

# **HM Government - Chloe Smith MP, Minister of State (Cabinet Office) – Written evidence (ERA0041)**

Our reference: MC2020/05065

Dear Lord Shutt,

I would like to thank you and your fellow Committee members for inviting me to give evidence to support your post-legislative scrutiny of the Electoral Registration and Administration Act 2013 (ERA 2013). I regret that the impact of the coronavirus has meant this is not possible. I welcome the opportunity to provide instead written evidence to the Committee. I have addressed below each of the questions you posed. Where appropriate I have combined my answers to a number of individual questions. I look forward to reading the Committee's report in due course.

## **Introduction**

**1. The Committee has heard that electoral administration should be viewed as critical national infrastructure because it is the foundation of a democracy, and that the ability to register people and deliver high-quality, trusted elections is foundational. What is your view on this?**

We treat electoral mechanics with the same significance as CNI and the Government takes every step to ensure our democratic processes are safe and secure. The Cabinet Office coordinates cross-Government work under the Defending Democracy programme to protect our democracy: safeguarding against future risks and strengthening our resilience. Through the Defending Democracy programme, we are taking steps to ensure our electoral infrastructure is protected from cyber, physical and personnel threats. This work includes making sure that organisations involved in the UK electoral system have best practice, advice and guidance from experts in the National Cyber Security Centre and the Centre for Protection of the National Infrastructure.

## **Individual electoral registration**

**2. Accuracy and completeness of UK registers lags behind countries such as Australia and Canada. Why do you think this is? What is the Government doing to learn from global best practice in improving the quality of registers?**

Answered with Question 3.

Cabinet Office officials follow developments in other countries. The approaches taken by other countries, including Australia and Canada, can be helpful in assessing options for the UK. We are mindful, however, that developments

abroad are not necessarily directly translatable to the UK context, nor are they necessarily appropriate. Each nation operates in its own legal, social and political environment and the elections and registration structures are different.

In both Australia and Canada, the responsibility for maintaining the electoral register lies with a central agency or electoral management body. These bodies compile the electoral register and assess the completeness and accuracy of them. That is not the case in the UK, where there are 381 electoral registers, each maintained at local level. The Electoral Commission conducts periodic assessments of the completeness and accuracy of the electoral registers in Great Britain and in Northern Ireland.

The Government is opposed to the introduction of a single, national electoral register or a national database containing personal identifiers, which would transfer responsibility for the register to central government or a new central statutory body. The introduction of a single national electoral register would require the integration of all 381 electoral registers and would allow each individual elector to be identified uniquely anywhere in the country. This would pose significant security and privacy concerns for citizens' personal data. Continuing with the current system, in which electoral registers are compiled and held locally, is the best insurance we have against this risk. Moreover, redesigning the existing system in this way would have significant cost implications, both in respect of the necessary development work and implementation.

The high registration rate in Australia can be attributed in part to the fact that it is compulsory by law for all eligible Australian citizens to enrol on the register within 21 days of becoming eligible to vote, and also to vote in all federal elections, by-elections and referendums. While strongly believing that registering to vote is a civic duty, the UK Government has no intention of making electoral registration compulsory by law; this would undermine the principles of Individual Electoral Registration.

In both Australia and Canada, the register is maintained through data sharing agreements. Through these agreements, registration data is synchronised with data held by external organisations to keep the register updated. Electoral Registration Officers (EROs) in the UK have wide-ranging powers to request whatever information and data they require for the purposes of maintaining the electoral registers. EROs are therefore entitled to request datasets from organisations which would help them undertake their registration functions and ensure that any eligible but unregistered voters are proactively contacted and invited to register. One of the aims of the reformed canvass (detailed below in Question 13), which makes much greater use of public datasets, is to enable EROs to concentrate more time on groups of voters or areas in their constituency that may be underrepresented on their register.

