

APPENDIX: GREAT BRITAIN

DEMOGRAPHICS AND ELECTION ADMINISTRATION

The United Kingdom is a constitutional monarchy that includes Great Britain (comprising England, Scotland, and Wales) and Northern Ireland. Northern Ireland is represented in the UK Parliament, although it has its own voter registration system. The population of Great Britain is approximately 59.2 million, and approximately 46.5 million individuals are eligible to vote in Great Britain.¹ A total of 45.0 million individuals — or about 97% of all eligible voters — are currently registered to vote in Great Britain.²

Throughout Great Britain, elections are largely managed and conducted on the local level, by municipal or county councils. The national Electoral Commission, a non-partisan body accountable to the UK Parliament, issues guidelines and performance standards for aspects of election administration, including voter registration procedures, but has no governing authority over the local councils.³

VOTER REGISTRATION

Voter registration in Great Britain is largely initiated by local government. Depending on the locality, there may be several voting lists, on account of differing voter eligibility criteria for different electoral contests, including local, parliamentary, and European Union elections. Each local council appoints its own Electoral Registration Officer (ERO), who is charged with registering voters and maintaining the voter lists, with the obligation to make the voter register as accurate and inclusive as possible.⁴

Although voter lists are maintained throughout the year, most eligible individuals are added to the list or update their information on the list during the “annual canvass” period, which takes place every fall from about mid-August to December.⁵ During the annual canvass, local election officials reach out to every household to collect the names and information of everyone in that household who may be entitled to vote, including those who are already registered.

In 2007, 92% of households in Great Britain participated in the annual canvass.⁶ Six percent of registered voters did not participate, but nonetheless had their registration records carried forward, as permitted by law, from the September 2007 register to the December 2007 register.⁷

The cost of voter registration is paid by local councils.⁸ The expenses vary, but by way of example, a typical London borough will hire between 30 and 50 people in addition to its regular staff to canvass every 200,000 voters.⁹ Collectively, the canvasses cost approximately 100 million GBP each year.¹⁰

As of this writing, political momentum is building in Great Britain to replace this household-by-household registration, which has been in place since the Victorian era, when only males who held property could vote. The new system being proposed, which is slated to replace the annual canvass in 2015, will focus on registering each individual in her own right while improving the accuracy and comprehensiveness of the voter rolls. Under this model, elections officials will be allowed to collect information relevant to voter registration from myriad other government agencies, such as the national tax authority and national pension service. Election officials will use this information to identify and seek out any unregistered eligible voters, as well as voters whose existing registrations require updating. Throughout the United Kingdom, over 3 million voting eligible individuals are currently unable to vote because they are not registered.¹¹

Adding New Voters

Most newly eligible voters get registered to vote during the annual canvass; information collected during the canvass is also used to pre-register sixteen and seventeen year olds. In addition, voters may register with their local council at any time of the year by their own initiative through a process called “rolling registration.”¹² Lastly, local election officials conduct targeted outreach campaigns to register newly eligible voters throughout the year.

Annual Canvass

Every fall, during the annual canvass, localities are required to conduct a thorough canvass, in order to ascertain every person who is entitled to be registered to vote.¹³

Before initiating a canvass, local officials will first create a property database for the area to be canvassed, including new residential areas and real estate developments.¹⁴ Buildings with multiple occupants, such as apartment buildings, are required to be licensed and listed in public registers, which also helps electoral authorities determine how to best distribute and collect canvass forms.¹⁵ The local registration officers are also authorized to elicit information on potential eligible voters from a variety of sources, such as housing associations, student accommodation managers, private companies, and organizations.¹⁶

Once the geographic targets are established, the Electoral Commission recommends that local officials develop and implement public awareness campaigns, including leaflets, radio and television advertisements, and partnerships with community organizations.¹⁷

The local registrars then conduct the canvass itself. Generally, officials initially deliver canvass forms either by hand or through the post;¹⁸ they are permitted to pre-print certain resident information on the canvass forms, in order to encourage people to simply sign and return them.¹⁹ If the initial outreach proves unsuccessful, officials are legally obligated to conduct the necessary follow-up with unresponsive households, which may include:

- Sending canvass forms more than once to any address
- Making house-to-house enquiries on one or more occasions
- Making contact by such other means as the Electoral Registration Officer thinks appropriate with persons who do not have an entry in the register.²⁰

Hired canvassers are also deployed to go door-to-door, both to deliver forms and to follow-up with households who fail to return the forms by a pre-set deadline.²¹

