# Electoral Pilot Schemes

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The *Representation of the People Act 2000* enabled local authorities to pilot a range of new electoral procedures. Details of the different types of pilot schemes that have been run since 2000 are given, including the pilots held at the May 2007 local elections. The Electoral Commission published its evaluation of the 2007 pilots on 2 August 2007 and recommended that, whilst a great deal had been learned from pilots over the past seven years, no more should be held until the Government has set out a clear plan for changing the way elections are run. The Commission also called again for the introduction of individual registration to strengthen the security of the electoral process. In its response to the Commission's recommendations, published in November 2007, the Government said that it would continue to seek to pilot in the future to support its development of a programme of electoral modernisation.

There will be no electoral pilots at the local elections in May 2008.

## Contents

## A.    The *Representation of the People Act 2000*

Long standing concern about the need to update a number of electoral procedures led to a report from the Home Affairs Select Committee, *Electoral Law and Administration*, in 1997-8 which addressed many of the issues. Consultation papers from the Department for the Environment, Transport and the Regions (DETR) also made proposals designed to increase turnout at local elections.  A working party under the then Home Office Minister with responsibility for elections, George Howarth, produced a final report in October 1999 which recommended change in a number of areas[1].

The *Representation of the People Act 2000* implemented the Howarth recommendations and included measures that enabled local authorities to apply for permission to pilot a range of new electoral arrangements for local elections which would assess whether different polling procedures would improve turnout at these elections.  Under the provisions of the Act pilot schemes cannot be used when there is more than one type of election held on the same day, hence there have been no pilots when the local elections have been combined with the general election in 2001 and 2005.

## B.    Types of pilot schemes

The Howarth working party had recommended pilot schemes of alternative voting arrangements, so that different arrangements could be tested in discrete schemes and be fully evaluated before being introduced nationally. It considered that the obvious place to start was local elections, with pilots developed in collaboration with local authorities, but coordinated centrally. After considering the responses from 500 local authorities and others to the DETR consultation paper *Local Democracy and Community Leadership*[2] the working party set out three broad categories of pilot projects:

### i) When to vote

3.1.7 Suggestions include:

- changing polling hours to allow variations around the opening and closing of the poll

- moving polling to an alternative weekday or weekend day or allowing voting over more than one day

- opening some polling stations in the days immediately before polling day itself to allow voters to cast their votes early

3.1.8 Pilot schemes would need to take account of the implications for strict religious observers of most faiths of any move away from Thursday voting. This suggests that proposals for weekend voting would need to consider opening the polls on more than one day. There are also potentially implications for the selection of polling place locations: as an example, voting over more than one day or at weekends could increase the difficulty of obtaining suitable accommodation, but an alternative polling

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[1]    *The Final Report of the Working Party on Electoral Procedures* Home Office 1999
[2]    *Local Democracy and Community Leadership,* DETR, 9 February 1998

day might reduce the disruption to education when school accommodation is used for voting. Early voting in selected polling stations would increase the opportunity for electors to vote at a more convenient time, although not necessarily location, but could also provide much easier access for disabled voters than their traditional polling station. Early voting would also require close control over the register to prevent double voting using different polling stations and any schemes would need to consider the implications for exit polling and security of ballot papers

**ii) Where to vote**

3.1.9 Pilot schemes could address a number of issues about the location of polling, including

- out of area voting, allowing electors to vote in any polling station in the electoral area, or even outside it

- mobile polling, taking the ballot box to identified groups of voters, for example by visiting residential and convalescent homes

3.1.10 The key considerations in preparing any schemes are likely to centre on the control of the register to prevent double voting. Possible alternatives to traditional polling stations suggested in the consultation exercise included supermarkets or shopping malls, railway stations and termini, libraries and post offices, workplaces, other public spaces. Both out of area and mobile voting potentially also raise issues for candidates' oversight of the poll.