**3. What consideration does the Government give to electoral administration practices in other countries? What international monitoring takes place to see if lessons can be learned and taken up in the UK?**

The Government monitors developments in electoral administration practices in other countries and considers alternatives when reviewing our electoral system. For example, whilst developing our voter ID scheme we have learned from existing voter ID measures successfully in place in many countries around the world.

Answered with Question 2.

**4. The Committee has heard that local authorities are not properly funded for registration related activity, particularly at election times. What steps will the Government take to ensure electoral administrators have the proper resources for the job?**

Answered with Question 6.

Funding for the conduct of elections is provided separately to that used for registration related activity. Under section 29 of the Representation of the People Act 1983, the (Acting) Returning Officer at a UK Parliamentary election is entitled to recover charges in respect of services rendered and expenses incurred in conducting the poll. The charges are paid from the Consolidated Fund. Expenditure that ROs incur must be "necessary for the efficient and effective conduct of the poll". Local elections are funded from local authority budgets.

Local authorities have a statutory duty to appoint an Electoral Registration Officer<sup>1</sup> (ERO) and to provide them with sufficient resources to fulfil their registration duties<sup>2</sup>. In addition, as set out in detail in the answer to Question 5, the Government has provided £100 million of extra support to cover the additional costs of Individual Electoral Registration as the new system beds in.

IER funding is provided annually in a two-step process aligned to the financial year:

- initial in-year payments are made as early in the financial year as possible. These are based on the Cabinet Office's modelling aimed at forecasting LAs' expected costs, and then using these outputs we apply policy decisions which include, for example, what the maximum reduction of an LA's allocation should be; and,
- A subsequent evidence-based bidding process known as the Justification Led Bid (JLB) process. This process usually takes place towards the end of the financial year, with payments made in March.

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<sup>1</sup> Section 8, Representation of the People Act 1983

<sup>2</sup> Section 54, Representation of the People Act 1983

The JLB process allows LAs to highlight where their initial modelled allocation is not considered adequate to cover the additional costs of IER. Where this can be evidenced, the Government will pay the difference, ensuring that EROs are not left out of pocket.

The Government of course recognises that local government finances have tightened considerably in recent years. This means that the delivery of electoral registration services, alongside other local authority services, must be reformed so that they are delivered as effectively and efficiently as possible. The Government is playing its part in this by removing unnecessary bureaucracy and ensuring that EROs have the necessary tools to do their jobs.

This includes the reformed annual canvass which is scheduled to be rolled out for the first time this year (see answer to Question 13 for more detail).

As set out in more detail in the answer to Question 7, the Government has launched a new event-led registration volumes project, looking at the impact of high volumes of registration applications in the lead up to major polls. This project will look at ways to minimise and mitigate these impacts. We will work with administrators and their representative bodies and the Electoral Commission to assess which measures would have the greatest impact.

**5. Is the Government planning to formally evaluate the impact of the extra funding that was initially extended to local authorities to manage the transition to individual electoral registration and which is now coming to an end?**

Since 2015 the Government has paid £100m to local authorities in England and Wales and Valuation Joint Boards in Scotland under the Government's new burdens doctrine to help cover the additional costs of the move to Individual Electoral Registration in 2015.

Given the narrow purpose of this new burdens funding, and the consideration of in-year Justification Led Bids, we do not consider it necessary to carry out any formal assessment of its impact.

IER has now been in place for almost five years, and is well bedded in. With canvass reform due to be implemented from 2020, and with the reforms expected to reduce, and eventually fully offset, the additional costs generated by IER, Cabinet Office is considering further how to ensure that electoral registration remains on a sustainable financial footing.

**6. Will the Government consider reimbursing administrators for the cost of processing additional registration applications during election periods and, if not, why not?**

Answered with Question 4.

