The Electoral Commission – written evidence (CCE0152)

The Electoral Commission is the independent body which oversees elections and regulates political finance in the UK. We work to promote public confidence in the democratic process and ensure its integrity by enabling the delivery of free and fair elections and referendums, focusing on the needs of electors and addressing the changing environment to ensure every vote remains secure and accessible. We also use our expertise to make and advocate for changes to our democracy, aiming to improve fairness, transparency and efficiency. We welcome the opportunity to respond to this call for evidence.

1. We recognise the importance of citizenship and civic engagement in enhancing our democracy and the centrality of voting and people’s wider involvement in politics in that context. As not all the questions in the call for evidence paper relate to issues within the Electoral Commission’s remit, we have focussed only on those that do; namely, questions 4, 5, 7, 8 and 9. In order to keep our response as brief as possible, we have included references and links to available research and analysis wherever possible.

Question 4

2. Academics and other commentators have tended to stress the importance of political participation, political information, and political trust in describing the characteristics of the “politically engaged” citizen.\(^1\) While evidence consistently emphasises that political engagement is influenced by a broad range of factors, there are several areas of electoral law and administration that may have an impact on the degree to which individuals or groups feel able or willing to engage politically. These include: the rules governing how people register to vote; the ways in which people may cast their vote; the rules around standing for election; and legislation relating to the provision of information to voters about forthcoming electoral events.

3. More generally, we strongly support the Law Commissions’ electoral law reform project to rationalise and modernise electoral legislation, which we believe will lead to a simpler and more modern law, enabling well-run elections and making it easier for candidates and voters to take part.

Electoral registration process

4. A system of individual electoral registration (IER) has operated in Great Britain since 2014, and a similar system has been used in Northern Ireland since 2002. People in Great Britain are able to apply to register online, a system which has significantly improved access to elections, particularly among young people and British citizens overseas.

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5. Our recent report on electoral registration at the June 2017 UK Parliamentary general election set out our proposals for further modernisation and improvement, including extending online registration to Northern Ireland; examining the scope for the integration of electoral registration into other public services; better use of public data to help identify potential electors; consideration of automatic or direct registration processes; and exploring solutions to identify duplicate registration applications and reduce the risk of people voting in more than one constituency at a UK Parliamentary general election (UKPGE).

6. These measures have the potential to make the electoral registration system simpler and more accessible for voters, and we will continue to work closely with the UK’s governments to help support the development of new approaches to improve the accuracy and completeness of electoral registers.

**Voting methods**

7. Voters at statutory elections and referendums in the UK have a choice of voting methods: they can vote in person at a polling station, or apply to vote by post or proxy.² Extending or changing the ways in which people can vote (for example, by allow electronic voting (e-voting), advance voting or weekend voting) is often cited as offering the potential to increase levels of political participation, particularly among under-represented groups.

8. Our evaluation of e-voting pilot schemes found that the majority of those who voted electronically were likely to have voted anyway via another channel, a finding supported by political science research.³

9. Our evaluation of advance voting pilot schemes reached similar conclusions: use of the facility was limited, and mainly confined to those already predisposed to vote. In addition, we are not aware of any evidence which suggests that voting on a Thursday is a significant reason why people do not currently vote at elections in the UK, or that moving to weekend voting would remove a significant barrier to voting. Our post-election public opinion research undertaken after the 2015 UKPGE found no strong evidence to suggest that weekend or advance voting would cause a change in behaviour; the case for online voting was improved, but far from conclusive.⁴ Any introduction of new voting channels would need to be based on robust evidence and justification before any changes were implemented.

**Disabled voters**

10. People living with disabilities can face more significant challenges when registering and casting their vote. Everyone who is eligible should be able to register and cast their vote

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² Postal voting is available on demand for all elections in England, Scotland and Wales. In Northern Ireland, an elector must have a valid reason for voting by post.
without impediment, and we take very seriously the need to ensure that all voters can exercise their rights. We provide guidance to Electoral Registration Officers (EROs) and Returning Officers to help them meet their electoral law and equality obligations and ensure that everyone who is entitled to cast their vote can do so.

11. We also work with disability organisations to identify whether changes to guidance, practice or legislation are needed to help those living with disabilities exercise their voting rights. We welcome the Minister for the Constitution’s recent Call for Evidence on how people with disabilities experience registering to vote and voting itself, and we will submit evidence in due course.

**Standing for election**

12. The rules around standing for election determine whether someone is able to stand as a candidate. While these are of most direct interest to potential candidates and political parties, they are also important for voters since they help determine the range of candidates available to them. The rules should enable the widest possible access to stand for election, but should also ensure confidence in elections and election candidates among voters, campaigners and political parties.

13. Our [January 2015 report on standing for election in the UK](#) made a number of recommendations designed to help make the rules as clear, fair and up-to-date as possible, so that they both encourage participation by candidates and maintain the confidence of voters in the system. We recommended that monetary deposits should no longer be required in order to be nominated for election, because we do not believe it is reasonable to have a barrier to standing for election that depends on someone’s financial means. However, we also recommended that requirements to collect supporting signatures from registered electors should be retained.

**The franchise**

14. We note that the Committee is also seeking views on changes to the franchise for national or local elections, including lowering the voting age. The Electoral Commission does not take a view on the specific definition of the franchise, including the principle of lowering the voting age, as we recognise that these are significant constitutional questions which are properly the responsibility of legislatures to determine. However, we would comment on the practical implications of implementing any change to the franchise, including for electoral administrators, campaigners and voters themselves.