**iii) How to vote**

3.1.11 Pilot schemes might propose moving away entirely from the present paper ballot and polling station arrangements to a more remote voting system. Suggested possibilities include

- all postal ballots, allowing an election to be held on the basis of postal voting only

- automated voting or vote counting, replacing manual voting and vote counting with electronic polling machines or ballot paper scanners

- telephone voting, using domestic telephones linked to automatic voice recognition and recording equipment at one or more central locations

- electronic voting, on-line from publicly sited terminals and other access points such as digital television using the Internet

3.1.12 Pilot scheme proposals will need to consider how to safeguard the integrity of a remote voting arrangement and the resilience and effectiveness of technology supporting such solutions (including in the case of all postal ballots, the effectiveness of mailing services). Voter reaction to electronic delivery of services may also be a factor to be considered in preparing, proposals. A particular consideration in evaluating the scope for rolling out more technologically based schemes is likely to be the extent to which the proposals depend upon assumptions about the technical infrastructure of local government.

3.1.13 We have found it convenient for the purposes of our report to offer examples under three broad headings of the kinds of pilot schemes which might be tested**.** Local authorities and their associations have made it clear to us that they would like to have the option of proposing a multi-layered approach by suggesting schemes which incorporate features of more than one type of alternative arrangement We recognise the opportunities which such an approach could offer, but accept that it must ultimately be a matter for the Home Secretary to make such decisions, subject to the limitations of any enabling legislation which Parliament may approve.

The Home Office proposed that the first pilots should take place in the local elections at May 2000 and a circular called for applications to be submitted by 17 January 2000, with outcomes of the applications to be known by 14 February 2000.[3] The circular warned that applications by an authority to run pilots in parts of its area only would need 'to ensure that it has observed the utmost impartiality in its choice of wards and would need to demonstrate this in its application'.

# C.  Pilots 2000 – 2007

## 1.  2000

A total of 32 authorities ran 38 pilot schemes in May 2000. Mike O'Brien, the Minister of State for the Home Office, announced the list of schemes on 21 March 2000 in response to a PQ:

> **Ms Coffey:** To ask the Secretary of State for the Home Department what pilot schemes of innovative electoral procedures he has approved for the May local elections.
>
> **Mr. Mike O'Brien:** I am making orders to enable the following pilot schemes to take place at this May's local elections:
>
> Amber Valley--extension of entitlement to postal vote
> Blackburn with Darwen--early voting
> Blackpool--early voting
> Bolton--all postal ballot
> Broxbourne--electronic counting
> Chester--early voting
> Coventry--early voting
> Doncaster--all postal ballot
> Eastleigh--extension of entitlement to postal vote
> Gateshead--all postal ballot
> Gloucester--extension of entitlement to postal vote
> Kingston upon Hull--early voting
> Knowsley--early voting
> Leeds--extended hours of poll
> Manchester--early voting
> Milton Keynes--extension of entitlement to postal vote
> Mole Valley--extended hours of poll
> Plymouth--early voting

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[3]  RPA Circular 22 November 1999

Redditch--early voting
St. Helens--early voting
Stevenage--all postal ballot
Stoke-on-Trent--early voting
Sunderland--early voting and mobile voting
Swindon--all postal ballot
Wigan--all postal ballot
Windsor and Maidenhead--mobile early voting facility.

In addition, I hope to be able to make orders in relation to the following schemes very shortly:

Bury--electronic voting and counting
Norwich--all postal ballot, mobile polling facility and early voting
Salford--electronic voting and counting
Stratford--electronic voting and counting
Three Rivers--electronic counting
Watford--mobile polling facility, early voting, weekend voting and freepost facility. [4]

In its review of the pilots, the Local Government Association found that postal voting was the only new electoral arrangement to have significant potential for increasing local election turnout.[5] Early and extended voting added little to turnout, but appeared to perform a useful public service.

