoral Commission, that you are taking steps with the Treasury to avoid the issue re-occurring in the future.

Jolyon Jackson: May I respond, Mr Speaker? First, my apologies about the clearance process and the supplementary estimate. On the main estimate, we worked very closely with the Treasury, and our understanding is that they have accepted our main estimate and they have demonstrated to you that they have accepted our main estimate. We will be talking to the Treasury with the Electoral Commission soon to ensure that this does not happen again.

Q2 Chair: So there were issues.

Jolyon Jackson: There were issues, yes.

Q3 Chair: They have been corrected, so we are there.

Jolyon Jackson: Correct.

Q4 Chair: Okay, and in the future we are going to be in the right place.

Jolyon Jackson: Correct, sir.

Chair: Excellent. We will now begin with the Local Government Boundary Commission for England. Could our witnesses introduce themselves for the record, please?

Lynn Ingram: Hi, I am Lynn Ingram. I am the director of corporate services at the Local Government Boundary Commission for England.

Jolyon Jackson: I am Jolyon Jackson, the chief executive.

Professor Colin Mellors: I am Collin Mellors. I chair the Local Government Boundary Commission for England.

Q5 **Chair:** Right. Let us start with questions. Could you briefly summarise your main estimate? Who is going to do that—Jolyon or Lynn?

Lynn Ingram: Our main estimate this year is for a total of £2,528,000. We have a capital budget requirement of £120,000, which is a £70,000 increase, because this year we would like to replace our website and consultation portal. We have increased our revenue budget—our day-to-day budget—by 5% on both pay and prices.

Q6 **Christian Matheson:** Good afternoon. Most of your resource expenditure costs are going up by 5%, but your business costs, which I understand make up 16% of the total costs, are going down by 17%. Why are those costs decreasing?

Lynn Ingram: There is a reason for that. From 1 April 2022, we have to implement a new international financial reporting standard for leasing. It is called IFRS 16. Essentially, we have to recognise a commitment on our balance sheet for the total cost of the lease and depreciate against that each year, so we have moved £130,000 from our business costs to our depreciation. You will see that that budget has increased, so it is a technical adjustment.

Q7 **Christian Matheson:** It is an accounting measure rather than a measure in cash.

Lynn Ingram: Yes.

Q8 **Christian Matheson:** You talked earlier, Ms Ingram, about the website. You are replacing that, and you mentioned that as one of the large chunks of expenditure that you are facing this year. Why are you not just going to make improvements to it rather than replacing it completely?

Jolyon Jackson: It is critical to our business; it is the way that we receive most of our submissions. It is quite antiquated, and technology has moved on quite considerably since we started it 10 years ago. We believe that we will end up saving money on it, because we spend quite a lot on the maintenance of our current website; over time we think we will be able to reduce that amount. Hopefully, there will be less expenditure in the future.

Q9 **Christian Matheson:** We have had discussions in this Committee in the past about software development from various bodies. What is your procurement strategy for that replacement, and what are your risk assessments of the businesses that you are asking to bid for it?

Jolyon Jackson: We will be following the Government procurement processes, and we will look at the risks as we go through. There is a proper process to go through, and we will do that.

Professor Colin Mellors: If I can make an addition to that, there are very few upsides to what has happened over the past two years, but one of the things we have done is to try and learn during the period when we



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have all been working semi-virtually to see what things we can take forward.

At the heart of the work we do, we need the participation of local authorities and local communities; we have put a lot of effort over the past two years into finding ways that we can maximise that, both by better use of the web—by a new mapping tool on the web—and by sometimes preferring virtual meetings over face-to-face ones. That is more convenient for some local people. Also, we have simplified our language in the organisation—we speak in their language. A key message of any marketing degree is that you always speak in the languages of the customer. We need to keep reminding ourselves of that. Alongside the new website, there is the content, which is pretty important as well.

- Q10 Karl McCartney:** I have a quick question to any one of the three of you. The Parliamentary Boundary Commission is currently going through a process and has a very good portal and website. Rather than reinvent the wheel and incur the proportion of costs that that entails, have you spoken to them? Are you having conversations with them?

Jolyon Jackson: Yes, it is run by one of our ex-review managers. Yes, we have had conversations. They have taken our portal and developed it. However, they have a different system. They use our wards as building blocks for parliamentary constituencies; we create wards effectively from nothing. We draw brand new lines on maps—they don't. Technologically, they are actually quite different. Theirs is a much simpler system.

Professor Colin Mellors: There are some technical things that they use that they have developed from us. One of the nice things is that both the National Parliamentary Boundary Commission and the Local Government Boundary Commission have a meeting once a year. That took place last month; sadly, it was once again virtual. It is a great opportunity to see some things that we have in common, and some things that are very different.

What is very different for us is that we create those new boundaries. The legislative framework in which we operate is also different. However, we look to learn good practice and to—sorry about the vulgar phrase—sweat the assets where we can.

- Q11 Chair:** In fairness, it is very interesting. As you are the ones designing wards, you put the line down the ward—so why would they need to? They build on the back of the wards that you have created to create constituencies. Actually, there is true symmetry between the two.

Jolyon Jackson: Yes, there is, but ours is more complicated.

- Q12 Chair:** You have done the hard work, and they are the ones who pick up. Basically, it is like those games when the crane goes down and picks out the lucky dip.

Jolyon Jackson: Absolutely, it is building blocks.

Professor Colin Mellors: As Jolyon said, they build on us. They use the things that we do. One of the things that we are pioneering at the moment—I don't quite understand it—is a new technique called statmap, where we can use statistics and draw immediately on to a map. That is something we might also talk with them about.

One fundamental difference is that their budget is a little bit higher than ours for engagement. However, we are very pleased and grateful for what we get.

Chair: As you try to get tolerance levels, that is why you will decide which side of the ward goes where—I get that. In fairness, that picks up on all of the work that you have done. You would have thought that the synergy was such that you could use the same software. However, I will accept the advice you are giving us, no doubt.

Q13 **Cat Smith:** Obviously, you do different types of review, in terms of periodic mergers and requested ones. I wondered which type of review drives most of your work and how you prioritise between the different types of review that you do.

Professor Colin Mellors: I am going to use the word “blend”, rather than “prioritise”, because everything we do is a priority—but they are different, and some are more time-critical than others.

There are three types of review in broad terms. First, periodic reviews are the only thing specified in the Act, which says we have to do reviews of all local authorities from time to time. Helpfully, the Act does not define what from time to time means; we think it means about every three to four full electoral cycles. I can explain why we think that. Those are predictable, because we know when they are coming up and are due.

The second type we call, sadly, intervention reviews—in local government that means something more draconian, but they are not that. They are simply reviews that we might do before they are due on chronological grounds, because big developments have taken place—new electorates have appeared, new communities—so we want to do them. We try to do them as soon as we can, because we are responding to something that is not where we would want it to be.

The third type of review is what I will call request reviews: either requests from local authorities themselves, because they want to change their governance in some way, whether that is the number of councillors or perhaps they want to move to all-out elections; or requests via Government—looking at the Minister here.