The canvass forms ask residents to report the name, address, and nationality of every eligible elector who resides at the address, and to sign a declaration vouching for the information.²² Date of birth is required only for “attainers” — eligible 16 and 17 year olds — who reside at the address. Voters can also mark a checkbox if they would like to opt out of the publicly available version of the register.²³

Usually, canvass forms can be mailed back to the local council via “freepost,” at no cost to the sender.²⁴ In some localities, canvassers are encouraged to go door-to-door to collect completed forms. Some jurisdictions allow voters to update their records via telephone; others only accept the official canvass form.²⁵

Households are legally obligated to complete and return the canvass form, however election officials give absent or noncompliant voters a one-year grace period.²⁶ Officials will only remove the names of individuals who have failed to return registration forms in two consecutive canvasses, or whose residence at their registration address cannot otherwise be confirmed.²⁷

Rolling Registration

Although the majority of eligible voters register during the annual canvass, individuals may register at any time during the year, up to the eleventh working day before an

election, at which time voter registration is closed. Individuals who register under this “rolling registration” must submit a dated and signed written application to the local registration office.²⁸ Officials will also accept applications that are faxed or e-mailed, provided that they are legible and contain an image of the individual’s signature (electronic signatures are unacceptable).²⁹

Additional Outreach

Registrars take advantage of other opportunities to encourage voter registration as well. In particular, they target eligible individuals who have recently moved, during events such as “freshers’ fairs” for college freshmen.³⁰ Throughout the year, officials may also send rolling registration forms to properties that are likely to have new tenants, such as places where the records indicate a recent land charge or council tax.³¹

Registrars may also seek out unregistered individuals by comparing the voter rolls with other government lists. For example, local councils create independent lists of residents who pay council taxes. The Electoral Commission advises local councils to cross-check voter lists with taxpayer lists to get a general sense of potentially eligible voters.³² For instance, if someone is paying taxes but is not registered to vote, a registrar should contact them to try to register them, in accordance with the mandate to maintain as accurate and complete a voter list as possible.

To ensure that new citizens are added to the voter lists, the Electoral Commission inserts voter registration forms in new citizens’ information packets.³³

Updating Existing Voter Entries

Local Electoral Registration Officers are required to maintain the voter list year-round. In practice, list maintenance — which includes removing deceased voters and processing name and address changes — occurs on a monthly basis, and often uses information provided by other government agencies.³⁴

Local election officials learn of potential surname changes from the local register of marriages. After making an appropriate change to the voter list, the official will mail the effected voter a “notice of alteration” form.³⁵

In addition, any elector may proactively fill out notice of alteration form to have a name or address change reflected in the electoral register.³⁶ If a registrar notices that the applicant’s former address is in another jurisdiction, she will contact the registrar of the former residence to inform her that the voter has moved.³⁷ All such changes to electoral

records are valid for the upcoming election if they are received by the eleventh working day before that election.³⁸

Election officials primarily learn of voter deaths from the local registrar of deaths. They also receive information from the executors of deceased voters' estates.³⁹ Prior to removal, the officials will contact the residence in question to make sure that the correct person is being removed.⁴⁰

Great Britain does not permit convicted persons to vote while they are incarcerated. Since these voters are not sent ballots in prison and are ultimately removed from the rolls during the annual canvassing process, there is no need for local councils to actively purge them.⁴¹

Registrars are generally authorized to “use all datasets available to them to discover cases which may trigger a review of registration.”⁴² In the event that a review of other government records indicates that an individual is no longer entitled to be registered, the registrar must send a notice with the reasons for that opinion. Individuals to be removed from the register are also notified of the right to request a hearing before removal.⁴³ The Electoral Commission recommends that local registrars maintain a record of anyone who has been removed from the rolls.⁴⁴

FILLING GAPS AND CORRECTING INACCURACIES IN THE ROLLS

Publication of the Voter List

After each annual canvass, the new version of the voter list must be published by December 1; at a minimum, this requires registrars to make the list available for public inspection in their local election offices.⁴⁵

Registrars also publish notices of all mid-year changes to the voter list on the first working day of each month, from January to September.⁴⁶ Copies of these notices must also be made available for inspection at the registrars' offices and at any other appropriate places.⁴⁷ To ensure quality control, every individual who is affected by a change is sent a personalized letter stating that her information has been updated in the voter list.⁴⁸

Corrections on Election Day

The Electoral Commission advises that errors in name or address need not be corrected on Election Day, so long as “the description on the register is such as can be commonly understood to be describing the elector.”⁴⁹ Registered voters whose names are completely missing from the voter list on Election Day are also permitted to vote, upon a prompt investigation, that day, into the reason for the omission. If the reason is a clerical error on the part of an elections official, the person will be given a regular ballot.⁵⁰

PRIVACY CONSIDERATIONS

There are two versions of the voter register in each local jurisdiction. The “full” register lists the name, address, and elector number — a unique combination consisting of the polling district code and a sequential number — of every registered voter.⁵¹ This version is housed at the local registrar’s office and is only available for public inspection under supervision.⁵² This version is also provided to candidates, parties, the Electoral Commission, government agencies, and credit reference agencies.

