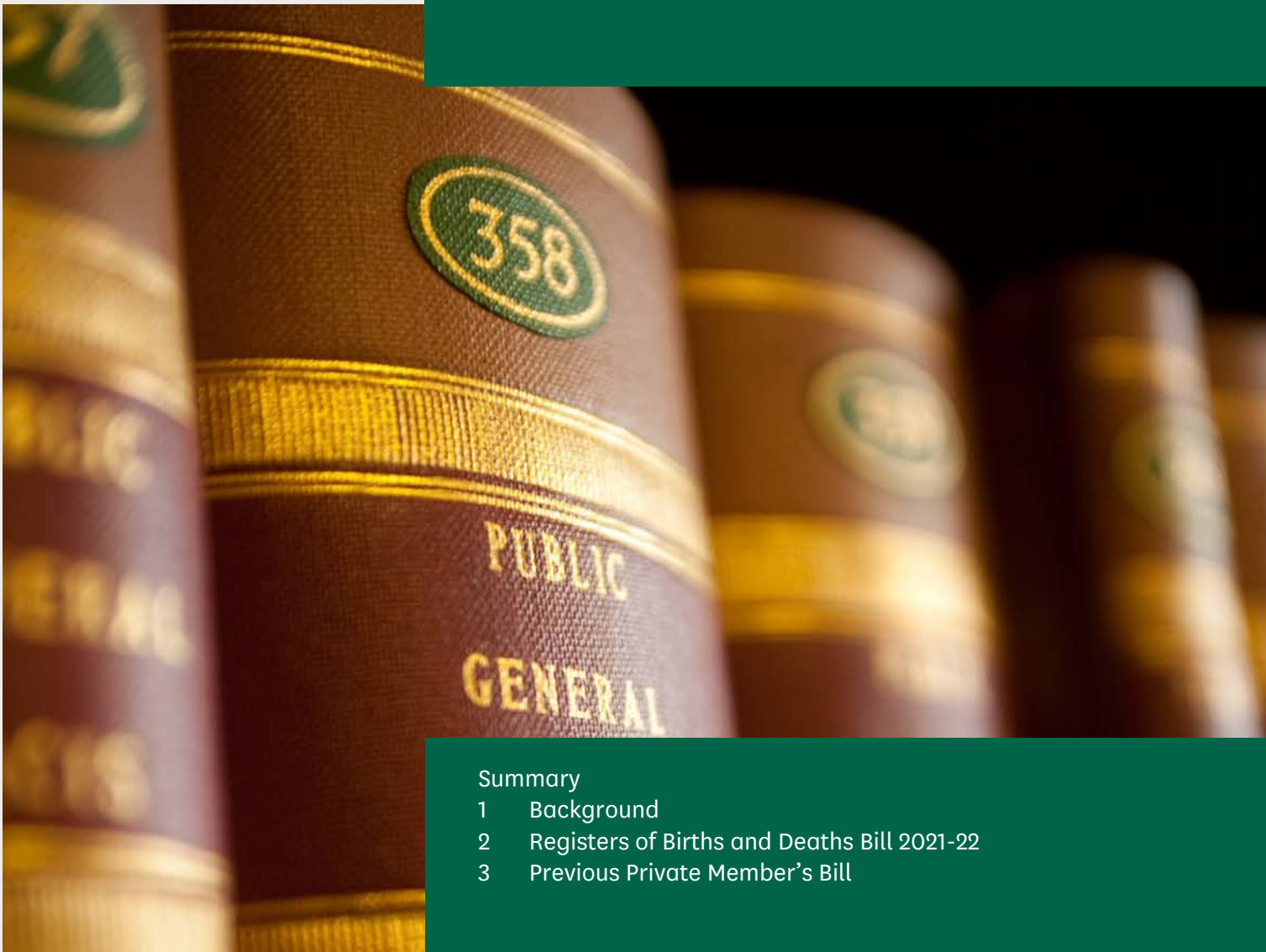


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23 November 2021

Commons Library analysis of Registers of Births and Deaths Bill 2021-22



Summary

- 1 Background
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Summary

Current position

It is a legal requirement to register the birth, including still-birth, of every child in England and Wales and the death of every person in England or Wales. The law also sets out what must be done with the records and registers once registration has taken place. The current legislation provides for a paper-based system and is based on legislation which has been in place since the nineteenth century.

