

# **Speech to the HS Chapman Society**

**by**

**Douglas Bain CBE TD Advocate**

**Chief Electoral Officer for Northern Ireland**

**8 October 2007**

## **'The Northern Ireland Experience of Individual Registration'**

### Introduction

Thank you for the opportunity to share with you my views on the Northern Ireland experience of 'individual registration'.

Tonight I am attaching a wide interpretation to the phrase to include -

- the requirement to complete an individual registration form
- the need to provide personal identifiers
- the requirement to provide photographic identification when voting
- the abolition of the annual canvass
- the new process known as continuous registration.

I intend to –

- remind you of the background against which individual registration was introduced in Northern Ireland
- briefly describe the main changes to the law
- outline for you the practical implications of these for electors, the parties, electoral administrators and the tax payer
- set out for you some of the further changes that are being considered in Northern Ireland to reduce any residual adverse impact of the initial changes; and finally
- draw some conclusions and identify some issues that would have to be born in mind if individual registration was introduced in Great Britain.

## The Background

As you know Northern Ireland has 18 Parliamentary constituencies and in 2002 had around 1.2m people eligible to register. That figure has now risen to just over 1.3m.

It is probably fair to say that the electoral process in Northern Ireland was perceived by some to be flawed from the creation of the State. Local councils were Unionist dominated and the officials responsible for electoral administration were Unionist. It is not surprising that when most of the powers of local councils were removed in the early 1970's responsibility for registration and the running of elections throughout Northern Ireland passed to my predecessors as Chief Electoral Officer.

However, there were still concerns that the electoral process was open to abuse. You will all have heard the phrase 'Vote early and often' and whilst I doubt that the abuse was as widespread as claimed by some it did have a corrosive effect on public confidence in the electoral process as a whole. Further it was self evident that

the electoral register was inflated. In 2000, for example, the registration level was 98.22% which is simply not credible.

It was against that general background that the Government committed to introduce what has come to be known as individual registration.

### Changes to the Law

The Electoral Fraud (Northern Ireland) Act 2002 made a number of important changes to the law designed to tackle the perceived abuses of the inflated register and of personation.

First, it replaced household registration forms with individual registration forms.

At the same time an amendment was made to the Representation of the People (Northern Ireland) Regulations to remove the provision which allowed the 'carry forward' to the new register published each December of electors who had failed to return their canvass form.

These two measures were targeted at the inflated register.

The third major amendment was targeted at personation and was the introduction of a requirement for every person to produce photographic identification before being issued with a ballot paper.

### Individual Forms

Prior to the 2002 Act the law on registration in Northern Ireland had been largely the same as in Great Britain.

Following the Act each individual elector had to complete their own registration form. This form required, in addition to their signature and address and a statement that they had been resident in Northern Ireland for the immediately preceding 3 months, both the date of birth and national insurance number of each individual.

Provision was made to allow the Department of Work and Pensions to provide the Chief Electoral Officer with information on national insurance numbers so that a check could be made of the information given on the form.

### Photographic ID

After the 2002 Act every individual had to produce one of four prescribed forms of photographic identification before being issued with a ballot paper. These forms were –

- a current driving license bearing a photograph of the individual
- a current UK, Irish or EU passport
- a Senior Citizens bus pass (there is one transport authority in Northern Ireland who impose strict security controls on the issue of such passes) or
- an Electoral Identity Card – this card is issued by my staff free of charge to anyone who is either on the register or has applied to be registered. The cards have quite elaborate security features and are very difficult to forge.

## **What impact did these changes have on the register and the stakeholders?**

### On the Register

Following the Act the level of registration fell from the unrealistic 96.6% in 2001 to just under 86% in 2002. From 2002 the level of forms returned declined steadily until December 2006 when the registration level was 81.7%. Since then it has increased, in part at least due to the new measures I will describe, and today stands at around 84.4%.

### On the Electors

Plainly there were among the roughly 10% that disappeared from the register a number who were eligible to register and whose loss to the register is regrettable. I am committed to doing all I can to ensure that there are no barriers, real or perceived, to them registering in the future.

One surprise for the staff involved at the time was that providing national insurance numbers proved not to be the problem that had been anticipated. On the other hand the number of people, by no means all of them elderly, who did not know their date of birth was a real surprise.

Whilst initially the requirement to produce one of the four prescribed forms of photographic identification caused some difficulties at polling stations the process quickly became well understood by the electorate.