Although we are independent, we try very hard to help Government when reorganisations are taking place, or in places like Slough or Liverpool, where additional support is being given and electoral review is thought to be helpful. We are independent, but we try to do request reviews as soon as we can, because it is in response to an aspiration of some sort and we want to help—we just want to be helpful.



- Q14 Cat Smith:** For the periodic reviews, you said every three to four electoral cycles, which is about 16 years—that, I believe, is your target for doing those. However, a third of local authorities have not had a review within the past 16 years, so how feasible is the target?

Professor Colin Mellors: About 40 or 50, as I recall, are over the 16 years and are therefore due. That is achievable. We are looking at whether we should tighten that up.

In terms of judging where they should be, we try to get the balance between not leaving it too long, because communities could become different and irrelevant, and governance could change; and not going in too often, because frankly that is a distraction, a bit of a disturbance for the local authority and local people.

In an ideal world, we would not want to go above the 16 years—I think about 30 or 40 have escaped that, something of that order, but I will let you know, if that is helpful. That is where we have prioritised, or have had to blend those other forms. We now have a five-year cycle, which allows us to blend, so we move some in and some out. Clearly, some appear more urgent to us.

The other thing that we do is that we can now give sight, forewarning, to a local authority—like a cinema, “Coming to your local authority soon!”—that we will be arriving. So, we discuss with them whether they want to do it in one year’s time, two years’ time, or three.

The other constraint is if local authorities have all-out elections. They only have an election every four years, so we have to do the review to meet that election.

I am pleased to report that in the past year, not only have we done 36 completed reviews, which is our largest ever, because there was a bit of a backlog from during covid, but they are all going to be implemented in time for the next election, which we are pleased with and which we hope is helpful to them.

Not all recommendations are always popular—but hey, if that was the case, there would be an app for my iPad, an algorithm, and I would just type something in and it would produce the lines. We exercise our judgment.

Jolyon Jackson: May I add one thing? Fifty reviews is effectively two years’ worth of programme, so everything we have not done is visible and all the reviews that we have not done are in the five-year rolling programme.

- Q15 Chair:** Are they a cluster of areas that have not been done, or geographically spread?

Professor Colin Mellors: It is a bit of both, in a way. It is partly clusters, because we are working through the periodic ones—which seems more sensible—in the metropolitan areas. We finished London about a year ago,



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we are on the verge of finishing Manchester and we are now moving up to the north-east. That seems to be sensible to us—because they talk to each other and sometimes they are in combined authorities—to deal with them in those kinds of clusters. So, there are those and then a mixture of others, often the counties.

We are also mindful of other changes that are taking place, which is why we want to talk to them. I sound like a double-glazing salesman, but I don't mean it in that way. We really want to try to do things that are helpful to the local authority. It causes them to work, but it triggers them to think about things that they might not otherwise think about, because we ask them questions.

The last review was 15 to 20 years ago, let's say. Things have changed enormously. Technology has changed. Finances have changed. Delegation to officers has changed. Some things have been outsourced. To be truthful, we get frustrated that some authorities participate more actively than others, but I am really very impressed that as many do. Many of those who do take the opportunity to make a use for it, because it gives them a chance themselves to ask questions, which are sometimes politically different, but they can blame us. They can say, "We have got to answer these questions because the Boundary Commission wants to know."

- Q16 **Karl McCartney:** You mentioned changes over the past 20 years. Have you any statistics on how many local government organisations no longer have electoral registration officers? Quite a lot of local government organisations no longer employ somebody as an ERO, but they take the money and the chief executive then fulfils that role.

Professor Colin Mellors: I don't have that precise figure.

- Q17 **Karl McCartney:** Do you think that would be useful to have and to make this Committee aware of?

Professor Colin Mellors: Yes—we can certainly take that away and think about it carefully. We know that many parts of the public sector, not least local authorities, have been under significant pressures in recent times and there are bits of the organisation that are not heavily staffed.

Wearing another hat, Mr Speaker—I chair a flood committee in Yorkshire and the Humber—

Chair: You'll be busy.

Professor Colin Mellors: Yes, we are—we are still dry; the investments are working, the investments are working.

There is a generational thing. In some areas, people are not being replaced. It is quite a challenge. On that specific point, we will certainly take that away and look at it.

- Q18 **Karl McCartney:** It might sound like my point was financial, which it partly is, but you just touched on the wider point there—it is about



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people who have experience in that role being lost to those roles, and other people, who are perhaps more senior, taking the money but not having the experience of being involved in or running elections.

Professor Colin Mellors: I won't comment on that last bit, but the first bit is an important one. In many organisations, there are single points of failure, and this is a good one.

Again, it is one of the reasons why we do our work as a rolling programme—you encourage us to work every year, Mr Speaker—rather than using the episodic approach of the constituency reviews, where they wind down and then wind back up again. We try and keep going all the time. The disadvantage of that is that we have a small staff and therefore not much headroom, which might be a question you want to ask later. I thought that was a good answer!

Chair: I would say thank you to the team.

Q19 **Cat Smith:** Since it's been raised, I am happy to ask about staffing. Staff turnover must really jeopardise the work that you are doing. What assessment have you made of that and what mitigations have you taken to retain staff?

Jolyon Jackson: It is a difficult one, because we recruit bright graduates normally as review officers, and bright graduates normally want a career. What we do is we develop everybody to the extent of their abilities. We have got a very good personnel package. We try to look after people. We are a very flat organisation, so there isn't that much room for advancement. We lost our finance staff last year, which was a single point of failure, but we recruited someone at least as good, if not better, and we lost one review officer. It is a risk we have to take, in such a small organisation. It is juggling.

Q20 **Chair:** That concludes the evidence taken from the Boundary Commission. Thanks for coming along.

Examination of witnesses

Witnesses: John Pullinger, Bob Posner and Kieran Rix.

Q21 **Chair:** I welcome our guests from Electoral Commission. Could you introduce yourselves, please?

John Pullinger: Thank you. I am John Pullinger, chair of the Electoral Commission.

Bob Posner: I am Bob Posner, chief executive of the Electoral Commission.

Kieran Rix: I am Kieran Rix, director of finance and corporate services at the Electoral Commission.

Q22 **Chair:** Before we begin the questioning, could you briefly summarise your main estimate?



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Kieran Rix: Yes. Let me start by saying that I heard the message you gave at the beginning about the supplementary estimate very clearly. We have already put some additional controls in place, and, as the previous witnesses said, we will be having a joint meeting with the Treasury to try to get a consistent process. On the estimate itself, we are asking for £25.2 million of resource—voted provision—and £1.4 million of capital, plus small amounts of AME for provisions. That is a very significant increase from the current year, but it is in the context of a business plan that returns us to the same level of spending in real terms by the end of the plan as we were at the beginning—in fact, slightly below.