In 2000, pilots for electronic voting took place in only three local authority areas, and the Local Government Association provided the following summary:

### Electronic voting and counting
- In three authorities votes were cast and counted electronically using a touch screen voting machine
- the verification of ballot papers appeared to be quicker and more accurate
- voters reported few problems in adapting to the new systems
- a number of technical and logistical problems variously hampered the processing and counting of votes and the declaration of results
- electronic voting and counting on a 'full cost' basis would be very expensive for local authorities.[6]

## 2.    2002

Thirty local authorities took part in at least one experiment at the May 2002 local elections.[7] This time more of the pilots involved electronic voting or electronic counting. The Electoral Commission, which had been established by the *Political Parties, Elections and Referendums Act 2000,* undertook an evaluation of these pilot schemes. Its report was

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[4]  HC Deb 21 March 2000 c486W
[5]  Local Government Association *Elections – the 21st Century Model: an evaluation of May 2000 local electoral pilots* (Report 14 – Executive Summary) (2000)
[6]  Ibid
[7]  HC Deb 5 February 2002 cc830-31w; DTLR News Release 2002/0022 *May Elections to trial on-line voting*

published on 1 August 2002.[8]  The Electoral Commission found that postal voting had once again proved to be a success in terms of improving voter turnout, although not in all the pilots which used it.  The Commission summarised the effect on turnout as follows:

> In a majority of pilot authorities, turnout was up by comparison both with recent local elections and with non-pilot area local elections in 2002. In some places, turnout increased significantly – even matching the general election figures from 2001. But there were differences in performance between different pilot areas, and variations between wards even in areas that secured significant increases overall. The technology-based voting pilots appeared to have no significant impact on turnout. However, they did increase choice and flexibility for voters and those who used new methods were positive about them. The primary aim of the e-pilots was to establish the security and reliability of the voting mechanisms and to start to build public confidence; this was achieved.[9]

The Commission summarised its conclusions on electronic voting as follows:

> Voters' feedback suggested they found electronic voting easy, convenient and quick to use, and the pilots appear to have provided a vital first building block in establishing public confidence. However, the evidence in relation to turnout remains unconvincing at this stage, and further pilots are necessary to build on the lessons from 2002. The Commission also recognises that electronic voting pilots that were exclusively polling station-based did not increase convenience for the voter or for the election officials at the polling stations, although they did facilitate the accuracy and efficiency of the count. The cost effectiveness of such pilot schemes (without any option for remote voting) appears to be questionable. The Commission believes they should not be a high priority for future pilots, especially in elections run on a 'first past the post' system, where the counting process is not complex. Technology-based voting has made a good start, but it would be premature to suggest that the Government is well on its way to delivering against its commitment to having an 'e-enabled' election some time after 2006. Further piloting is clearly necessary to tease out a number of issues and to establish further the security of these voting mechanisms.[10]

The Electoral Commission believed that overall the pilots of May 2002 successfully widened the choice of voting methods available to those interested in participating in the election and secured significant increases in turnout in some pilot areas. The process was generally well managed by the local authorities and there were no significant technical problems. Although there were concerns in some areas about possible increased risk of fraud, the Commission identified no evidence that these fears were realised in practice.

## 3.    2003

The Government invited local authorities to conduct pilot schemes to test alternative voting methods at the 2003 local elections.  Details were given in an ODPM Press Notice on 27

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[8]  Electoral Commission, *Modernising Elections A Strategic Evaluation of the 2002 Pilot Schemes*, August 2002 available at:   http://www.electoralcommission.org.uk/files/dms/Modernising_elections_6574-6170__E__N__S__W__.pdf

[9]  Executive summary, p 1, available at: http://www.electoralcommission.org.uk/files/dms/Modernisingelectionsexecsummary_6691-6242__E__.pdf

[10]  Ibid

September 2002.[11] 41 successful bids were announced on 18 December.[12] In a Written Statement on 23 January 2003, the then Minister for Local Government and the Regions, Nick Raynsford, announced a further 20, making 61 successful bids, which included 18 e-voting pilots.[13] In the event, pilot schemes took place in 59 authorities, involving a potential 6.4m voters. 17 involved electronic voting. Turnout appeared higher in all-postal pilots, but other methods piloted did not show such conclusive results.