**Question 5**

15. Schools offer an opportunity to target information about political participation at young people who are approaching the age of electoral majority. The Commission successfully worked in partnership with schools and local councils ahead of the 2016 Scottish Parliament election
and the 2017 Scottish council elections to target information at those 16 and 17 year olds who would be eligible to vote in these elections.

16. Our ReadyToVote campaign encouraged schools across Scotland to run registration and voting events with their students on 1 March 2017 and was supported by Education Scotland, Council Chief Executives and Directors of Education. We produced a toolkit to make it as easy as possible for schools to get involved. In total 293 secondary schools signed up to take part in the campaign, accounting for over 80% of all local authority secondary schools and our research with 16-17 year olds after the election found that they were more likely to say that they found it easy to access information about how to vote than 18-34 year olds.⁵

**Question 7**

**Electoral Commission campaigns**

17. Before elections and referendums, the Commission runs campaigns to promote the key information citizens need to know, so they can vote.⁶

18. An important part of our campaigns is facilitating support from other organisations, including central and local government, charities, businesses and NGOs. We produce resources, provide advice, run specific initiatives with some organisations and put effort into ongoing communication through a dedicated public awareness e-newsletter. To support our recent campaigns Cabinet Office have mobilised government departments to share messages on their communications channels and they have added messaging across the gov.uk website, including at the end of transactions such as driving licence and passport applications. In our experience, working as a sector with specific organisations investing in and co-ordinating support centrally for particular areas, helps deliver value for the public purse and makes the best use of limited resources.

19. In 2016 the Commission undertook a strategic review which involved asking external stakeholders for their views on a range of areas, including engagement with elections. Of the 120 responses to our consultation, several mentioned declining engagement as a particular challenge, especially among young people, and that education programmes (to help people understand how politics affects their lives and learn what elected representatives do) would help to meet this challenge.

20. The Commission has therefore started a project to scope and define the landscape of public democratic engagement in the UK. This project will explore what different organisations are already doing, identify where there are overlaps or gaps, and enable consideration of what

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⁵ 84% of 16-17 year olds said it was easy to access information compared to only 69% of 18-34 year olds.
⁶ Further information about our voter registration campaigns can be found on our website: [https://www.electoralcommission.org.uk/find-information-by-subject/electoral-registration](https://www.electoralcommission.org.uk/find-information-by-subject/electoral-registration)
more the sector could do to improve democratic engagement. We aim to complete this project by early 2019.

**Information about elections**

21. In most UK elections with large geographic constituencies, candidates are provided with some state-funded support to help them communicate their policies and encourage people to vote in the area where they are standing for election. This includes the right for candidates to send an election leaflet free of charge for postage to every registered elector or every household in constituencies for UK Parliamentary elections. Candidates in directly-elected Mayoral contests in England (including elections for the Mayor of London, Combined Authority Mayors and local authority directly-elected mayors) can include a statement in a single booklet distributed to households across the electoral area, subject to the payment of a contribution towards the costs of producing and distributing the booklet.7

22. At Police and Crime Commissioner (PCC) elections in England and Wales, candidates are entitled to include a statement on a centrally hosted website, but there is no free mailing. We have recommended to the UK Government that electors should be sent printed information about candidates at future PCC elections in the form a booklet containing information provided by each candidate. Our public opinion research for the November 2012 PCC elections found that the most commonly cited reasons for not voting in the elections related to a lack of awareness (37%), primarily a lack of information about the elections and not knowing who the candidates were or where to find information about them.

23. Our report on the May 2016 PCC elections reinforced our concerns about the lack of candidate information available to voters to enable them to make an informed decision about how to vote, with 72% reporting that they knew not very much or nothing at all about the elections.

**Question 8**

24. Electoral fraud undermines democracy and weakens the United Kingdom’s strong tradition of free and fair elections. It takes away from individuals the right to vote as they wish, it distorts the results of elections and weakens the legitimacy of elected bodies, and it causes mistrust between communities.

25. We published two research reports in January 2015 focusing on the vulnerability of electors in the British Pakistani and British Bangladeshi communities. These highlighted that a mix of contextual, cultural and electoral process factors may create electoral fraud vulnerabilities.8

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7 Mailings free of charge for postage are also available for candidates at elections to the European Parliament, Scottish Parliament, National Assembly for Wales, Northern Ireland Assembly and local councils in Northern Ireland.
26. Addressing these vulnerabilities will take careful, locally managed work by police forces, Returning Officers/EROs and – crucially – political parties, candidates and campaigners, to raise awareness of what is and is not acceptable activity by family or community members or campaigners, and to build confidence that concerns can be raised and will be dealt with appropriately.

Question 9

27. Our research on electoral registration has found that the main drivers of lower levels of electoral registration remain age (young people 18-34 are less likely to be registered), recent home movement and whether someone rents their home. Our campaigns target the whole of the population eligible to vote, with a particular focus on these and other under-registered groups. We also provide comprehensive guidance for EROs, including examples of approaches and tactics for engaging under-registered groups.

28. Our research study on elections, voting and electoral fraud within British Bangladeshi and Pakistani communities identified a number of barriers to political participation among these groups, including low levels of literacy and a lack of English language skills and understanding of UK electoral processes, particularly among older British Pakistani and Bangladeshi voters, new migrants and women. Without direct access to information regarding candidates or electoral processes, and unable to vote by themselves, these types of individuals were likely to rely on others to help with voting.

29. The same study also found that disinterest in politics among all age groups and across all communities came from “disillusionment with politicians failing to follow through on promises once elected”.

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8 See Elections, voting and electoral fraud: An exploratory study focusing on British Pakistanis and Bangladeshis - January 2015 and Understanding electoral fraud vulnerability in Pakistani and Bangladeshi origin communities in England: A view of local political activists - January 2015