A very large part of that increase—about two thirds—is down to the implementation of the Elections Bill, on which we have been working very closely with the Minister's officials to have a defined role. We have taken a new step, which is to introduce a specific estimates line for that spending, so that it is designated for a particular purpose, and significant changes to it will require the Committee's approval, so you can have assurance that that money is being spent on the purpose for which we are asking for it.

Of the remaining increase, just over a third is due to the electoral cycle and is for the elections that will be occurring in the next financial year and the year after. Because of their timing, we always have two years' elections going on in a given year. Of the remaining two thirds, about half is for investment in our IT. The remaining third is to increase our provision for pay. We have taken Mr Speaker's advice on that and in the current context have increased the provision for pay in line with other parliamentary bodies.

Chair: Excellent. Let us start the questioning, if there is nothing to add.

Q23 **Mr Betts:** It is a 46% increase, so I am told—someone else has done the calculation. What you have just said to us is that that increase is not really an increase at all.

Kieran Rix: It is a very significant increase next year. Of the £7.3 million, £4.9 million is for the implementation of the Elections Bill.

Q24 **Mr Betts:** What you are saying apart from that is essentially that, with cost increases, aside from the Elections Bill and ringfenced money, you are simply getting back to where you would have been on your projection if things had not been interrupted in the last couple of years.

Kieran Rix: Yes. The aim is to finish by costing the taxpayer no more in real terms than we did at the beginning, excluding the Elections Bill.

Q25 **Mr Betts:** Let us come on to the Elections Bill, then. £4.9 million is quite a sum of money. Could you explain precisely how you have calculated that and what it is going to be spent on?

Kieran Rix: I will do my best. There are three major elements to it. The first is the campaigns budget for public awareness. At this stage that is a provision for what we think will be required. Setting the final budget for that, subject to getting the funding, is a reserved matter for the board. We will be setting a final budget once we know how much we have available,



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but that is based on our current planning for what we think will be required. It is higher next year than in subsequent years as we develop the material and roll that out over the election. That is both material that we will use and material that we will provide to local authorities for their use. That is £3.8 million of the £5.05 million next year in total. There is just over a million—£1.1 million—for pay. That is for people to produce that material and to produce guidance for campaigners, parties and electoral administrators on the new requirements. Then there is about £150,000 of other costs—design of forms, design of the ID card, post-poll research and that sort of thing.

Q26 Mr Betts: Right. One side issue: there are resources in that for local government to help them in this process. You are not expecting any extra burdens on local authorities because of this?

Kieran Rix: I cannot answer completely on local authority budgets, but a large part of our campaign spend is about giving them what they need for public awareness in their area.

Q27 Mr Betts: One of the more significant measures that presumably you are looking to raise public awareness about is the requirement for people to produce identification when they go to vote. It will be completely new for people, and none of us wants to see people turning up at polling stations and being turned away. How confident are you that the measures you are taking will ensure we do not have lots of people being turned away? Have you got a target for that, for example?

Bob Posner: Perhaps I can assist. We are very conscious of it. The Elections Bill brings in some major changes to electoral law, such as voter ID. The extension of the franchise around overseas voters is another relevant example. There is something about the pace of change for voters, and indeed campaigners, electoral administrators and everyone involved in the system—making sure that is managed sensibly and practically, so that voting remains a good, positive experience for all voters, is key.

We are working very closely with Government on the implementation programme. It is really important that implementation takes place at the right pace for everyone to cope with that sensibly, and that it is introduced in the right way. Our role is very much about once we get beyond the primary legislation and into the secondary legislation. There is a lot of detail to be worked through on the secondary legislation, and that needs to be right. We will work closely with Government and support Parliament on that. We are already turning to our guidance. Our guidance tools are key. They are key for electoral administrators. They are really important for politicians, campaigners and others involved in elections. We will work that through.

Parallel to all of that is what you are talking about: our spend on public awareness work. We do spend money on public awareness work, but we also do a lot of partnership working with local authorities, where we produce materials for them, such as posters, leaflets and press releases—things that, knowing their communities, they can use locally and draw



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down on. That is how you get a national approach, so voters get the right experience across the country.

With all that, there is also—this needs to be tied in and to work well—all the work that usually takes place on encouraging registration, protecting people's vote against fraud, and helping people understand digital campaigning and think about who is trying to influence them. There is a whole range of campaigns going on, which we are co-ordinating and working on with partners, as well as direct work with community groups.

Some of those things cost money, which Kieran was alluding to, and some cost much less money, but they all work towards—we hope—a smooth implementation. That is the plan.

Q28 Mr Betts: You obviously have not got the secondary legislation yet. Are you still confident that the estimate you have made for the budget for dealing with the Elections Bill will be sufficient, without knowing what the secondary legislation may require you to do?

Bob Posner: We have made what we think is a sensible and reasonable estimate at this stage. It should be sufficient, but I obviously cannot promise anything.

Q29 Mr Betts: I have a couple of follow-up questions; I want to ask something about electoral registration. On the Elections Bill, particularly on voter identification, you have lots of targets, which you have given us, for all sorts of things that you do. Have you got a target for the number of people—hopefully a minimal number—that you want to see turned away from polling stations because they have not got voter ID?

Bob Posner: It is currently the case in the system that we get rejections of postal votes. That is part of the system. People have to do postal votes correctly, but unfortunately not everyone does. They might get their date of birth wrong, their signature wrong and so forth. The system has to encompass and accept that, but wants it at very low percentages. You might get a complicated ballot paper with people not quite understanding it and mistakenly filling it in, so we get a percentage of rejected votes there. These are things we are all familiar with, and we all look at elections and look for very low percentages.

I think the same applies to people turning up to polling stations. In an ideal world, you would want it to be zero, but you have to be realistic. It is never going to be zero, but you want it to be a very low percentage. You want people who are entitled to vote and who have done everything correctly to be able to go to that polling station, know what to expect, know how to vote, get assistance at the polling station, be able to vote smoothly and not be put off by barriers. But realistically, as the pilots on voter ID showed, there will always be some issues—inevitably—in any system.

Q30 Mr Betts: But you haven't got a target?

Bob Posner: No.



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Kieran Rix: They are under development for barriers to registration and barriers to voting. We have not set them yet, but we are trying to work out how you would measure that.

- Q31 **Mr Betts:** Presumably, after the first election under the new rules, you will want to do a comprehensive report about experiences, lessons learned and so on.

Bob Posner: Yes. When we report on the first set of elections—there will be a whole host of new rules coming in—we will very much be focusing on changes in the system, as we always do, and the impact of that. We will be doing a lot of work on that. We will be doing a lot of work with voters on their experiences, with campaigners and with electoral administrators, so that we get a really full picture. We will be doing that.

- Q32 **Chair:** I am intrigued by where you have taken us. You are talking about trying to get this universal experience for people who vote, but you will never achieve that. I have got one polling station where 24 people vote throughout the day and another where thousands go due to having a town versus a very rural area. They are completely different experiences; you usually have to wake up the poor people who are waiting for the next customer to come through. We already have that differential.