Since 2009, the registers of births and deaths have been kept in both paper and electronic form.

The Bill

The [Registers of Births and Deaths Bill 2021-22](#) (the Bill) is a Private Member's Bill. It was presented to Parliament by Saqib Bhatti (Conservative) on 21 June 2021. Second Reading is scheduled for 26 November 2021.

[Explanatory Notes](#), prepared by the Home Office with the consent of Saqib Bhatti, state that the purpose of the Bill is to reform the way in which births and deaths are registered in England and Wales. The intention is to remove the duplication of processes by removing the requirement for paper registers and introducing an electronic register for the registration of births and deaths. The Explanatory Notes state that this would create “a more secure system for the maintenance of birth, still-birth and death registers”.

The Bill would enable the Minister to make regulations to provide that, where registration is effected otherwise than in hard copy:

- a person's duty to sign the register is instead a duty to comply with specified requirements; and
- a person who complies with those requirements is to be treated as having signed the register at that time, and, where required, to have done so in the presence of the registrar.

The Bill states that the regulations might, among other things, provide for a person to sign something other than the register, and require a person to provide specified evidence of identity. These regulations would be subject to the affirmative resolution procedure, requiring the approval of both Houses of Parliament to become law.

The Bill's main provisions extend and apply to England and Wales only.

Previous Private Member's Bill

The Bill is substantially the same as a previous Private Member's Bill with the same name (the previous Bill) which was presented by Andrew Mitchell (Conservative) in the 2019-21 session of Parliament. (There are some minor changes to Part 1 of the Schedule, "Minor and consequential amendments"). The previous Bill was debated at Second Reading and in Public Bill Committee stages, and had both Government and Opposition support, but failed to complete its passage through Parliament before the end of the session.

In debate on the previous Bill, Andrew Mitchell said it would pave the way for a move to online methods of registration. He also stated there would be significant savings for the taxpayer. Junior Home Office Minister, Kevin Foster, said that, even though an electronic register is already in place, the current legislation requires a paper record of every event to be kept, resulting in a duplication of effort for registrars. He stated this could be addressed only through primary legislation. Kevin Foster also confirmed that existing birth and death registers, dating back to 1837, would continue to be held in perpetuity.

1 Background

1.1 The role of civil registration

In a 2002 White Paper, the then Labour Government set out the role of civil registration:

Civil registration plays a vital role in securing and protecting basic human rights. In the United Kingdom it provides individuals with:

- a name and status within society,
- a facility for marriage,
- evidence of parentage,
- evidence of entitlement to inheritance and insurance.

It is essential that civil registration continues to record high quality information and to play its part in protecting human life and in upholding the rights of individuals on access to information. The statistical information derived from civil registration is important in policy making and in allocating national and local resources. Information from death registration is essential in monitoring the health of the nation.¹

1.2 Current system of registration of births and deaths

The provision for registering births and deaths is principally governed by the [Births and Deaths Registration Act 1953](#), the [Registration Service Act 1953](#) and the [Registration of Births and Deaths Regulations 1987](#) (as amended) which are based on legislation that has been in place since 1836.²

The [Explanatory Notes](#) published with the [Registers of Births and Deaths Bill 2021-22](#) provide an overview of the requirement to register:

The birth of every child in England and Wales is required to be registered by the registrar of births and deaths for the sub-district in which the child

¹ [Civil Registration: Vital Change](#), CM 5355, January 2002, paras 1.2 and 1.3, p9

² [Explanatory Notes to the Registers of Births and Deaths Bill, para 11](#)

was born. The birth must be registered within 42 days, through personal attendance at the register office, by a person qualified to provide that information, e.g. the child's mother, and the register is signed in the presence of the registrar. There are currently 173 registration districts in England and Wales.