**7. The Committee has heard repeated calls for an on-line registration check-up tool, as exists in many other countries, to avoid the level of duplicate applications. Is there a case for reviving a Coordinated Online Record of Electors? If not, what action will the Government take to reduce the burden of duplicate registration applications?**

The Co-ordinated Online Record of Electors (CORE) was legislated for in 2006 by the Electoral Administration Act, and intended to make it easier for political parties to verify the legitimacy of their donors. However, the provisions were never commenced and the legislation was repealed by the Electoral Registration and Administration Act 2013. The database, which would have been administered by a new independent public body, would have cost an estimated £11.4 million to build and £2.7 million per annum to run. The Government did not consider these costs to be proportionate to the likely benefits.

In 2017, the Cabinet Office investigated the scope for enabling a live registration status check. This included producing a high level business case which forecast the cost of implementing a look-up functionality for the IER digital service.

This exploratory work found the following:

- There was no obvious solution to the technical, security and privacy issues around consolidating the registers to allowing a live registration check; this was predominantly due to the challenges around proving an individual's identity;
- The potential costs of a look-up tool (such as the Coordinated Online Record of Electors), for both Government and Local Authorities, far exceeded the costs of processing duplicate applications;
- It was not clear that offering a look-up tool would affect citizen behaviour in the run-up to a poll.

However, future technical improvements may mean that a feasible solution can be found in the coming years.

The Government is aware of the burdens on electoral administrators which have been placed on them by the high numbers of applications to register to vote ahead of major polls. Cabinet Office is considering how to best mitigate this burden, including, but by no means limited to, duplicate applications, as part of a new project looking at ways to minimise or mitigate the impact on electoral services teams of high volumes of registrations in the run-up to elections. Of course, to the extent that registration applications have shifted to the pre-election period from elsewhere in the year, administrators will also have to consider how best to adjust the ways they work. The Cabinet Office will work with the AEA, SOLACE, the Electoral Commission, Devolved Administrations and others to identify, and scrutinise, potential policy interventions.

**8. The Committee has heard from some witnesses that the Cabinet Office team is not delivering on its mandate, is not being held to account for its**

**failings, that the team has a lack of understanding about how to reach under-registered groups and relies too much on charities and local groups to do its work for them. How do you respond to these criticisms?**

The statutory responsibility for registration lies with Electoral Registration Officers. The Cabinet Office does not have a specific mandate in relation to under-registration. Its role is to support the design and implementation of the Government of the day's policies.

The Government sees its role in democratic engagement activity as a legislator, funder, and promoter of good practice, and it also has a role in convening partners. We also want to encourage partners to play a greater role in identifying opportunities for engaging under-registered and vulnerable groups. The reason for this, and for the Government's position, is that local authorities, and those working in the sector, are best placed to work with hard-to-reach groups, to understand the issues they face and to encourage engagement in democracy. Local authorities have the expertise and statutory obligation to undertake democratic engagement activity in their area, and the Electoral Commission's performance standards and guidance offer them additional support.

The Government has published resources to help local authorities, educators, MPs and Peers, and civil society groups to promote democratic engagement and tackle barriers to registration for under-registered groups.

Furthermore, the introduction of online registration in June 2014 has transformed the ease with which people can register to vote. From the day of the 2019 General Election announcement to the registration deadline on 26 November 2019, 3.85m applications to register to vote were processed by the IER Digital Service, of which over 91% were made online. On registration deadline day itself, 659,666 applications were made, 97% online. This was the largest number of applications ever received in a single day.

**9. The Government has stated that it is not considering introducing automatic registration because it is not compatible with the principles of IER and that no clear system has been identified to enable EROs to confirm all aspects of voting eligibility. These obstacles have been overcome in Canada and other countries so why does the Government not believe they can be overcome here?**

The Government has no plans to introduce automatic registration. As the law currently stands, EROs are responsible for maintaining the completeness and accuracy of their local electoral registers. The introduction of automatic registration would be at odds with this and would likely lead to this responsibility, at least in part, being transferred to central Government. This is not a change the Government supports.