The Electoral Commission published an evaluation of the 2003 electoral pilot schemes in July 2003.[14] *The Shape of Elections to come: a strategic evaluation of the 2003 pilot schemes* found that all-postal pilot schemes were effective at boosting participation rates:

> Local authorities trialling all-postal pilot schemes saw turnout rise to an average of 50%. In comparison, only a third of the electorate visited the ballot box across England as a whole. The wide range of pilots included all-postal ballots, mobile polling booths, and voting by telephone, text messaging, digital TV and the internet. Electronic voting did not have the same impact on turnout as postal pilots.[15]

The Commission concluded that all-postal elections should be made available at all local government elections in Great Britain (although the form of local elections in Scotland is a devolved matter). The Commission made a series of recommendations to enable all-postal elections to be held as a matter of practice:

- All local elections should be run as all-postal, unless there are compelling reasons against, and the local Returning Officer should make the final decision following consultation with party group leaders and independent members represented on the council;
- The current declaration of identity should be replaced by a new security statement;
- Staffed delivery posts should be provided as part of the ballot to allow voters to have access to assistance, and deliver their completed postal vote by hand;
- There should be a statutory requirement so that all postal ballot papers are sorted 'face down' at verification stage.

The Commission recommended that its earlier recommendations for increasing the security of postal voting generally should be implemented if all local elections were to be all-postal in the future. It also considered in *The Shape of Elections to Come* that an integral component of all-postal elections should be a move to individual, rather than household, voter registration. *The Shape of Elections to Come* also considered future electronic voting pilots:

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[11] ODPM press release "May 2003 elections to continue online voting trials" 27 September 2002 at: http://www.odpm.gov.uk/news/0209/0086.htm.

[12] ODPM Press Release "Electoral Pilots in May 2003 - Successful non e-voting electoral pilots named" , 18 December 2002, available at: http://www.odpm.gov.uk/news/0212/0159.htm

[13] Further details are available in the ODPM press release issued on the same day, ODPM Press Release, "E-voting to face its biggest test yet in May" , 23.1.2003 available at: http://www.odpm.gov.uk/news/0301/0008.htm

[14] Electoral Commission, *The Shape of Elections to come: a strategic evaluation of the 2003 electoral pilot schemes*, July 2003

[15] http://www.electoralcommission.org.uk/elections/modernising.cfm

8.4 There is currently no strategic road map indicating how the overall Government goal of 'an e-enabled election some time after 2006' will be reached. Although the systems used for the local elections were suitable for their purpose, there is clearly a long way to go. In particular, there does not yet exist any success criteria that would need to be met to enable an e-enabled general election, nor any detailed analysis of the risks involved and the key milestones. As described earlier, pilots should have more demonstrable and rigorous security with formalised accreditation; more mature processes are needed with greater control exercised by local authorities.

8.5 In the absence of such a road map, we offer here some key recommendations for the scope of future pilots. More fundamentally, however, we believe that the Government should – as a priority – develop a detailed road map towards its stated goal, drawing on expertise across the public and private sectors in the successful development of major IT projects. The Commission itself stands ready to assist in this process.

We recommend that:
The Government should – as a priority – commit to developing a detailed road map towards its stated goal, drawing on expertise across the public and private sectors in the successful development of major IT projects.
Future pilots should explore more explicitly the key issue of scalability with respect to the total cost of the services. In the short- to medium-term, the focus of pilot schemes should be the provision of the internet and telephone channels with a view to providing this scalability.
The text message and digital TV channels currently add limited value to multi-channel pilot schemes. However, as the adoption of these technologies is changing rapidly, some development of these channels should be continued. It is recommended that, in the short term, the number of digital TV pilots is kept to a minimum and particular consideration is given to the usability issues.
Future pilots should investigate the use of electronic voting kiosks in a more targeted fashion. Experience to date suggests that kiosks in polling stations do not provide significant cost benefits and future pilots should therefore not use kiosks simply to replace paper ballots in polling stations. However, the use of kiosks at remote locations and combined with early voting should be investigated further; issues relating to location, position and secrecy of kiosks and the promotion of the scheme should be carefully considered.[16]