Similarly the death of every person dying in England or Wales is required to be registered by the registrar of births and deaths for the sub-district in which the death occurred. The death must be registered within 5 days, through personal attendance at the register office, by a person qualified to provide that information, e.g. a relative present at the death.³

The [Coronavirus Act 2020](#) makes temporary changes, in some circumstances, to the requirements for death registration. A Commons Library briefing paper (written as the preceding Bill passed through Parliament) provides information about the changes, [Coronavirus Bill: Managing the deceased](#).⁴

The particulars to be entered into the birth and death registers are prescribed in regulations.⁵ Since 2009,⁶ the registers have been kept in both paper and electronic form:

The birth and death registers are currently paper based and this has been the case since 1837. Since 2009, the registrar also records all the birth and death registrations on an electronic system in parallel with the paper registers. Once a registration is complete, the computer system generates the paper register page which is signed by the informant(s) and the registrar and is the formal record of the event. The registrar puts the signed register page into a loose leaf register and is required, initially, to keep the register safe in a box provided by the Registrar General.⁷

The Explanatory Notes also set out what happens to the records and registers once registration has taken place:

The registrar issues a birth or death certificate at the time the birth or death is registered, at the request of the informant on payment of the statutory fee. A registrar also issues any subsequent requests for certificates for as long as the register is still open and in their custody.

When a paper register is filled (other than a still-birth register) the registrar deposits the filled register with the superintendent registrar to be kept securely with the records of the office. These registers are kept indefinitely, and securely, and the superintendent registrar issues certificates of birth or death entries on request on payment of the statutory fee. Once filled, still-birth registers are deposited with the

³ [Explanatory Notes to the Registers of Births and Deaths Bill, paras 2 and 3](#)

⁴ Number 08860

⁵ [Registration of Births and Deaths Regulations 1987 \(as amended\)](#), SI 1987/2088

⁶ See [Registration of Births and Deaths \(Electronic Communications and Electronic Storage\) Order 2006 SI 2006/2809](#)

⁷ [Explanatory Notes to the Registers of Births and Deaths Bill, para 4](#)

Registrar General and all requests for still-birth certificates are issued centrally at the General Register Office (GRO) for England and Wales. Certified copies of all birth and death entries are transmitted electronic form by the registrars to their superintendent registrar via a system of ‘quarterly returns’. The superintendent registrar certifies them as being true copies of entries in the registers and forwards them to the Registrar General electronically. The Registrar General then holds a central repository of certified copies of all births and deaths which have been registered in England and Wales, from which certificates can be issued.⁸

1.3

Previous Labour Government’s proposals for reform

In 2002, having consulted on the issue, the then Labour Government proposed wide-ranging reform of civil registration. This was to include enabling individuals to register births and deaths online, by phone or in person.⁹ The White Paper published at that time stated that consultation responses had shown broad support for allowing registration of births and deaths in a variety of ways, “provided necessary verification checks and quality control are in place”.¹⁰

The previous Labour Government originally intended that legislative changes to civil registration would be brought about by using the order-making powers in the [Regulatory Reform Act 2001](#).¹¹ The proposals were to be implemented in two stages: first those relating to the registration of births and deaths and then, subsequently, those relating to marriage.

However, both the Parliamentary Committees which considered the proposals relating to registration of births and deaths concluded that they were not appropriate for the regulatory reform order procedure.¹² Many of the proposed reforms, including enabling births and deaths to be registered by phone or online, did not proceed.

⁸ [Explanatory Notes to the Registers of Births and Deaths Bill, paras 5 and 6](#)

⁹ [Civil Registration: Vital Change](#), CM 5355, January 2002, p7

¹⁰ [Civil Registration: Vital Change](#), CM 5355, January 2002, paragraph 1.7, p10

¹¹ Most of this Act has now been repealed, with savings, by the [Legislative and Regulatory Reform Act 2006](#)

¹² House of Commons Regulatory Reform Committee, [Proposal for the Regulatory Reform \(Registration of Births and Deaths\) \(England and Wales\) Order 2004](#), 20 December 2004, HC 118, and House of Lords Delegated Powers and Regulatory Reform Committee, [Proposal for the draft Regulatory Reform \(Registration of Births and Deaths\) \(England and Wales\) Order 2004](#), 14 December 2004, HL 14

1.4

Registration of marriages and civil partnerships

In England and Wales, the law requires all marriages and civil partnerships to be registered once they have taken place.