We have touched on postal votes. The fact is that the approach taken by local authorities is not universal. In some areas, you fill in your date of birth, do your signature, bang it in the post and send it off. In others, there is a much more complicated process: you have to sign one piece of paper and put it into envelope A, which goes into envelope B, and then you can post it. Why have we not got consistency in the approach taken by local authorities? Why have we given them that flexibility? Someone coming from one area will have a much easier experience of postal voting than someone in the next constituency, where it is completely absurd—you need an encyclopaedia to help you deal with it. That's how we lose a lot of postal votes: it becomes overcomplicated.

Bob Posner: I think it is a very interesting point. It comes back to the earlier comments about the resilience of local authorities and their experience. One of the main focuses of our new corporate plan is supporting local authorities and supporting that resilience. Part of our work going forward over the coming years will be around much more detailed toolkits for local authorities on running elections, support for local authorities and, therefore, encouraging things like what you are alluding to, Mr Speaker, which is learning from others and best practice.

- Q33 **Chair:** You can't have it both ways. You can't opt in and say, "We want a universal experience," and then allow local authorities to produce different ways of voting. You want a simplistic system that is equal—as you say, there should be equality across the country in how you vote and in your experience—but, straight away, you have a different experience that is not being addressed. Why are you allowing that flexibility? Why should one area make it easier while the other makes it much more difficult? Surely, your objective is to make it easier to ensure that, first, there is no fraud, but, secondly, people can vote?



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Bob Posner: Yes, absolutely. We cannot mandate. We want voters to have a good experience. You are right: there will be differences. However, we want to raise standards across the country; we want to keep standards high; we want people to learn from returning officers who are doing it well. You are absolutely right. There will always be those variances.

- Q34 **Chair:** Yes, but you are not answering the standards issue, are you? Why is this standard good in one area, but bad in another?

John Pullinger: If I may help, Mr Speaker, the law requires each returning officer to be responsible for the administration of the elections in their area. They have the discretion. Our role—

Chair: That's the point I am getting at.

John Pullinger: That is the system—

- Q35 **Chair:** But why do you want a universal experience that is different?

John Pullinger: You could have a system where we have the ability to direct returning officers, but we don't at the moment.

- Q36 **Chair:** Surely, the postal vote system should be the same right across the country, not with differentials between neighbouring constituencies.

John Pullinger: Each returning officer is responsible for deciding how things are run in their area. We are—

- Q37 **Chair:** What estimate have you done of the number of spoiled ballot papers with an overly complicated voting system, compared with an easier voting system?

Bob Posner: That becomes transparent through the rejection of postal votes in different areas. You are absolutely right. That does become transparent. You can see the difference in different areas. We apply a performance standards regime that also brings out how returning officers actually perform.

- Q38 **Chair:** Where are your statistics on that, then?

Bob Posner: We do publish that. All that information is published.

Chair: Can you give us the difference? Christian—and then I'll come to Cat.

- Q39 **Christian Matheson:** Thank you, Mr Speaker. Just to follow up on that, do you correlate the statistics of increased failures of postal votes with the areas where you've made an assessment that there are more hurdles to jump through in order to have a postal vote?

Bob Posner: Our regional teams work very closely with the returning officers. Where there is obviously a differential in a particular local authority or where they have struggled in a particular area with postal votes, we will work with them on that to see where they went wrong and how we can improve things. We encourage it. However, at the end of the day, it comes back to the returning officers. As long as they act within the

law, they do what they do in their patch and we cannot mandate. However, we encourage and push to raise standards higher.

Chair: Sometimes people say the law is an ass.

Q40 **Cat Smith:** I want to go back to what Mr Betts was asking about the targets for the percentage of voters who would be turned away for lack of ID. Will the commission collect data on that and record any qualities, characteristics or geographies for the voters who are turned away? Is that something that the commission will commit to collecting and publishing?

John Pullinger: Maybe I will start, and Kieran might wish to follow up. We are very keen to ensure we have indicators that help people judge what is happening as a result of the provisions coming forward. The more information we can collect on that, we will, and we will make it transparently available to everybody.

Some things are more difficult to collect than others in this area. Take protected characteristics, for example: you can only get the information that is available to us from returning officers, and we collect our data from them. You can be confident that we will be collecting and creating indicators, as Kieran said, that will enable what happens to be really transparent. We will learn from that, and make sure that you and others are able to scrutinise how well this policy has been effected.

Q41 **Cat Smith:** Do you have current estimates about that?

John Pullinger: We don't have current estimates, but we need to work with the Government on exactly what the scheme is going to be, and with returning officers about what is realistic for them to collect. I don't know whether Kieran wants to add anything about how we are going to go about creating the indicators.

Kieran Rix: We always set the indicators based on experience. We are talking to the teams that are involved and looking at what we know from the pilots and at what else we can do to get what a reasonable estimate might be. That may have to be developed on the basis of one year's turnout. We are doing quite a lot, and there is quite a lot in the budget for both research with voters and collecting data from returning officers to ensure that we can get this kind of data through the election. That means investing in our website and in our collection tools to get that information from returning officers.

John Pullinger: And community organisations, because we know that so many organisations are desperately worried about this and about how it is going to differentially impact on their communities. I think one way we can try and get the kind of granularity you are interested in is working with them, so that we understand from them how things are affecting the people they are trying to represent.

Q42 **Cat Smith:** Will this be influencing the materials that you are producing, hence the increase in the budget? Will those materials be produced



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working with community organisations?

Kieran Rix: Yes. There is a significant partnership budget to work with them. We have learned that that is the best way to go about developing that material.

Karl McCartney: You have just mentioned the pilots, and one of those pilots for people having to show ID to vote was in North Kesteven District Council, which covers part of my constituency. It worked very well, so you do have some statistics, and I can give you some statistics that you might like to hear—or you might not. In the area that covers my constituency, 12 people were turned away from polling stations because they did not have ID, and 11 of them returned and voted. However, prior to that, the council had made it free for people to apply for ID if they wanted to go and vote. You could reassure people and say, “It is not a great onerous thing that you have to do to be able to vote at a polling station”—I will come back to polling stations later.

However, moving on to postal votes, surely you can give guidance to every local government organisation in this country—because this is not a pilot; it has been going on for years—to stop postal vote fraud. The example that you used, Chair, was one in which you have A and B envelopes, and if the instructions are pretty clear, I think the number of people who get it wrong is minimal. Surely if there are areas where it works really well, and you will have that data to hand already, you could issue guidance.

I understand that returning officers, whatever level they might be in their local government organisation, can run an election as they see fit as long it is within the law, but you as the Electoral Commission could issue guidance that said, “We think it would be really good to do it this way because in x% of local government organisations it has worked really well and it is 95% or 99% effective.” Surely that is a way forward, rather than prevaricating and answering questions from colleagues that were really quite wishy-washy.