The Government responded to the Electoral Commission in September 2003. It argued that it was not then appropriate to produce a detailed roadmap which detailed all the steps to the goal of an e-enabled election after 2006:

… thinking on e-voting is not yet sufficiently mature to make that possible or sensible. It considers the Commission's reference to an "agreed long-term project plan" betrays an assumption that the timing and nature of this goal is certain, and that the remaining questions relate mainly to implementation. A better model is that of a

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[16] Electoral Commission, *The shape of elections to come: A strategic evaluation of the 2003 electoral pilot schemes*, July 2003, paras 8.4-8.5,
http://www.electoralcommission.gov.uk/files/dms/The_shape_of_elections_to_come_final_10316-8346__E__N__S__W__.pdf

programme incorporating a series of projects undertaken to create the conditions needed before it would be appropriate to initiate a "major IT project".[17]

A table published in Library Research Paper 03/44 shows the impact of pilot schemes on turnout at local elections in 2003 as compared to turnout in 1999.[18]

### Electoral pilot schemes and turnout
Comparison of % turnout in 2003 with 1999 local elections

| | | 1999 | 2003 | | 1999 | 2003 |
|---|---|---|---|---|---|---|
| **Electronic/ internet voting** | | | | **All postal ballots (a)** | | |
| *E Multi Channel* | | | | Blackpool | N/A | 50.4 |
| Chorley | | 29.8 | 49.0 | Blyth Valley | 26.7 | 52.0 |
| Ipswich | (a) | 32.0 | 31.3 | Bolton | 24.9 | 43.2 |
| Kerrier | (a) | 32.2 | 28.3 | Brighton & Hove | 38.0 | 46.0 |
| Norwich | (a) | 35.0 | 35.8 | Chesterfield | 34.7 | 51.7 |
| Sheffield | (a) | 31.1 | 29.5 | Copeland | 39.1 | 55.7 |
| Shrewsbury & Atcham | (a) | 36.7 | 54.5 | Corby | 32.9 | 43.4 |
| South Somerset | (a) | 37.6 | 46.9 | Darlington | 35.3 | 51.5 |
| South Tyneside | (a) | 26.0 | 46.1 | Derwentside | 32.0 | 52.4 |
| St. Albans | (a) | 37.8 | 43.4 | Doncaster | 26.9 | 47.0 |
| Stratford upon Avon | (a) | 40.1 | 37.3 | East Staffordshire | 34.0 | 45.0 |
| Stroud | (a) | 36.3 | 36.7 | Gateshead | 26.0 | 54.7 |
| Swindon | (a) | 26.1 | 29.8 | Guildford | 37.9 | 53.8 |
| Vale Royal | (a) | 30.8 | 28.8 | Herefordshire | N/A | 60.8 |
| *Internet voting* | | | | Hyndburn | 35.0 | 51.5 |
| Rushmoor | | 27.5 | 31.0 | Kings Lynn & West Norfolk | 36.7 | 47.7 |
| *Kiosk* | | | | Lincoln | 28.8 | 47.4 |
| Basingstoke & Deane | | 29.2 | 30.9 | Newcastle | 24.9 | 49.8 |
| Epping Forest | | 29.0 | 28.4 | North Lincolnshire | 34.0 | 51.3 |
| Chester | (a) | 38.3 | 34.0 | North Shropshire | 34.8 | 47.3 |
| *Mobile Voting* | | | | Redcar & Cleveland | 37.1 | 51.5 |
| North Kesteven | | 33.0 | 33.5 | Rotherham | 22.6 | 51.2 |
| | | | | Rushcliffe | 41.9 | 54.0 |
| **Extended Voting** | | | | Salford | 21.3 | 40.7 |
| Medway | | N/A | 29.6 | Sedgefield | 31.4 | 44.0 |
| South Oxfordshire | | 38.1 | 35.2 | St Edmundsbury | 38.4 | 38.5 |
| Windsor & Maidenhead | | N/A | 35.0 | St Helens | 22.0 | 48.0 |
| | | | | Stevenage | 29.9 | 53.2 |
| **Electronic counting** | | | | Stockton-on-Tees | 30.2 | 52.4 |
| Basingstoke & Deane | | 29.2 | 30.9 | Sunderland | 19.5 | 46.5 |
| Broxbourne | | 24.8 | 25.0 | Trafford | 32.8 | 52.4 |
| Epping Forest | | 29.0 | 28.4 | Telford & Wrekin | N/A | 48.7 |
| | | | | Wansbeck | 32.8 | 50.3 |