In May 2021, the system for registering marriages was changed from a paper-based system to registration in an electronic register.¹³ A news story on the Gov.UK website [provides further information](#).¹⁴

Civil partnerships are also registered in an electronic register. At Public Bill Committee stage of the previous Registers of Births and Deaths Bill 2019-21, Tom Pursglove, then Assistant Whip, said:

It should be noted that when civil partnerships were introduced in 2005, the opportunity was taken to modernise the process of registration and an electronic register was introduced with no requirement for a separate paper copy to be held.¹⁵

¹³ [Registration of Marriages Regulations 2021, SI 2021/411](#)

¹⁴ [Improvements introduced to marriage registration system](#), Gov.UK, 4 May 2021 [accessed 23 November 2021]

¹⁵ [PBC Deb 27 January 2021 c9](#)

2 Registers of Births and Deaths Bill 2021-22

2.1 The Bill

The [Registers of Births and Deaths Bill 2021-22](#) (the Bill) is a Private Member's Bill. It was presented to Parliament by Saqib Bhatti (Conservative) on 21 June 2021, as Bill 34 of 2021-22. It is scheduled to have its Second Reading on 26 November 2021.

[Explanatory Notes](#) to the Bill, prepared by the Home Office with the consent of Saqib Bhatti, have also been published.¹⁶ They provide the following overview of the Bill:

The purpose of the Bill is to reform the way in which births¹⁷ and deaths are registered in England and Wales, moving from a paper based system to registration in an electronic register. Since 2009 all birth and death registrations have been captured electronically in parallel with the paper registers. The Bill will remove this duplication of processes by removing the requirement for paper registers and introduce an electronic register for the registration of births and deaths creating a more secure system for the maintenance of birth, still-birth and death registers.¹⁸

2.2 Territorial extent

The Bill largely extends and applies to England and Wales only. The Explanatory Notes provide further information:

Clauses 1 to 4 of the Bill extend and apply to England and Wales only. These clauses amend the Births and Deaths Registration Act 1953 and the Registration Service Act 1953, relating to the registration of births and deaths in England and Wales.

The remaining provisions of the Bill extend and apply to England and Wales, Scotland and Northern Ireland. Clause 5 brings into effect the Schedule, which contains minor and consequential amendments. Clause 6 enables regulations to make amendments to primary and

¹⁶ [Explanatory Notes to the Registers of Births and Deaths Bill](#)

¹⁷ Footnote to quoted text: "Including still-births"

¹⁸ [Explanatory Notes to the Registers of Births and Deaths Bill, para 1](#)

secondary legislation in consequence of the changes made to birth and death registration in England and Wales.¹⁹

The UK Government considers that the Bill does not contain any provision which gives rise to the need for a legislative consent motion in the Scottish Parliament, Senedd Cymru or the Northern Ireland Assembly.²⁰

The [Annex](#) to the Explanatory Notes has a table which summarises the Bill's territorial extent and application in the United Kingdom.²¹

2.3 Clauses in the Bill

The Bill has seven clauses and a schedule. It would amend other legislation. The Explanatory Notes set out detailed information. In short:

Clause 1 would amend the [Births and Deaths Registration Act 1953](#) (BDRA) to enable the Registrar General to determine the form of registers of live-births, still-births and deaths. The Explanatory Notes state this will allow the duplication of processes to be removed, negating

the requirement for paper registers to be held and stored securely in each registration district whilst at the same time being registered in an electronic register. Instead, all births, still-births and deaths will be registered in an electronic register and stored electronically without the need for paper registers to be kept securely in a safe.²²

The Registrar General would be able to require that the registers are kept in a form which allows the Registrar General and the superintendent registrar to have immediate access to entries of births and deaths; and the Registrar General to have immediate access to entries of still-births. The Registrar General and the superintendent registrar (where relevant), as well as the registrar, would then be deemed to hold the registered information in connection with their functions.