Chair: Just to finish on the question before I come back to Clive, it would be interesting to know how many people have the more complicated system and what the percentage of rejections is. At least then we would have the information for valid questioning, because the other problem is that it is more costly per voter to do it that way. There is a lack of consistency and higher expenditure, without knowing what the rejection statistic is to make an informed decision about which is right and which is wrong. For me, there should be one universal system, whichever one it is, which would at least be a consistent system right across all areas. It must be transparent and people must understand it. You will then get the wonderful example that you gave, which is that you want people to have the same experience—so do I. If you can look into tightening up this area and bring back some statistics, that would be very helpful.

Q43 **Mr Betts:** Moving on to electoral registration, in this country we have a pretty good election system generally speaking, until it comes to the



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issue of voter registration. International comparisons show that we do not have a great system. The target you set is for 95% of eligible voters to be registered—I think that is the figure that you have given us—and yet you do not even hit that, do you? I am saying “you”, but that is a little unfair: the system does not hit that. If 6 million people are not registered who could be—should be—then the figure is in the 80s per cent. of people. As you identified, it varies enormously by age, ethnic background and tenure. Will you ever hit the 95% target with the current system?

John Pullinger: Let me start, and I am sure Bob will want to amplify. Coming into developing this plan, that was something that struck me immediately as the incoming chairman. Our No. 1 objective is to put voters first, and the No. 1 way to put voters first is to get them registered, so that is absolutely at the front of this plan, to drive up registration rates and to remove whatever barriers there are to people being registered. We sought to set a target that is stretching for us and for electoral registration officers, but we are absolutely determined to deliver as best as we possibly can on meeting that through this plan, because far too many people do not yet have their right to vote registered and are therefore unable to do so. Bob, do you want to add to that?

Bob Posner: That is absolutely right. What I want to add is that the commission recognises and believes that the system can be improved. We have certainly done work and research. We published reports late last year on how the system could be modernised on registration, and how we could make more joined-up information flow between electoral registers and, as it were, make registration much more straightforward. There is work to be done there. That is something towards automated, rather than automatic registration—it is halfway there and enables registration to be easier. There is scope for the system to be modernised, and we have made recommendations. We would be delighted if Governments in the UK would look at that, and look at it more closely—perhaps, for the UK Government, once the Elections Bill is done. It would be great if that was looked at.

The other thing is that the way we have the system, it is about working very hard, as John said, at the local level, and it is about what we can do at our level, the national level. It is about getting to those parts, to those community groups, to those people who do not naturally look to register, or who see barriers to registering. We need to explain that it is actually straightforward, and explain the benefits of registering to vote. I think the corporate plan we have is one of the things to really focus on.

- Q44 **Mr Betts:** That is not making it automatic, but it is making registration easier by cross-referencing all the databases and making sure that there are no barriers to that. We have been talking about that for I do not know how long. I think we did a Select Committee report on it, well before I was Chair—about 20 years ago. Is that something you could come back to us on as a Committee, your suggestions of how we could help in that process? In the past, Ministers have given advice to local authorities on how they could engage better in this, but I think the truth of it is that they have not all followed it through. I wondered whether you



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could have a look at that and come back to us, because our system is pretty flawed—95% is not great, but it is better than the reality.

Bob Posner: Absolutely, yes.

- Q45 **Christian Matheson:** May I clarify the guidance? I go door-knocking in my constituency on a Saturday and sometimes mid-week in the recess. If I meet someone who is not registered to vote, I am keen to sign them up to vote, because I want to increase the franchise as well. What guidance do you offer to people on signing up individuals to vote? Do you encourage it?

Bob Posner: Yes, very much. As in some of my earlier remarks, we recognise that local authorities know their patches, and local communities and community groups know their patches, as indeed local MPs do, so very much a lot of what we do is to provide materials and information to help, which they can use and adapt to their local circumstances, at a local level, to get people to register. There is the national campaign, which raises awareness: one wants to see people recognise that, coming up to an election, you can and should register. But the work we do that filters down to the local level is really important—the partnership work. We do a lot of work on that, and the plan carries that forward in a major way. That is part of the target.

- Q46 **Owen Thompson:** I am looking at how feasible the projections are to keep core expenditure flat over the five years. What efficiencies will need to be made to maintain that stance?

Kieran Rix: It is flat in real terms, so you will see some cash increases over the years. That is based on a bottom-up budget; we always have a five-year, bottom-up rolling budget that is based on people's realistic plans. We never just increase things by inflation, unless there is a contractual commitment.

We are always looking to keep individuals' budgets under pressure, which is how we achieve low level, rolling efficiency. We don't have a grand efficiency programme. It is by making sure that people get an increase only when it is unavoidable and by getting people to absorb costs. Certainly, I am one of the biggest spenders because I have IT, estates and things under me. We keep the estates team efficient by leaning on their budgets all the time.

There is no grand efficiency plan, but there are risks around what the cash value turns out to be, depending on inflation. The big risk there will be what the civil service-wide public sector pay market looks like, but we have a pretty good handle on our underlying costs. As I say, it is about continuously bearing down on all areas of spending, from one year to the next, rather than doing anything dramatic.

- Q47 **Owen Thompson:** What do you see driving the election bill costs from 2024-25?

Kieran Rix: There is a small amount of additional staffing, but that is a couple of posts, really. Overwhelmingly, it will be about what the



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campaigns budget needs to be for making sure both that people have ID, or apply for it if they need to, and that they take it with them when they go to vote. There are those twin parts of the campaigns budget plus some other smaller parts, like working with community groups.

That public awareness is what drives the ongoing budget. I should stress that that is based on our current assumptions about what will be required. Of course, we will be refining that as we go along. If we discover that we don't need all of that, then we won't be spending it. It is based on a projection of what we think will be needed when we don't have firm experience to rely on, so we will try to keep that down if we can.

Q48 Owen Thompson: In 2020-21, I understand that £2 million of the policy development grant was not paid out to qualifying political parties. Why was that?

Kieran Rix: The total budget is £2 million and some of it wasn't paid out. I have the exact figures here, but I am afraid I am going to have to refer to my notes.

Q49 Owen Thompson: Sorry, it was £112,000 of it.

Kieran Rix: Yes, that's right; £112,000, which is just over 5.5%. I may have to refer to Bob if this gets very technical, because it is not my area, but parties are entitled to a certain amount, provided they have spent that amount or more on policy development. Either they don't claim, they haven't spent it or, on occasion, we come across expenditure that is not admissible.

Their submissions are audited either by us in the past or by their auditors, who then give us a specific certificate about that. Occasionally, expenditure gets ruled out and that would also cause an underspend. The underspends go up and down. I have figures for four years here and there is no apparent pattern that I can see.

Q50 Owen Thompson: How common is it that money would have to be clawed back if it were non-admissible?

Kieran Rix: It is relatively uncommon that we actually have to claw money back. We hold back 25% until after the submission has been cleared, so generally if they have overspent, we can take it out of that retention. There have been occasions where we have had to claw back, and generally that has been relatively straightforward, but there haven't been any recently.

Q51 Owen Thompson: In your opinion, is the current policy for the formula to provide the grant fit for purpose when allocating to political parties?

Kieran Rix: I am going to have to refer to somebody on my right to answer that, I'm afraid.