There is a tension between automatic registration and the principles underpinning

IER, namely individual responsibility and ownership for registering to vote. It is every individual's responsibility to register themselves. With online registration, the Government has made it easier than ever for those who want to register. The Government considers registering to vote (and voting) to be a civic duty, but does not believe it should be compulsory, and does not believe that individuals should have it done for them. We welcome, and share in, efforts to encourage people to register and to vote.

Successfully introducing a system of automatic registration would likely require a single, national electoral register and/or rely on the introduction of a national database. The Government is opposed to the creation of a new database, containing personal identifiers, which has a national coverage, since this would have significant security, privacy and cost implications (see Question 2).

### **Electoral administration**

**10. The Committee has heard that the current timetable for elections is very tight for delivering elections, in particular for the sending and receiving of postal votes. Do you agree that the electoral timetable should be extended and if not, what steps will the Government take to address these challenges?**

The changes made in the Electoral Registration and Administration Act 2013 and in regulations flowing from the Act, make it easier for electors to receive, complete and return their postal votes in good time. The electoral timetable was lengthened and the restriction on issuing postal votes ahead of the eleventh working day before the election was removed. There are no plans to further extend the electoral timetable.

We are aware that the vast majority of postal votes used by voters are received back by Returning Officers in time to be counted.<sup>3</sup> Nonetheless we are not complacent and we will continue to keep this area under review, including considering what can be done within the current timetable to support postal vote deadlines and overseas electors. Any changes to the timetable will require careful consideration and consultation with stakeholders to ensure we achieve a balance between the needs of voters and electoral administrators.

Work that we have done to date to address challenges in the system includes funding the use of 'sweeps', whereby Royal Mail checks for any postal votes at its mail centres on the evening of the poll, so these can be extracted and delivered to nearby elections offices for inclusion in the count. We have also used the International Business Response Service since 2016 for the return of overseas postal votes to ensure they can be sent back quickly and effectively with no

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<sup>3</sup> 85% of postal votes were returned before the close of poll at the 2017 UK Parliamentary General Election and 86% were returned at the 2015 UK Parliamentary General Election. See Electoral Commission data here <https://www.electoralcommission.org.uk/media/321> and here <https://www.electoralcommission.org.uk/media/3746>

issues about the costs of postage from abroad and in December of last year, set up a specific facility with Royal Mail for a unit at Heathrow to expedite dispatch abroad.

The Government is committed to ensuring that the timetable, and the postal vote system, operate efficiently and we will continue to work with stakeholders to support the effective conduct of the voting process.

**11. The Committee heard from the Chief Electoral Officer of Canada about measures such as advance polling and same-day registration which improve the accessibility of voting. Has the Government considered introducing these here and if not, why not?**

Advance polling was trialled in England between 2000 and 2007. Whilst the trial provided for a more flexible voting process it did not show an overall or consistent increase in turnout. It was also more difficult and more expensive to administer.

There is already considerable flexibility in the options open to electors. Electors can currently choose to vote by post, in which case they will receive their ballot paper some days before the date of the poll. They can apply for a postal vote for a particular period, for example if they are going to be away from home and can ask for it to be sent to another address, for example if on holiday. Electors can also appoint a proxy to vote on their behalf either at the polling station or by post.

The Government has no plans to introduce same-day registration which would have a significant logistical impact on the conduct of elections.

Existing timescales for registering to vote allow time for the Electoral Registration Officer (ERO) to verify the identity of an applicant, for example, using Department for Work and Pension records (National Insurance numbers and date of birth), and for any objections to be made to the application, prior to it being determined by the ERO. Providing for registrations on polling day itself would raise issues about how the eligibility of applicants would be verified. All applications should be subject to the same level of scrutiny and checks, and if applications were made on the day, then this would leave EROs having to confirm a person's eligibility *after* the close of poll.