The Registrar General might provide anything they consider appropriate for the purpose of keeping these registers in the form required, for example, “providing registrars with the system needed to register births and deaths”,²³ and would have a duty to maintain anything so provided. The Registrar General would also be obliged to provide the forms required to produce certified copies of entries in the registers (for example, a birth or death certificate).

¹⁹ [Explanatory Notes to the Registers of Births and Deaths Bill, paras 14-15](#)

²⁰ [Explanatory Notes to the Registers of Births and Deaths Bill, para 16](#)

²¹ [Explanatory Notes to the Registers of Births and Deaths Bill, Annex](#)

²² [Explanatory Notes to the Registers of Births and Deaths Bill, para 18](#)

²³ Ibid

Clause 1 would repeal the provisions in the BDRA which, at present, require the registrar and superintendent registrar to make quarterly returns and set out how paper birth and death registers need to be stored. The Explanatory Notes state:

With the introduction of an electronic register there will no longer be a requirement for the system of quarterly returns as all birth and death entries will be held in a single electronic register and the Registrar General and superintendent registrar will have immediate access to all birth and death entries. Clause 1(3)(c) omits section 28 (custody of registers, etc) which sets out how paper birth and death registers need to be stored by registrars, superintendent registrars and the Registrar General. With the introduction of an electronic register this provision will no longer be required.²⁴

Clause 2 would insert a new section into the [Registration Service Act 1953](#) to require councils (subject to the provisions of their local scheme arrangements)²⁵ to provide and maintain the equipment and facilities which the Registrar General reasonably considers to be necessary for a superintendent registrar or registrar to carry out their functions.

Clause 3 would amend the BDRA to deal with the requirement to sign the register. Where registration is effected otherwise than in hard copy, the Minister would have power to make regulations to provide that:

- a person's duty to sign the register is instead a duty to comply with specified requirements; and
- a person who complies with those requirements is to be treated as having signed the register at that time, and, where required, to have done so in the presence of the registrar.

Clause 3 states the regulations might, among other things, provide for a person to sign something other than the register, and require a person to provide specified evidence of identity.

Regulations would be subject to the affirmative resolution procedure, requiring the approval of both Houses of Parliament to become law.

Clause 4 specifies that the repeal of section 28 of the BDRA (Custody of registers etc) by Clause 1 would not affect the existing requirement for superintendent registrars to keep with the records of their office any registers of live-births or deaths which are in their custody immediately before Clause 1 comes into force. The Registrar General would also be required to continue to keep any certified copies (quarterly returns) and any registers of still-births which are in their possession when Clause 1 takes effect.

²⁴ [Explanatory Notes to the Registers of Births and Deaths Bill, para 19](#)

²⁵ Local scheme arrangements are arrangements for each registration district made under section 14 of the Registration Service Act 1953 ([Explanatory Notes to the Registers of Births and Deaths Bill, para 20](#), footnote 2)

Clause 4 would also make further provision about the treatment of existing registers and records, including:

- Registrars would be required to send any unfilled paper registers of births and deaths in their possession to the superintendent registrar to be kept with the records of the office.
- Registrars would also be required to send any unfilled paper registers of still-births in their possession to the Registrar General, to be kept in the General Register Office as the Registrar General thinks fit.
- The Registrar General would be able to dispose of certified copies of entries in any register of still-births forwarded to the Registrar General, or any information contained in those entries which is held by the Registrar General in electronic form by virtue of [section 27](#) of the BDRA.
- Subsection (5) specifies how copies of birth and death records that have been held in a form other than hard copy paper form, in the period from 1 July 2009 to the day before Clause 1 comes into effect, would be treated.²⁶

Clause 5 would bring into effect the **Schedule** which contains minor and consequential amendments to the BDRA and other primary legislation.