The “edited” register contains the same information as the “full” register, but it is printed, available for sale, and can be used for any purpose, including commercial activities.⁵³ Anyone may opt out of the “edited” register, and still retain the right to vote. Opting out is easy — all of the official canvass forms include a simple checkbox for this purpose. If an individual submits an unofficial registration form, or otherwise becomes registered without the opportunity to opt out of the “edited” register, local officials will mail her a letter giving her an express opportunity to opt out.⁵⁴

ENDNOTES

¹ Office for National Statistics, *Key Population and Vital Statistics*, at 10, 102-105 (2009), *available at* http://www.statistics.gov.uk/downloads/theme_population/KPVS34-2007/KPVS2007.pdf.

² Of these registrants, 549,000 are “attainers” — 16 and 17 year olds who are pre-registered to vote, but who will not be eligible to vote until they reach 18. Office for National Statistics, UK Electoral Statistics (2008), http://www.statistics.gov.uk/downloads/theme_other/UK_Electoral_Statistics_2008.xls. These statistics reflect the number of individuals registered to vote in local elections in Great Britain; slightly fewer individuals are registered to vote in UK Parliamentary elections, as voter eligibility requirements for those elections are slightly different.

³ The Election Commission was established by the Political Parties, Elections and Referendums Act 2000. In addition to setting standards for voter registration, it reviews election finances and oversees political parties. In this respect, it is somewhat akin to a hybrid of the Election Administration Commission and Federal Election Commission of the United States. Political Parties, Elections and Referendums Act 2000, c. 41 (Eng.), *available at* http://www.opsi.gov.uk/Acts/acts2000/ukpga_20000041_en_1; The Electoral Commission, *Performance Standards for Electoral Registration Officers in Great Britain* (July 2008) (presented to Parliament pursuant to section 9A of the Political Parties, Elections and Referendums Act 2000), *available at* http://www.electoralcommission.org.uk/__data/assets/pdf_file/0007/157949/Performancestandards-2008-06-25_final-insert.pdf.

⁴ *Id.*; Electoral Commission, *Managing Electoral Registration in Great Britain: Guidance for Electoral Registration Officers*, at pt. A, § 3.1, 3.3 (Feb. 2008), *available at* <http://www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/electoral-registration/managing-electoral-registration-services> [hereinafter ERO Manual].

⁵ These lists are used for both voter registration and jury duty. Credit agencies may also use the data when conducting identity checks.

⁶ The Electoral Commission, *Baseline Performance Information — Electoral Registration in Great Britain: Initial Analysis*, at 7 (May 2008), *available at* http://www.electoralcommission.org.uk/__data/assets/pdf_file/0003/56973/PSDataAnalysis-July-2008-web-version.pdf.

⁷ *Id.* at 11. Although voters are encouraged to re-register every year through the annual canvass, a “carry over” policy gives voters a one year grace period, allowing them to stay registered two canvass cycles before being removed from the voter list.

⁸ ERO Manual, *supra* note 4, at pt. A, § 4.3.

⁹ Telephone Interview by Judith Joffe-Block with Kate Sullivan, Head of Electoral Administration, The Electoral Commission (Dec. 11, 2007) (on file with the Brennan Center) [hereafter Electoral Commission Interview].

¹⁰ *Id.*

¹¹ United Kingdom Parliament, House of Commons Hansard Debates for 05 May 2009 (May 5, 2009), <http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm090505/debtext/90505-0002.htm>.

¹² Electoral Commission Interview, *supra* note 9.

¹³ The annual canvass was established by the Representation of the People Act 1983. Representation of the People Act 1983, c. 2, § 10, as substituted by Representation of the People Act 2000, c. 2, sched. 1 (Eng.), *available at* http://www.opsi.gov.uk/Acts/acts2000/ukpga_20000002_en_1.

¹⁴ ERO Manual, *supra* note 4, at pt. E, §§ 2.18-2.40.

¹⁵ *Id.* at pt. C, §§ 3.6-3.14.

¹⁶ *Id.* at §§ 3.15-3.17.