John Pullinger: I will start. The commission board considered this before coming forward with the scheme that we submitted to the Minister. It has been going for a long time and it does work. There's not been an

overwhelming groundswell of opinion to say it should change so, in that sense, if it's not bust, don't fix it.

However, it is very complicated and opaque, and it can have slightly strange effects. We have opened a discussion with Ministers' officials about whether we could and should review it, but when I think of all the other priorities that we have, this could well be reviewed and we have recommended to the Minister that it should be, but it might not be something that is sufficiently significant. We need to listen to what parties think about it and be prepared to respond.

Q52 Kemi Badenoch: I want to ask about the Political Finance Online project. You have mentioned it in previous meetings. Could you let us know where you are with it? Do you think it will be completed this coming year, and what sorts of risks are there to it?

Kieran Rix: I have learned the lesson from a previous hearing where one of our witnesses gave a very firm commitment, which they really should not have done at the time. We are in the process of re-baselining, and I think we will have a lot more confidence in a few weeks when that is completed. I am feeling better about the project than I have for some time, and it is looking in a much better state. I expect, although it is too early to absolutely guarantee, that we will be switching from the current system to the new system for parties in the second half of the next financial year, but it is a little too early to tell exactly when.

What do I think the risks are? We are still discovering things in the existing code from the previous suppliers that we are having to correct. It is not necessarily that what they wrote originally was defective, but the underlying software on which it was built has been upgraded and we are finding incompatibilities and having to go back and fix them. We are still finding some of those. That is a significant risk to both the schedule and the budget, but I think we have a better handle on that than we did previously. We have done a lot of forensic work to get into that, so I am happier about that than I was, but I still can't rule that out.

A lot of what remains to be done is about integration with other systems, with our website, with public search and with some of our other internal systems. That is always complex, and data migration, which is a part of that, is always complex. We are in the process of bringing on specialist suppliers to help with that. They are specialists in those processes, so I think that will give us a certain amount of reassurance. The early discussions about that and the early testing is, again, looking promising.

The other big thing that we have left to do is some work around accessibility of the system and making sure that it works for people with different accessibility needs.

Q53 Kemi Badenoch: Will the user notice a difference at the end of this project? From the way you describe it, it sounds like internal software—

Kieran Rix: Absolutely. It is chalk and cheese. The current system was written over 10 years ago. It really shows. There are things it does not do



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reliably. It is not user-friendly, I am told. I am not a user. I have seen the new system in use, and it is not super-whizzy, but it looks like a modern, competent, relatively easy-to-use system. People who have commented on it definitely think it is easier to use.

- Q54 **Kemi Badenoch:** How much of next year's capital budget will you be spending on it?

Kieran Rix: About 60%.

- Q55 **Christian Matheson:** Looking at the accounts again, you have had some very high investment costs over the last few years, partly related to the issue that the Minister has been talking about. These will have implications for the depreciation costs that you will have to list this year and in the future. You are expanding the asset life of some of your non-current assets. How have you done that? How has that been reflected in the finance plan? Does that depreciation in your main estimate and corporate plan reflect those depreciation costs?

Kieran Rix: Yes, it does. It is all linked together. The reason we reviewed our asset lives was that we had a lot of criticism from the NAO that we had a lot of assets that were still in use and fully depreciated, which is not a situation you should get into. That is something I inherited. We have reviewed our asset lives and restated a lot of our assets.

An example that I always use, because it is a very small one but everybody can understand it, is our desks. We brought the desks with us when we moved into this office 10 years ago, and they were not new then. The legs are still in use. Don't tell the staff, but the tops are new and the legs are old. Those legs have another five years at least in them, so we have had to restate them. I know it is a silly little example, but it brings home why this is a good thing to be doing. That is an efficient use of our assets, but it has implications for budgets and accounts that then feed through, and that is the sort of thing we are seeing with our assets.

The other big one that we have restated is our political finance system.

Christian Matheson: I thought we were going into the zone of Trigger's brush and you were going to renew the legs, but you still had the same desks.

- Q56 **Karl McCartney:** As I ask my first question, you might want to turn to your corporate plan—I am giving you fair warning. With your four top priorities for 2022-23 in mind, what key metrics will you be using to measure your performance?

John Pullinger: On the four key priorities sitting in front of us at the moment, the first one—which is right in front of us—is the May elections that are coming up. We are working very closely on that with local authorities and campaigners. The key metrics relate to the review that we do, under statute, of those elections, which will bring out some of the points that members of the Committee have already raised. There is a report that covers that and some of the other metrics. Kieran will give you the details in a minute.



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The second one is, inevitably, the Elections Bill. That is a big thing for us. Once it is passed, we will have to move quickly to meet the aspirations of the Government to get it in place as quickly as possible. We will have to work through each of the elements, which we have already described, and make sure that they are in place and that the consequences are properly measured. We have talked about the consequences around the voter ID proposals, and our metrics, which are under development, will capture that.

Q57 Karl McCartney: Can I just interrupt you? You didn't have a chance to answer the questions I asked earlier—and that wasn't because Mr Speaker jumped in—but would it be possible for you to write to us or give us your views on some of the questions I asked about voter ID, postal votes and giving guidance?

Bob Posner: We can explain what we do—absolutely.

Chair: I am sure that they have been noted and that they are in the post coming back to you.

Karl McCartney: I'm just making sure that it's on the record, Mr Speaker.

Chair: No problem.

John Pullinger: The third one is our regulatory support strategy. This key theme of the plan has been in train for some time—we have spoken to the Committee before about it—to reflect the experiences we have had working with parties in recent years and to make sure that we get on the front foot, go with the grain of the voluntary nature of campaigning and work out how to support parties and campaigners to get their obligations done right up front, rather than risk the prospect of an investigation lower down the line. We have had a consultation of parties on that. It has been very successful and that will give us the metrics of what parties want to see from the strategy that will be delivered over the coming years.

The final one, which is on a par with the others, is that, of course, we are in new territory in our relationship with the devolved Administrations. We have direct accountability to the Scottish Parliament and the Welsh Parliament, and an analogous set of priority setting going on with them that dovetails with the corporate plan process as a whole.

Bob Posner: Shall I comment on key measures? What is interesting is that this plan makes a big step change in what we measure. We have always had established performance measures—in a sense, they roll forward and some are new—but the big step change in this plan is indicators around the health of the electoral system. There is a section on the health of the electoral system. There is a range of measures—which I think are the important ones—around confidence in voting, registering to vote, removing barriers, satisfaction with voting and appropriate action when the rules are broken. That is quite a game changer, I would say, about looking at it in that broad sense.



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The commission itself cannot deliver those on their own. We cannot be solely accountable for everything. They are big aspirations and they involve everyone, from politicians, to police, to electoral administrators. They involve a whole range of people—anyone who is involved in the electoral system—to contribute. However, positively, the commission are assessing, measuring and giving indicators of them. I think that will really make the difference in this corporate plan—I hope it will.