Clause 6 would enable the Secretary of State to make regulations to make provision consequential on any provision of the Bill, including consequential amendments to primary legislation (which includes Welsh, Scottish and Northern Irish legislation). Any regulations which would amend, repeal, or revoke any provision of primary legislation, would be subject to the affirmative resolution procedure. Otherwise, regulations would be subject to the negative resolution procedure.

Clause 7 sets out the extent, commencement, and the short title.

²⁶ See [Explanatory Notes to the Registers of Births and Deaths Bill, paras 26-31](#)

3 Previous Private Member's Bill

3.1 The previous Bill

On 5 February 2020, Andrew Mitchell (Conservative), presented to Parliament another Private Member's Bill with the same name, the [Registers of Births and Deaths Bill 2019-21](#) (the previous Bill) as Bill 25 of 2019-21.

The previous Bill was substantially the same as the current Bill. Some minor changes have been made to Part 1 of the Schedule of the Bill, "Minor and consequential amendments".

The previous Bill had its [Second Reading](#) on 16 October 2020 and a single sitting in [Public Bill Committee](#) on 27 January 2021, when it was reported without amendment. It failed to complete its passage through Parliament before the end of the 2019-21 session.

Information about the previous Bill is provided on the [Bill page](#) on the Parliament website.

The Government and the Opposition supported the previous Bill.²⁷

3.2 Debate on the previous Bill

Second reading

[Second Reading](#) of the previous Bill in the House of Commons took place on 16 October 2020.²⁸

Andrew Mitchell said the purpose of the previous Bill was to reform the way in which births and deaths are registered in England and Wales, moving from a paper-based system to registration in an electronic register. He said the previous Bill would remove the current duplication of processes, but it would not affect the content of registration records or who might register an event:

I reassure my hon. Friends that my Bill does not make any fundamental changes to the current arrangements for registering births and deaths—for example, who is able to provide the information to the registrar or the information to be recorded in the entry—but it will make a big difference,

²⁷ [HC Deb 16 October 2020 c719 and cc713-4](#)

²⁸ [HC Deb 16 October 2020 cc709-21](#)

as I have described, for our constituents. The way in which births and deaths are currently registered dates back to 1837. It is much in need of modernisation and a move to digital methods of registration.²⁹

Mr Mitchell said his Bill would remove an administrative burden:

Currently, registrars submit copies of all the birth and death entries they have registered in the last quarter to their superintendent registrar via a system of quarterly returns. The superintendent registrar certifies those entities as being true copies of birth and death entries in the registers and forwards them to the Registrar General. That is done electronically using the electronic system. The Registrar General holds a central repository of all births and deaths registered in England and Wales. My Bill will remove that administrative burden.³⁰

He stated there would be no need for the system of quarterly returns after the move to an electronic register because, following the registration of a birth or death, the entry would be available immediately to the superintendent registrar and the Registrar General.³¹

When setting out that the previous Bill would pave the way for a move to online registration, Andrew Mitchell said it would still be possible to attend the register office in person:

The provisions in my Bill are the first step in moving to a more modern system of birth and death registration. By removing the requirement for paper registers to be signed in the presence of a registrar, we would pave the way for a move to online methods of registration. That would provide more flexibility and allow an informant to provide the particulars of a birth or death online and at a time to suit the individual, without having to visit a register office. That would modernise how births and deaths are registered in the future and give the public more choice, but the choice to register in person would remain, as register offices and facilities are needed for marriages, civil ceremonies and citizenship.³²

Mr Mitchell indicated there would be significant savings for the taxpayer:

My right hon. and hon. Friends will also be pleased to hear that just these measures in respect of the registration of deaths would save the taxpayer £90 million over 10 years. Over the next 10 years, we conservatively estimate that the effect of all these measures would save £170 million for the taxpayer. I should explain that the figure of £20 million that appears in the explanatory notes is a reference only to the amount saved by

²⁹ [HC Deb 16 October 2020 c710](#)

³⁰ [HC Deb 16 October 2020 cc710-11](#)

³¹ [HC Deb 16 October 2020 c711](#)

³² [HC Deb 16 October 2020 c711](#)

removing the paper register and the requirements for quarterly returns. The savings to the taxpayer would be significant indeed.³³