¹⁷ *Id.* at pt. I, §§ 2.1-2.51.

¹⁸ *Id.* at pt. C, § 2.1-2.7.

¹⁹ *Id.* at §§ 1.18-1.25. The format of the canvass form is set forth in the Representation of the People (Form of Canvass) (England and Wales) Regulations 2006 and Representation of the People (Form of Canvass) (Scotland) Regulations 2006. Though some local councils create their own canvass forms, the Electoral Commission has created a universal canvass form that all councils can use. *See id.* at § 1.15; Voter Registration Form, *available at* http://www.electoralcommission.org.uk/__data/assets/electoral_commission_pdf_file/0015/13371/Canvassform31-5-2006_21836-16153__E__N__S__W__.pdf.

²⁰ *Id.* at pt. C, §§ 1.3.

²¹ *Id.* at §§ 2.8-2.9.

²² The Electoral Commission has announced that it will transition by 2015 to a system in which personal information for each individual in a household is recorded directly, rather than simply allowing one member of the household to supply the names of all household residents. *Individual Voter Registration To Replace Household Surveys*, DAILY TELEGRAPH, Mar. 3, 2009.

²³ ERO Manual, *supra* note 4, at pt. C, § 6.1.

²⁴ *Id.* at § 2.10.

²⁵ Electoral Commission Interview, *supra* note 9.

²⁶ ERO Manual, *supra* note 4, at pt. C, § 3.21. Individuals who fail to return their canvass form may be fined or have trouble gaining credit, as election authorities are authorized to share voter registration information with credit agencies conducting credit checks. Electoral Commission Interview, *supra* note 9.

²⁷ ERO Manual, *supra* note 4, at pt. C, § 3.23.

²⁸ *Id.* at pt. D, § 3.1. No specific registration form is required or prescribed, but the Electoral Commission has acceptable forms available for download on their website. Citizens can find the address of their local registration office at Electoral Commission, About My Vote, <http://www.aboutmyvote.co.uk/>.

²⁹ ERO Manual, *supra* note 4, at pt. D, § 3.3.

³⁰ *Id.* at pt. C, § 3.19. Registrars are also encouraged to establish relationships with educational institutions, to ensure that eligible 16- and 17-year olds are identified and informed about the electoral process, including voter registration. *Id.* at pt. E, § 3.18.

³¹ *Id.*

³² Electoral Commission Interview, *supra* note 9.

³³ *Id.*; ERO Manual, *supra* note 4, at pt. E, § 3.16.

³⁴ Electoral Commission Interview, *supra* note 9.

³⁵ ERO Manual, *supra* note 4, at pt. D, § 4.11; pt. E, § 3.8.

³⁶ *Id.* at pt. D, §§ 3.31-3.33.

³⁷ *Id.* at § 3.20.

³⁸ *Id.* at § 4.15.

³⁹ *Id.* at pt. C, §§ 3.1-3.4; pt. D, § 6.6; pt. E, §§ 2.1-2.5.

⁴⁰ Electoral Commission Interview, *supra* note 9.

⁴¹ *Id.*

⁴² ERO Manual, *supra* note 4, at pt. D, § 6.1.

⁴³ *Id.* at pt. C, §§ 3.23; pt. D, 6.12.

⁴⁴ *Id.* at pt. C, § 3.24.

⁴⁵ *Id.* at pt. C, § 5.1; pt. D, § 1.2.

⁴⁶ *Id.* at pt. D, §§ 1.6, 4.1.

⁴⁷ *Id.* at § 4.10.

⁴⁸ *Id.* at §§ 4.10-4.11.

⁴⁹ ERO Manual, *supra* note 4, at pt. D, § 4.22.

⁵⁰ *Id.* at § 4.20. “Mistakes made by the person completing the registration form or by the Electoral Registration Officer in missing a property from their canvass should not be considered to be clerical

errors.” *Id.* at § 4.21. If the error is not clerical, the voter may cast a “tendered ballot,” which may be counted after Election Day, pending further review, somewhat like a provisional ballot in the United States. Electoral Commission Interview, *supra* note 9.

⁵¹ ERO Manual, *supra* note 4, at pt. H, §§ 2.3, 2.7; *see also id.* at § 2.10 (sample electoral register).

⁵² *Id.* at § 3.1. The names and addresses of electors who register to vote anonymously, citing personal safety reasons, are not listed. *See id.* at pt. F, § 6.1.

⁵³ *Id.* at pt. H, §§ 2.11; 3.7.

⁵⁴ *Id.* at pt. D, § 3.24.