This has obvious problems. Amongst them, since 2010, it has been a legal requirement that Returning Officers start the count within four hours of the close of the poll. Parliament has therefore indicated its desire for Parliamentary election results to be confirmed quickly. Pending completion of the steps outlined above, votes cast by such persons would perhaps need to be deemed as 'provisional'. This would have a significant impact on the timing of the declaration of results for polls, as either the declaration would need to be delayed, or a 'provisional' result given, pending confirmation that those voters who registered on polling day were indeed entitled to vote at the poll. This could cause delay to the final outcome of the poll being known and the successful representative taking up office and



possibly the formation of a new government after a General Election, which may be thought to be unacceptable.

To work effectively and securely, same-day registration would require all polling stations in a constituency to be electronically linked and the register updated in real time to prevent anyone registering and voting in one polling station and moving quickly to another to do the same. This would present considerable technical challenges and carry significant cost. Such a change could introduce uncertainties as to the register to be used for the election and undermine confidence in the process, if candidates were unable to challenge any unusual trends in registration prior to polling day.

These proposals would represent a significant change to the UK's electoral system and would raise important issues around the integrity of electoral processes.

**12. In the 2019 UK Parliamentary general election there were errors reported with electoral stationery, poll cards and postal ballot packs, exacerbated by short deadlines and limited printing capacity. What assessment has the Government made of these practical challenges to delivering elections and how does it plan to address them?**

The 2019 UK Parliamentary general election was unscheduled, and we appreciate that requires significant effort to run successfully.

We recognise the pressures on administrators to deliver elections and issues with operational delivery and supplier systems are areas that are a priority for us to consider along with the Returning Officers who contract with the suppliers and other organisations such as the Electoral Commission. The Government is working closely with administrators and suppliers on these kinds of issues to consider how we can support both electoral administrators and their suppliers to minimise any risks to the successful running of elections.

**Annual canvass reform**

**13. To what extent will canvass reforms deal with the concerns we have heard from EROs that the two-stage registration process (Household Enquiry Form and Invitation to Register) introduced by the 2013 Act is complicated, bureaucratic and confusing for electors? What assessment has the Government made of the expected benefits of canvass reform with respect to the completeness and accuracy of the registers and the workload and resource pressures facing EROs?**

Canvass reform will make the annual canvass process simpler for citizens and administrators; allow administrators to focus their resources where they are most needed; and save taxpayers' money. The reforms provide capacity for innovation and improvement, with a model that gives EROs greater discretion to run a tailored canvass which better suits the needs of their local area.

It is clear that the previous process caused unnecessary confusion for electors, who were required to respond to a Household Enquiry Form each year, even though their household composition may not have changed in years. Instead, the new canvass will incorporate a 'data step' at the outset of the process. Route 1, the matched properties route, will be used for properties where the data indicates no change in household composition, and while each property will continue to receive a communication from the ERO, those in Route 1 will not now be required to respond unless they have a change to report.

In addition to this, recent applicants to the register no longer need to be canvassed, and the forms themselves have been formatted to be simpler, and easier to understand for electors. These changes will enable EROs to target their resources where they are needed, cutting down their workloads, whilst also reducing the amount of unnecessary, bureaucratic communication that can potentially confuse electors.

An Impact Assessment of the policy was produced alongside the legislation, which explores the budgetary effects of Canvass Reform. This can be found [here](#)<sup>4</sup>.

The Impact Assessment concluded that the workload pressures facing EROs under the current paper-based system would be reduced after Canvass Reform - contributing to the overall savings of the reforms.

**14. If electoral registration is to be increasingly based on automation, data-matching and online applications, rather than a household canvass, is there a case for abolishing the canvass altogether?**

The canvass is still important and we do not intend to abolish it. It is essential that registers are as complete and accurate as possible for the integrity of our democracy. It is therefore vital that there is some form of process in place to regularly check that they are as accurate and up to date as possible.

The canvass also helps the registers be as complete as possible. Although the introduction of online registration in 2014 has had a transformative impact on when, where and the way people register to vote, evidence from the Government's Register to Vote service is that in 2018, when there was no major national poll, applications to join the register were significantly higher during the canvass period than during the rest of the year.