Shadow Home Office Minister, Sarah Jones, congratulated Andrew Mitchell on his work on the previous Bill adding, “We have worked together on it and I am happy to stand and support it”.³⁴ She said registration officials in her constituency had already operated online and telephone death registration during the pandemic:

Because of covid and by necessity, we have seen different systems in place for registering deaths, and we can learn from this period. In Croydon, as in other areas, the decision was taken that, for a temporary period during the covid pandemic, the registration of deaths should move online, under the Registration Online—or RON—system, or via the telephone. I have spoken to the team in Croydon...and they say that the system has worked well. Indeed, they do not want to go back to the old system. ...³⁵

Sarah Jones questioned how, if the registration of births moved online or by telephone, the proposed new system would guard against an increase in identity fraud. She also asked how an online system would be sufficiently secure to avoid the risk of records being lost if the system’s security was compromised. The Shadow Minister wanted the previous Bill to ensure that councils would not lose resources in the course of implementing the legislation. She questioned whether a move to online records might in any way risk a lack of accessibility for those who might struggle to access the internet. Sarah Jones concluded by saying again that the previous Bill deserved the support of the House.

Other Members who raised points during second reading included:

- Chris Loder (Conservative), who welcomed both the removal of “unnecessary duplication and bureaucracy” as well as the environmental benefit of cutting down on paper usage. He considered digital records could be kept more securely, and that it would be “a more adaptable system that we can evolve and use going forward in terms of technology and societal needs”.³⁶
- Christopher Chope (Conservative) expressed “considerable concerns”, reiterating the risk of identity fraud associated with the registration of births, and “the problems that there already are in the reliability of the registration online system”. He said the previous Bill would remove the back-up of hard copies and questioned whether, for £2 million a year, it was worth “taking the risk both in terms of opening up fraud and damaging the potential for future generations to be able to examine this period of our history, which is much easier to do with hard-copy, written records than it is with electronic data”. He asked what had happened since the law was changed in 2009 to allow electronic records to be

³³ [HC Deb 16 October 2020 cc711-12](#)

³⁴ [HC Deb 16 October 2020 c713](#)

³⁵ [HC Deb 16 October 2020 c713](#)

³⁶ [HC Deb 16 October 2020 c714](#)

kept, to remove the necessity for the safeguard of hard copy written records.³⁷

- Sara Britcliffe (Conservative) considered it was right to take the opportunity to save money, which could be spent in other much-needed areas, and that the previous Bill offered a simple and achievable solution. She said: “Clearly, the upkeep of two processes for a sole trade purpose does not represent value for money and consumes excess time and resources”.³⁸

Kevin Foster said the Government “wholeheartedly” supported the previous Bill. He said it was time to move forward and set out why primary legislation was required:

The current system of registering births and deaths is wholly outdated, based on a paper process first set up in 1837. We do need to move forward. As has already been said, an electronic register—the registration online system—is already in place and has been used by registrars to register births and deaths since 2009 in parallel with the paper registers. However, due to the requirements in primary legislation, a paper record of the event must also be kept. That is duplication of effort for registrars. We wish to rectify this anomaly, which can be done only by amending primary legislation.³⁹

Kevin Foster addressed the concern expressed about the system:

I reassure the House that the RON system is mature and the infrastructure is well constructed to resist failures. It has high levels of resilience, incorporating multiple back-up systems at the application, hardware and data levels, and robust measures are in place to protect the data that it holds.

He also addressed the issue of fraud:

The changes proposed by the Bill mean that birth and death entries would be held in a single electronic register rather than in thousands of register books, which registrars are required to keep securely in a safe. That will make the system of registration more secure, more efficient and far simpler to administer in the future. It will also make it far harder for criminals to tamper with records or create false identities. While there has been some talk about the security of digital, we should remember that paper is vulnerable to being forged and enhanced electronic systems can improve the security of the registration process.⁴⁰

Kevin Foster confirmed that existing paper birth and death registers, dating back to 1837, would continue to be held in perpetuity by each registration

³⁷ [HC Deb 16 October 2020 cc714-6](#)