By the May 2005 elections less than 0.5% of those who went to vote produced an unacceptable form of ID and nearly half of these were able to return later that day with the required ID and to vote.

The figure of those attending with unacceptable ID at the Assembly elections earlier this year was 0.6% and nearly half of these produced documents that were out of date but otherwise acceptable.



In a survey conducted on behalf of the Electoral Commission following the Assembly elections 99% of those polled said they experienced no difficulty with identification on polling day.

Fraud and perceptions of fraud are notoriously difficult to measure. Research conducted on behalf of the Electoral Commission following the 2005 combined elections found that 50% of those asked thought that the new arrangements had helped to overcome electoral fraud. By the Assembly elections this March that figure had risen to 54%. Changing perceptions is, of course, a lengthy process but I am satisfied that personation and inflated electoral registers have, in fact, virtually ceased to exist.

### On the Parties

I have spoken recently to representatives of all the main Northern Ireland parties about the impact on them. They felt the introduction of individual registration forms made it more difficult to get people onto the register but accepted that the registers were now much more accurate. Individual registration meant they needed to work harder to achieve the same results but none of the

parties had any significant issue with the requirement to produce photographic identification.

## Electoral Administrators

There is no doubt that initially the move to individual registration meant more work for electoral administrators.

Nearly twice as many canvass forms had to be dealt with and this required an increase of around 30% in the number of canvassers. It also resulted in an increase in the number of data input staff that had to cope not only with the greater number of forms, each with the individuals date of birth and national insurance number, but also with the scanning of each form to capture the signature.

The number of extra canvassers and data input staff was reduced after the first 2 years as members of the public became familiar with the new process and by last year, when we conducted the last annual canvass, was only marginally greater than the 2001 level.

Polling station staff had to be trained in the procedures relating to the use of photographic ID. This was incorporated in their other training at nil cost. The staff welcomed the new provisions which meant that they no longer had to engage in arguments with electors and party workers about acceptable forms of identification.

The changes brought with them some benefits for electoral administrators other than having a much more accurate register. For example, although lists of deaths received from the Registrar General contained dates of birth there were no Electoral Office records to check these against. A great deal of time was wasted trying to work out which Seamus Murphy should be deleted – it was not uncommon for there to be numerous potential individuals within a single household. Now that we hold the dates of birth for everyone on the register this is simply no longer a problem.

### The Taxpayer

In 2002 the annual canvass with individual forms and the provision of free electoral identity cards cost approximately twice as much as the old household registration process.

## **Action has been taken to address the adverse impacts of the new process**

### Reduction in registration levels

As you know the annual canvass has been abolished in Northern Ireland and replaced by a process known as continuous registration.

Under that process people only have to complete a registration form when they first become eligible to register or when they change their name or address. It is estimated that in Northern Ireland there should be around 160,000 registration forms submitted each year.

Otherwise everyone remains on the register until the next full canvass, which is scheduled for 2010 and 10 yearly thereafter, unless I determine that their name should be removed from the register for example because they have died or because I am no longer satisfied that their registration particulars are correct.

Under legislation that came into effect earlier this year I can require certain public authorities to provide information to assist me in performing my registration duties.

So the Central Services Agency will regularly provide me with the name and address of any person registered with the Health Service who changes their name or address, and the Department of Work and Pensions will tell me whenever a person attains 17 years of age.

Similarly District Councils will inform me when a completion certificate is issued in respect of any residential property.

Using this information I will write to the individuals reminding them of the need to complete and return a registration form.

To make it easier, the registration form used in Northern Ireland has been simplified and has been awarded the Plain English Campaign Crystal Mark. It is now available in a range of languages other than English. All the versions of the form can be downloaded from [www.eoni.org.uk](http://www.eoni.org.uk).

In addition to the usual events to encourage registration I will each year be running an Electoral Registration Week. Whilst these weeks will be aimed at increasing the registration levels generally they will be targeted each year at a specific under-represented or hard to reach group. The first such event took place last week and was focussed on people with disabilities. Following a high profile launch, attended by both the First and the Deputy First Ministers, my staff took part in more than 30 registration events at locations across Northern Ireland. These events were supported by an extensive advertising campaign run by the Electoral Commission. Although it is too early to say for certain it looks likely that the Week will result in significantly increased registration levels generally and amongst those with disabilities.

The difficulty with continuous registration will, of course, be “persuading” the people to whom I write to complete and return a registration form. I intend to take a ‘carrot and stick’ approach.