**Ballot security and combating electoral fraud**

**15. The Committee has heard that there are still weaknesses in the registration system, particularly around the legal definition of residence for second homes and the ability to check for duplicate entries or**

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/845011/Canvass\\_Reform\\_Impact\\_Assessment.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/845011/Canvass_Reform_Impact_Assessment.pdf)

**ineligibility across registers. What is the Government doing to address these weaknesses?**

Individual Electoral Registration (IER) is widely considered to have been a success, meeting its primary objective of reducing the potential for fraud in our registration system. For the first time, IER requires electors to demonstrate that they are genuine before they can be added to the register. Of equal importance, IER has also revolutionised the electoral registration system, ensuring that people have ownership of their registration status. This was a necessary step to help the UK remain a world-leading democracy

The Government recognises that further improvements could be made.

Any potential improvements must balance accessibility with security of the register, however. The fact that registers are maintained separately, at local authority level, make it challenging to introduce a system which would allow checks across registers. This system does mean, however, that the electoral registers are more secure, since it is harder to subvert registration processes across the country.

As set out in the response to Question 7, the Government is considering how to mitigate the burdens on electoral administration teams and, as part of this project, will consider technical improvements to the registration system.

**16. The Committee has heard that electoral fraud is not taken seriously enough by the police and that the election petition system is out of date. What discussions have taken place in Government about reforming the process of tackling fraud and handling allegations?**

The Government's view is that electoral fraud is unacceptable on any level and it is undertaking a range of measures to strengthen the electoral process, including, as promised in our 2019 manifesto, by introducing a requirement for voters to show ID and provisions to stop postal vote harvesting.

The Government has announced its intention to bring forward a range of anti-fraud measures. The voter ID measure will require electors to show an approved form of photographic ID before casting their vote at UK Parliamentary elections and other non-devolved elections and referendums in the UK. Any voter who does not have an approved form of ID will be able to apply, free of charge, for a form of locally produced electoral ID from their local authority.

The measures related to postal and proxy voting will improve the integrity of voting that takes place remotely. The new postal voting measures will ban party campaigners from handling postal votes, limit the amount of postal votes that any voter can hand in at a polling station, and require voters to re-apply for a postal vote every three years. Additionally, we will bring forward measures to ensure that voters will only be allowed to cast a maximum of two proxy votes, regardless of their relationship with the person for whom they are acting as a proxy.

Limits of this kind should reduce the risk of fraud and reassure voters. It will prevent anyone from collecting vast numbers of postal votes or exercising many proxy votes, over which they might have unfair influence.

The Government is clear that electoral fraud is not a victimless crime. The impact of electoral fraud on voters can be significant and takes away their right to vote as they want, whether through intimidation, bribery or by impersonating someone and casting their vote.

The British public deserve to have confidence in the strength and integrity of our electoral system. We will bring forward legislation enabling the implementation of voter ID and wider electoral integrity measures when Parliamentary time allows.

The Committee's report outlines challenges with the current election petition system. As stated in our response to Sir (now Lord) Eric Pickles' report on electoral fraud, the Government agrees on the need to bring forward legislation to modernise the election petition system.

The current election petition process is in place to ensure certainty of election results, and to avoid vexatious complaints by candidates or electors that bring the count result into question and ask for recounts once the result has been declared. Nonetheless, the Government is aware of the difficulties with the current challenge system, notably the high cost and complexity of the process.

Any changes brought forward will, as the Committee suggests, need to provide a balanced system that ensures access to justice for petitioners, whilst also preventing futile or vexatious petitions.

In relation to the handling of electoral fraud allegations, the Government continues to work with the Electoral Commission (EC) and the National Police Chiefs' Council (NPCC) to consider issues about tackling fraud, police engagement and responses to allegations.

**17. Is there a case for introducing a centralised procedure to deal with complaints of fraud and maladministration in elections?**

As stated above, and in our response to Sir (now Lord) Eric Pickles report on electoral fraud, the Government agrees on the need to bring forward legislation to modernise the election petition system. This would require primary legislation.