³⁸ [HC Deb 16 October 2020 c717](#)

³⁹ [HC Deb 16 October 2020 c719](#)

⁴⁰ [HC Deb 16 October 2020 cc719-20](#)

district, and that historic birth and death certificates would continue to be issued from those records.⁴¹

The junior Minister said the regulations might allow the opportunity to register from home:

As touched on by some Members, registering a death can be difficult. At the moment it involves making an appointment, and in some cases having to travel quite significant distances, in a rural county, for what can be quite a sad and upsetting moment. It is far better to provide that someone can do it at home in their own time, perhaps with a cup of tea to hand, rather than feeling that it is very much an administrative process. ...Again, I firmly believe that this provision will make it a much better experience for people at a very difficult time in their life.

...I appreciate that not everyone will be able to demonstrate that they have the evidence prescribed in the legislation. We will therefore also include a discretionary power to enable a birth or death to be registered where appropriate.⁴²

Public Bill Committee

The previous Bill was considered by a Public Bill Committee in one sitting on 27 January 2021.⁴³ No amendments had been tabled and there was a [single debate](#) on all clauses and the Schedule.

Andrew Mitchell set out the purpose of each clause. His comments included:

- Clause 2, which would have inserted a new section 11A into the Registration Service Act 1953, set out how the council of every non-metropolitan county and metropolitan district, subject to the provisions of local scheme arrangements, would have to provide and maintain equipment or facilities that the Registrar General considered necessary for a superintendent registrar or registrar to carry out their functions:

for example, the IT equipment needed to host the electronic register. It should be noted that this equipment is already in place in register offices, as births and deaths are currently registered electronically in parallel with the paper registers. This requirement applies across each register office or sub-district of a registrar.⁴⁴

- Some duplicated records might be disposed of under provisions in Clause 4:

⁴¹ [HC Deb 16 October 2020 c720](#)

⁴² [HC Deb 16 October 2020 c720](#)

⁴³ [PBC Deb 27 January 2021 cc1-10](#)

⁴⁴ [PBC Deb 27 January 2021 cc5-6](#)

Subsection (4) allows the Registrar General to dispose of any certified copies of stillbirth entries in any register of stillbirths, as the Registrar General will also hold the completed paper registers of stillbirths. Subsection (4) also allows the Registrar General to dispose of any paper stillbirth records that are held in electronic format by virtue of section 27 of the 1953 Act.⁴⁵

Tom Pursglove, who was then Assistant Whip, spoke for the Government and reiterated the Government's support for the previous Bill. He said it would "move the registration of births and deaths into the 21st century".⁴⁶ He considered the Covid-19 pandemic had "clearly highlighted the limitations and inflexibility of the now outdated primary legislation" and said the previous Bill would pave the way for the introduction of online registration:

There is a need to be able to offer more flexibility in how births and deaths are registered by removing the requirement for face-to-face registration. The Bill removes the requirement for the signing of a birth or death register by an informant in the presence of a registrar if specified requirements are met. That paves the way for the introduction of online registration in which informants would be able to register an event online at a time to suit themselves from the comfort of their own home. That will provide more choice and convenience for informants, particularly in difficult and upsetting times such as when registering a death. However, the provision to attend personally at the register office will remain if that is the informant's preferred option. The current legislation is restrictive and does not reflect modern society.⁴⁷

John Spellar (Labour) raised the possibility of fraud if an individual does not register in person. Tom Pursglove said the regulations would address the requirements to be met for people to be able to register remotely.⁴⁸

Andrew Mitchell added:

On Report and at Third Reading, we may explain to the House the additional steps available to the registrars for combating fraud. It is up to them to determine the steps taken, and if they require secondary legislation, the Minister will look favourably on that.⁴⁹

⁴⁵ [PBC Deb 27 January 2021 c7](#)

⁴⁶ [PBC Deb 27 January 2021 c9](#)

⁴⁷ [PBC Deb 27 January 2021 c9](#)

⁴⁸ [PBC Deb 27 January 2021 c10](#)

⁴⁹ [PBC Deb 27 January 2021 c10](#)

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