(a) commenced voting before 1 May
Source: ODPM via Electoral Commission

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[17] Office of the Deputy Prime Minister, *The Government's Response to the Electoral Commission's Report: The Shape of elections to Come – A Strategic Evaluation of the 2003 Electoral Pilot Schemes*, September 2003, Cm 5975
http://www.electoralcommission.gov.uk/files/dms/TSECGR_10681-8560__E__N__S__W__.pdf
[18] *Local Elections 2003,* Library Research Paper 03/44,12 December 2003

## 4.    2004

In 2004 four regions at the combined local and European Parliament elections voted in an all-postal ballot. The date of the local elections and Greater London Authority elections due to be held in May 2004 had been changed to 10 June 2004 under the provisions of the *Local Government Act 2003* so that they coincided with the European Parliament elections. The Act gave the same power to the National Assembly for Wales so that the date of the Welsh local elections could also be changed to 10 June.  The *European Parliamentary and Local Elections (Pilots) Act 2004* (which provided for all-postal ballots to be held in four regions) received Royal Assent only ten weeks before the elections and the late publication of the relevant regulations meant that electoral administrators had limited time to prepare for the all-postal pilots.  There were allegations of delays in delivering postal ballot papers and of electoral fraud involving postal votes.

On 27 August 2004 the Electoral Commission published evaluation reports on these all-postal pilots.[19] The Commission's opinion was that the turnout in all four regions was higher than it would otherwise have been if all-postal ballots had not been held. However turnout had increased in both pilot and non-pilot regions in England compared with the 1999 European Parliamentary elections.

The evaluation report on the elections in the **North East** region found that the turnout for the European Parliamentary election was 40.80% compared to a turnout of 19.58% in 1999.[20] The evaluation report on the **North West** region found that a number of Local Returning Officers suffered problems with the printing of the ballot papers and as a result ballot packs were delivered to the Royal Mail later than planned. The Commission commented that 'in this respect, procurement and risk management need to be strengthened with better guidance provided from central Government and the Commission'.[21]  The turnout for the European Parliamentary election in the North West was 41.46% compared to 19.4% in 1999. In **Yorkshire and the Humber** the Commission found that the turnout at the European Parliamentary election was 42.93% compared to 19.60% in 1999.[22] In the **East Midlands** the Commission found that although problems had occurred with the printing of the ballot packs these were received by electors in sufficient time and turnout for the European Parliamentary election was 43.88% compared to 22.62% in 1999.[23]

For further analysis of the results see Library Research Papers 04/49, *Local elections 2004* and 04/50, *European Parliament elections 2004*.[24]