The current election petition process is in place to ensure certainty of election results, and to avoid vexatious complaints by candidates or electors that bring the count result into question and ask for recounts once the result has been declared. Nonetheless, the Government is aware of the difficulties with the current challenge system, notably the high cost and complexity of the process.

Any changes brought forward will need to provide a balanced system that ensures

access to justice for petitioners, whilst also preventing futile or vexatious petitions.

### **Voter ID and other Government proposals**

#### **18. The Government has announced plans to introduce photographic ID requirements at polling stations. What was the logic behind this decision? How will the Government ensure that those without photo ID are still able to exercise their right to vote?**

The Government is committed to introducing measures to improve the integrity and security of each elector's vote, whether it is cast at a polling station or remotely. Those measures are part of a wider initiative to improve trust in the integrity of the electoral process, maintain public confidence and support inclusivity in our electoral system.

We have successfully conducted 15 local authority voter ID pilots, and engaged with the electoral community and civil society groups, which has provided the government with valuable insight to inform the implementation of this national policy. Both the 2018 and 2019 pilots helped to demonstrate what works best for voters and the evaluations helped shape the final model of voter ID which will be rolled out across Great Britain.

As announced at the time of the Queen's Speech on 19 December, electors will be required to show an approved form of photographic ID before casting their vote in a polling station at UK Parliamentary elections and other non-devolved elections in the UK. The list of approved photographic ID will not be limited to passports and driving licences, a broad range of commonly held photographic documents will be accepted, including, for example, concessionary travel passes, PASS scheme cards, Ministry of Defence identity cards and photocard parking permits issued as part of the Blue Badge scheme.

In circumstances where an elector does not have one of the other acceptable forms of photographic ID, they will be able to apply, free of charge, for a local elector ID from their local authority, ensuring that everyone who is eligible to vote will have the opportunity to do so. The provision of local elector ID will be by exception rather than the norm.

Both the independent Electoral Commission and Cabinet Office evaluations show that the voter ID pilots were a success and the overwhelming majority of electors cast their vote without a problem. The evidence from the pilots suggests that a large majority of electors already have access to an acceptable form of officially issued photo ID from the lists used in these pilots. In the two local authorities where photo ID was piloted in 2019 (Pendle and Woking), 99.6% of people who attended a polling station were able to show the right photographic ID and were issued with a ballot paper.

As part of their evaluation of the voter ID pilots, the Electoral Commission also conducted a security assessment of the voter ID models and identified the photographic ID model as the most secure. The Electoral Commission report that photographic identity documents can be reasonably checked by non-experts in polling stations and that locally issued ID with a photo would provide strong evidence that it was issued to the person showing it.

We are committed to understanding the needs of all voters and ensuring that we will fulfil our responsibilities under the Public Sector Equality Duty. We will continue to work closely with the Equality and Human Rights Commission, civil society organisations, and key electoral stakeholders to ensure that voter ID works successfully for all voters. We will also continue to support local authorities in their work and ensure all of their voters are aware of the voter ID requirement prior to national implementation and their needs are met.

**19. There were reports during Voter ID pilots that some voters who were turned away did not return to cast a vote with identification later. How will the Government monitor and ensure that voter ID requirements do not negatively impact on voter turnout and participation?**

Showing ID is something people of all walks of life already do everyday, for example to take out a library book, claim benefits or pick up a parcel from the Post Office. Proving who you are before you make a decision of significant importance at the ballot box should be no different. It is a reasonable and proportionate way to protect our elections.

Both the independent Electoral Commission and Cabinet Office evaluations show that the voter ID pilots were a success and the overwhelming majority of electors who turned up to vote did so with the right documents and had confidence in knowing how to cast their vote. Based on the evaluations of the pilots, there is no indication that any consistent demographic group was adversely affected by the voter ID models.