To encourage them I intend to publicise the other benefits of registration including the availability of a free electoral identity card which can be used as proof of identity for domestic travel purposes

and as proof of age for entry to licensed premises in Northern Ireland.

I am also considering the possibility of a free prize draw. All those who submit a correctly completed registration form would be entered, unless they opted out, and would be eligible to receive modest cash prizes. The award ceremonies would take place at various locations across Northern Ireland and would be extensively covered by the very well developed local media network.

The media will also play a key role in relation to my 'stick' which is prosecution of a small number of those who fail to respond to the letter reminding them of the need to register. The purpose of such prosecutions will be general deterrence and I am satisfied that in Northern Ireland this will be successful.

Those attaining 17 years of age are notoriously difficult to capture on the register. I am approaching this in two ways.

First, DWP will regularly provide me with information on those reaching 17 years. I will then write to them, perhaps in the form of a birthday card, inviting them to complete a registration form.



But I am also seeking a further power to require the principal of every school in Northern Ireland where there are pupils aged 17 years or over to provide me, when required, with a list of the names, addresses and dates of birth of all such pupils.

On receipt of this list my staff would check to see if the pupils are already registered. For those that are not my staff will pre-complete registration forms and electoral ID card applications. They will then attend at the school by arrangement, briefly explain the benefits of registration and in particular of the Electoral Identity card, ask each pupil to check the information on the forms and, if satisfied, to sign them. Photographs for the identity cards would then be taken. My intention is that my staff will visit every school in Northern Ireland at least once each year.

This initiative is supported by all the Northern Ireland parties and I am told by the Education Minister. I understand that an amendment to the regulations is likely to be brought forward shortly and I hope that this new power will be available to me early next year.

These measures have or will shortly reduce some of the adverse impact of the changes made in 2002. It is plain to me that many electors failed to complete the annual individual registration form simply because they were fed-up with having to provide the same information on date of birth and national insurance number every year. The abolition of the annual canvass has removed that burden.

The abolition of the canvass has, of course, more than compensated for the increased cost of processing individual registration forms and expenditure on registration is now at roughly the 2001 level.

As regards the adverse impact on electors of the requirement to produce photographic identification when voting I have sought, with the support of all the Northern Ireland parties, removal of the requirement that documents produced at the polling station be current. The only issue at the polling station is whether the presiding officer is able, from the document presented to him to be satisfied as to the identity of the elector. The fact that the document produced is 3 days or even 3 years out of date is quite irrelevant. I understand that my proposal is currently with NIO

Ministers and I am hopeful of an early change to the law in this area. Had the change been in place at the Assembly elections only around 0.3% of those who wanted to vote would have produced invalid ID.

The political parties tell me that they have come to terms with the change from household registration and there would certainly be no majority desire to revert to that unsatisfactory system.

## **Conclusion**

The whole package of individual registration was introduced in Northern Ireland to deal with particular problems that existed there. It has resulted in much more accurate registers and increased public confidence in the electoral process. But it has also led to what is now a relatively small reduction in registration levels. The introduction of the package imposed additional burdens on political parties, electoral administrators and the taxpayer although all of these have, since 2004, been either eliminated altogether or greatly reduced. The positive impact of the package has been maintained and is indeed increasing.

The move to continuous registration will, when fully implemented, maximise the level of registration whilst still guarding against the artificial inflation of the register that took place under household registration.

For my part I am fully satisfied, and I believe that most Northern Ireland politicians share this view, that the registration process we now have is the correct solution for our jurisdiction.

But those advocating a move to individual registration along the same lines in Great Britain would have to consider a range of factors including, on the one hand –

- whether it could be delivered effectively in the absence of a central authority such as the Chief Electoral Officer and the Electoral Office for Northern Ireland
- whether the inevitable increased cost in the first few years could be afforded and whether it could be provided by central government in such a way as to ensure that the money would be used for registration purposes

- whether the inevitable, perhaps significant, reduction in registration levels in the initial years would be politically acceptable – there would be an off-setting increase in the turn-out figures.

On the other hand they would need to consider whether it is acceptable to continue to tolerate electoral registers as inaccurate as those in many parts of GB in the knowledge that this not only facilitates electoral fraud but also identity theft. Is right to base our democratic process, of which we are rightly proud, on registers which are now widely known to be flawed?

I thank you for your patience in listening to me and look forward to a lively discussion.