- Q58 **Karl McCartney:** I would like to drill down into some of those things in your corporate plan, if I may. First, I am going to ask you to look at the three columns at the bottom of page 7. We would like to think that you are all electoral experts, so when do you think the next general election is going to be? I am entering pedants corner at this point, because it is not necessarily going to be in May 2024. It might be this May, though it's not likely to be, or it could be as late as December '24, though it's not likely to be. And yes, I get that it could be May '24, but it could be another day.

Kieran Rix: It could. We generally plan by statutory dates. In this case we haven't because public statements have been made about when the timing might be. One of the biggest risks to the timing of spending is the timing of the general election, and that could obviously muck that up. It is clearly not something we control.

- Q59 **Karl McCartney:** Surely the Electoral Commission should reflect the fact that the date is not set at May '24, but anybody referring to your corporate plan would think that it was.

Bob Posner: As of today, it is the set date, but you are right: that could change pretty quickly, and then we would change it. You are absolutely right.

Chair: In fairness, I think it is set at the moment, because we have not completed all the legislation yet.

Karl McCartney: You can go into pedants corner if you would like, Mr Speaker, rather than me—but you are right.

Chair: In fairness, you are correct; under the legislation that has been passed, that is the correct date.

Karl McCartney: But it is likely to change.

Chair: I totally, 100% agree. Anything else, Karl?

- Q60 **Karl McCartney:** Yes, sorry—moving on. On page 8, you refer to your main purpose as regulation. How many serious bits of regulation that you have in place have you tested, given that there have been three general elections in the past seven years, if you count '15, '17 and '19? How many serious investigations have you made across the board compared with the amount of complaints that you have had? My point is that I do not think you have treated all candidates the same thus far.

Bob Posner: The commission regulates the political parties and has the civil sanctions regime over that, which you are aware of, and then there is



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a whole host of offences, mostly in the Representation of the People Act, around candidates, which the police are responsible for enforcing.

Within the remit of what we do, I am going to say that, over the last few years, we have done about 500 investigations—I am looking across to Kieran; it is something like that—around the civil sanctions work. We have been active. Most of it is very low-level fines and so forth, and most investigations are done very swiftly. Some, which often get publicity, are more major, longer ones.

I think the civil sanctions regime is a good regime. One can have views about it. I think I have always said to the Committee that the candidate regime, which may be what you are referring to, Mr McCartney, is a difficult one for candidates and agents because they are up against criminal offences, not civil offences. That is problematical for most candidates, who are not looking to do anything wrong at all but might get caught out. The commission's standing recommendation, I have to say, is that some of those offences can be decriminalised and brought across into the civil sanctions regime. I think that would be a softer approach.

- Q61 **Karl McCartney:** But you make a claim about “independence and integrity”—I would question that, of course—and “continuous learning”. Looking at '15, '17 and '19 and those 500—I do not know what the breakdown is for those three elections; maybe you could provide that information. Can you demonstrate that there is continuous learning, given the fact that those 500, however that breaks down over the three elections—

Bob Posner: Of the fines imposed, they have nearly all been paid. I am going to say there were eight or nine cases that went to court—it is of that order—and I am going to say one was lost and in eight the commission's decision was upheld. In that sense, the regime seems to work.

There is a question about whether, when people pay fines, that is just the simpler thing to do because it is a low fine; they may disagree but just pay the fine. I think there is an issue about levels of fines and whether those are right for the different types of issues. But again, I know that is a matter of political debate.

Kieran Rix: I know that the regulatory team has a quality management system, and built into that is a review process after they close any investigation or any piece of action. There is a regular process of reviewing and making sure that they learn the lessons and build that back into how they operate.

- Q62 **Karl McCartney:** You bring up the independence and integrity point again on page 11, with five bullet points at the bottom of that page. Are you confident in all five of those, or are there any that you think are less likely to be true than the others?

Bob Posner: Yes, we are very confident of that.

Karl McCartney: On all five?



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Bob Posner: Absolutely. We are an evidence-based regulator; we follow best practice.

Q63 **Karl McCartney:** If I am still here, I will come back to that when we see you next time, if that is all right.

Let us move on to page 17, section 4. Sorry—I have done my homework, as you can see, Mr Speaker. There are four bullet points there on page 17. Excuse my language, but we are going to miss out the two fluffy ones; I am going to look at the two that I think are important to this Committee and to me—I am not speaking for the Committee. Those are Nos. 2 and 3—“ensuring political finance rules are enforced fairly” and so on.

Do you think that in the future all candidates are going to be treated equally? If so, is your website going to represent that? That is with the previous questions I have asked you in mind.

Bob Posner: You mentioned the word “candidates”. We publish on our website certain information about candidate returns, but reporting of the full candidate returns goes from the candidates and the agents to the local returning officers; it is their duty in law to publish them and make them available. What we do is, in a sense, provide a statistical summary of that information, which pulls it together and provides information for policy and research purposes. That is not the full return; you have to get that locally. That is how the system works.

Q64 **Karl McCartney:** What you do is you pull information from candidates’ returns. If a candidate return from a particular party says that they have received from their local party or association the total sum of £6,500, there is no breakdown of where that money came from.

Another candidate in the same election might say, “I received £10 from Mrs Miggins”, and they might then list the other 50 people who have given them any figure up to the thousands. You then list all that information publicly for people to use, if they want to, on social media in negative ways. Previously, it used to be available for a year. Are you still going to make it available for longer than a year?

Bob Posner: The law currently enables the way of reporting that you described. Some candidates and agents report in detail, but for some, there are broader categories. We are not in a position to do anything about that. The law enables that. But we have made and do make recommendations about more clear reporting of expenditure and the much clearer breakdowns that can be seen. As it stands, that is how the law works.

Q65 **Chair:** If there is further information you need, can we ensure that Karl gets it as well?

Bob Posner: Sure.

Q66 **Chair:** Just to take up the inconsistent point—and I spoke to John about this—my worry is that the police are inconsistent in their approach to taking forward prosecutions. In Lancashire, we had two variations. In the



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north of Lancashire, they decided to go ahead with something, and in the south of Lancashire they decided not to. They are the same police force. We have differentials within police forces. There is a complete inconsistency right across the country in their approaches.

As Karl rightly mentions, they should absolutely be treated equally. I did say before, and I don't know what you have done about it, John, that we ought to set up a forum, where we would have somebody appointed in each constabulary who has the recommendations, information, knowledge and training that goes with the position they are given, so that we don't suddenly arrive at a general election and say, "Who might be interested in an election? Ok, let's hand it to you." We need training from you to get consistency across each constabulary in the country. Hopefully you can take that onboard and make it happen. I presume you will have done, because I raised it with you.

John Pullinger: Absolutely, yes. There is a single point of contact in each police force, and we are working to develop consistency.

Q67 **Chair:** With training packages?

John Pullinger: With training packages and with a police training college. A specific example is on the intimidation of candidates, which has been a very topical issue, and supporting the police in understanding what the law is, what the kinds of things they can take forward are and how best we and others can assist them. Absolutely, we are working with those single points of contact, helping them to get trained and helping them spread that training throughout their forces where necessary.