Any elector who does not have an approved form of photographic ID will be able to apply, free of charge, for a local electoral ID from their local authority, ensuring that everyone who is eligible to vote will have the opportunity to do so. The evidence from the pilots suggests that the level of demand for local elector ID will be relatively low. In the 2019 photographic ID pilots, only 100 people needed to rely on a Local Elector ID issued by their local authority. This represents 0.3% of total votes cast.

Other democracies across the world such as Canada, the Netherlands, France and Germany also require voter ID and utilize this with ease. Voter ID has applied to elections in Northern Ireland since 1985, with photo ID being required since 2003. Both the pilots and the Northern Irish experience demonstrate that the requirement to provide ID before voting does not have a negative effect on election turnout or participation. We are committed to rolling out this effective

anti-fraud measure and bringing the whole of the United Kingdom into line with Northern Ireland.

It is important that the ID requirements we introduce are suited to the needs of all voters and that public awareness activities are effective across all communities. We continue to work closely with the Electoral Commission and Civil Society organisations as part of our ongoing commitment to fulfill our Public Sector Equality Duty, to make communication around this policy really effective and make sure we get this right.

Working with key electoral stakeholders including local authorities and representative groups, we will undertake detailed analysis of the requirements of all voters - how people experience each element of the voting process from registration to voting (including, importantly, the process of applying for locally-issued electoral ID). We will use this to develop robust proposals for the practical roll-out of voter ID, so that we can ensure the needs of all voters are met.

**20. The Government has recently announced plans to pass new legislation on future parliamentary boundary reviews. The Committee has heard that previous reviews may have been compromised by the quality of registers used. How will the Government ensure that registers used in future reviews are as accurate and complete as possible, to ensure that boundaries can be drawn fairly?**

In the written statement of 24 March 2020, 'Update: Strengthening Democracy' (HCWS183 and HLWS179), the Government set out its policy position in relation to the boundaries of parliamentary constituencies.

It has been the longstanding position that the number of registered electors is used as the basis for parliamentary boundary reviews. The previous review was not based on lesser quality data.

Parliament agreed that the boundary review reported in 2018 should be based on the December 2015 registers. The Electoral Commission's final report, published in July 2016, into the transition to Individual Electoral Registration (IER), presented its findings as to the accuracy and completeness of the registers in comparison with other points during the transitional phase. The Electoral Commission in its report stated in their assessment of the December 2015 registers: "Both local government and parliamentary registers were found to be 91% accurate in December 2015. This represents a notable increase since before the introduction of IER of four percentage points." The Electoral Commission also found that completeness levels were maintained at around 86%. In other words, the register in December 2015 was no less complete but much more accurate than the pre-IER register.

For the next review and future reviews, new legislation will shortly be before both Houses of Parliament where the data point will be specified. Existing legislation

requires the next boundary review to be based on the data from the December 2020 registers. The UK Government is working with the devolved administrations in Scotland and Wales to identify issues arising as a result of COVID-19 in relation to the canvass of electors across Great Britain in 2020, and will bring forward relevant measures to address them as necessary. The Coronavirus Act 2020 has postponed the 2020 canvass in Northern Ireland to 2021 and a register will be published in December 2020 under the system of continuous electoral registration in Northern Ireland.

## **Conclusion**

### **21. What is your view of the wider state of UK electoral law? In light of the recent Law Commission report, does it need a comprehensive overhaul and if so how should this task be undertaken?**

The rules that govern our electoral landscape are complex and the Government agrees in principle that electoral law needs consolidation. It supports the work of the Law Commission in this respect and we will consider the issues raised in its final report, which was published on 17 March 2020, in conjunction with our wider programme of electoral integrity reforms.

We also acknowledge the breadth of such a project and the resource and time that it would require. We are aware of more immediate challenges outside of the structure of electoral legislation, including operations, resilience, fraud and confidence, and our priority is to ensure our elections are secure and updated for the age, maintaining confidence and the integrity of people's choices.

**Chloe Smith MP**

**11 May 2020**