Chair: We do want that consistency.

Q68 **Karl McCartney:** On that point, all candidates want—certainly all I want—is to be treated equally and on a level playing field. That has not happened in the past. That is under your direction and your advice to the police forces, as the Speaker has just mentioned. You are shaking your head, Bob, but you know that what I am saying is true.

Chair: Let us not get into it now, but we have it on the record that consistency is what we are looking for going forward. I am sure at future meetings you will raise it to remind people.

Q69 **Karl McCartney:** On page 26 on your corporate plan, we get to—in my mind—what is the crux of the issues that you are looking to deal with. I am going to ask a question generally on election law. It has been around for a long time and seems to work in the main. However, with data and obviously technology where they are now, is the main thrust of the work you are looking at managing—I will not say "controlling"—the data available and how people use any type of media in a modern age, whether it be social media or other media?

John Pullinger: There are two elements. It is partly captured in No.7, as you have just described, but it is also in No.6.

From everything I have seen, electoral law is exceedingly complicated to the point of making it very difficult for people who have to interpret it to interpret it with confidence. That can be partisan campaigners, local authorities and people like us and you. The law commissions of the UK have come together and produced a blueprint that would enable electoral law to be consolidated in a way that would make it much easier and less risky to apply.

I think there is a broad consensus across political parties that that would be a good thing to do. It is a question of priorities as to whether it should happen. I think there is a legal point.

On your point about No. 7, I absolutely agree with you. I think technology is changing the way in which our elections landscape works. There are issues to do with local authority administration, which goes to Mr Betts's point about electoral registers. There is the ability, if we could, to join up data and make it much easier to administer and better for the voters.

For campaigning, there are all kinds of things. Digital imprints are in the Elections Bill, but it is also about how we are using technology to campaign, much more generally. There are also the issues of misinformation, which clearly need tackling, as in the Online Safety Bill going through Parliament at the moment.

At the same time, there are voters themselves. As Bob mentioned earlier, we did a report on modernising voting last year. Younger voters in particular want to see how we can improve their experience of elections by using technology in better ways. Section 7 is about trying to do the research and analysis and get the data that we can share with parliamentarians, so you can consider which measures are really necessary for taking forward to safeguard democracy for the future.

Q70 Karl McCartney: Thank you. The Chair has pointed out to me that time is pressing. I have one more point on performance indicators, coming back to some of the questions asked by my colleagues earlier. Looking at your performance indicators, particularly No. 1, you are looking to focus on increasing voter registration. As someone who has worked on the ground as a candidate and is now an elected Member of Parliament, and having run in and been involved in elections for many years, I would say you are missing a trick.

Once you get people on the register, surely the best thing for your performance indicator would be to get them to use their vote. I think a lot of people don't use their vote because it is not made easy for them to vote—that is about where polling stations are. We touched on that a little bit earlier.

Chair: Compulsory voting could be another answer.

Karl McCartney: Compulsory voting, if you want to go with the Australian model. You have looked at increasing the number of people on the register. I get that, but are you looking at, perhaps, in some areas, where polling stations are?



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In my constituency, if you look at the geographical spread of where polling stations are, they relate to particular party-supporting areas. That is historical, and I get that. I am not saying everybody needs a polling station at the end of their street. In Lincoln, in some areas we have polling stations within 300 yards of each other, whereas in other areas, people have to get in their car and drive for 2.5 miles in a not a very big city to enable themselves to vote. Surely that would increase turnout.

John Pullinger: The answer to your question is yes. Under item 1 on here, electoral registration is first, because that is the gateway, but it is also about removing barriers to voting as well. We have talked about that in the context of voter ID. More generally—yes, we should be looking at that.

Chair: Excellent. That is a great answer. Finally, before we wrap up, I will let Clive ask another question.

Q71 **Mr Betts:** In our list of correspondence here—I raise this as an individual member of the Committee, not on behalf of the Committee—there is an unusual letter; I might even call it an extraordinary letter. It has been signed by members of the commission to the Secretary of State and the Minister expressing concerns about the proposed oversight arrangements of the commission, particularly in terms of the potential introduction of a strategy and policy statement.

Given that we are here in this Committee at this time, could you just indicate your understanding of how the oversight of the commission, which is, strictly speaking, to Parliament through this Committee, will be potentially influenced and affected by the proposals in the strategy and policy statement?

John Pullinger: This letter is an unprecedented letter from the commissioners. It is from all the commissioners, save one, who is currently a serving Member of the House of Lords, and he wanted to protect his position in that.

The reason we wanted to write the letter is that we believe the proposals on the face of the Bill, in clause 14, are inconsistent with the Electoral Commission operating as an independent regulator. Clause 14 sets out that the Government will produce a statement of their strategy and policies towards elections. They will set out how the Electoral Commission should be helping the Government meet their priorities towards elections, and they will set out guidance on any aspect of the commission's functions.

Q72 **Kemi Badenoch:** You mean clause 12, not clause 14.

John Pullinger: I think it is clause 14 in the Lords; it was when I looked at it this morning.

Kemi Badenoch: I just want to make sure we are talking about the same thing—

Chair: This Bill is going through, so I do not want to enter something that

is not quite happening. It has been raised and there is further information; if you could carry on outside, that might be an answer.

Mr Betts: I was only trying to work out, Mr Speaker, how this proposal could affect our work as a Committee, in these terms—would we have to give oversight, then, to any proposals the Government put in a statement that they subsequently issued?

It is very difficult to understand—the relationship between a potential statement, which could be produced by the Government under the strategy and policy statement in the Bill, and our relationship as a Committee to yourselves.

Chair: Minister, I think you want to come in. That might either add something, or—

Kemi Badenoch: Yes. I just want to let the Committee know and put it on the record that the strategy and policy statement is something that will go through the process of gaining parliamentary approval, and there are other checks and balances, too. It is to have “due regard” and we do not anticipate that having an impact on any statutory duties or the operational direction of the Commission. It is similar to what we do with Ofgem and Ofwat, in terms of setting out what Government priorities are for looking at electoral fraud in particular.

Mr Betts: Ofwat and Ofgem are hardly accountable to a Speaker’s Committee—

Chair: I don’t want to—for both parties, we will get Daniel to speak to you, as well; Daniel Greenberg can have a conversation. Further consultation will take place, but not now.

Mr Betts: Mr Speaker, is it possible that—without going into it now—if this measure goes through Parliament, we could then have it on a further agenda to discuss it as a Committee in due course?

Chair: What I will say is that I don’t want to speculate whether it will or it won’t. That’s—

Mr Betts: No. But if it does—conditional.

Chair: I am sure that we could look at it if it does go through. But let’s see what happens. I think that, in fairness, we are not in the habit of speculating on what we discuss, without facts.

Bob, I believe this is your last meeting today. May I thank you for the service that you have given and wish you well in the future? Your service really is appreciated; thanks very much.

I thank you all for coming. That concludes our public session for today. The Committee will now deliberate in private.