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[19]  Available at http://www.electoralcommission.org.uk/about-us/june2004pilots.cfm
[20]  *Electoral pilot scheme evaluation report: North East region*. Electoral Commission, August 2004. Available at http://www.electoralcommission.org.uk/templates/search/document.cfm/10936
[21]  *Electoral pilot scheme evaluation report: North West region*. Electoral Commission, August 2004. Available at http://www.electoralcommission.org.uk/templates/search/document.cfm/10930
[22]  *Electoral pilot scheme evaluation report: Yorkshire & the Humber*. Electoral Commission, August 2004. Available at http://www.electoralcommission.org.uk/templates/search/document.cfm/10931
[23]  *Electoral pilot scheme evaluation report: East Midlands*. Electoral Commission, August 2004. Available at http://www.electoralcommission.org.uk/templates/search/document.cfm/10928
[24]  Available at http://www.parliament.uk/commons/lib/research/rp2004/rp04-049.pdf
     and http://www.parliament.uk/commons/lib/research/rp2004/rp04-050.pdf

## 5.    2006

In January 2005 the Government confirmed that it still intended that e-voting would be an option for voters in future elections:

> As it was made clear in the response to the Electoral Commission's report, "Delivering democracy? The future of postal voting", laid before the House on 9 December 2004, the Government remain committed to the goal of multi-channel elections, in which voters choices will include e-voting channels. The Office of the Deputy Prime Minister's strategy for achieving this goal is to encourage local authorities to continue the programme of local electoral pilots, including remote e-voting.[25]

Harriet Harman, then Minister of State at the Department for Constitutional Affairs, spoke again of  the Government's commitment to e-enabled elections in the future in a speech to the Hansard Society on 16 January 2006:

> The electoral process needs to fit with modern lifestyles and allow better access for those who find the voting process difficult. To this end the Government is exploring options to improve the process of electoral registration and voting…The Government has conducted considerable research into remote electronic voting. This research is primarily conducted through pilots under Section 10 of the *Representation of the People Act 2000*. There have been 27 e-voting pilots in 2002 and 2003 and these were evaluated by the Electoral Commission…As part of the work being done on electoral modernisation there is ongoing consideration of e-voting technologies used worldwide and their performance in pilots and elections. We remain committed to the goal of multi-channel elections sometime after 2006.

During the May 2006 elections 15 pilot schemes were trialled in 21 local authority areas. The pilot schemes at these elections included procedures now contained in the *Electoral Administration Act 2006*, including postal vote signature checking and providing signatures in polling stations. Early voting and electronic counting schemes were also trialled but not electronic voting. The Electoral Commission published its evaluation of the pilots on 4 August 2006. The evaluation included reports on each of the 15 schemes together with six briefing papers summarising the findings by innovation type.[26]

10 local authorities had held pilot schemes providing **early voting** facilities during the weeks before polling day on 4 May 2006; some of these schemes were focused on specific groups of electors such as service personnel, while other schemes made early voting available to all electors. The Commission found that public awareness of the early voting schemes was low and that the schemes had had only limited positive success in increasing turnout. Local surveys suggested that those who voted early would have voted on polling day in any case.[27]

2 local authorities trialled the **electronic counting** of ballot papers.  The Commission found that the major impact of the use of technology for these pilots was in reducing the time taken

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[25]  HC Deb 17 January 2005 c759W
[26]  http://www.electoralcommission.org.uk/elections/pilotsmay2006.cfm
[27]  http://www.electoralcommission.org.uk/files/dms/FindingsEarlyVoting_22985-17172__E__N__S__W__.pdf

to undertake the count. There had been a number of e-counting pilots since 2000 and the Commission thought that further pilots were unlikely to add substantially to the information gained from these:

> There is now significant experience of implementing e-counting (both through pilot schemes and other election implementations), and a substantial level of knowledge and best practice about the operation of e-counting has been developed. However, much of this knowledge currently resides with individuals, and there is a need to ensure that best practice is documented and circulated to ensure that future pilots and implementations of e-counting build from the lessons which have already been learnt.[28]

2 local authorities held pilot schemes trialling processes to **check signatures provided on postal voting statements** (which replaced the traditional declaration of identity) against those held on postal vote application records. The Commission noted that the provisions of the *Electoral Administration Act 2006* meant that this would have to be carried out by Returning Officers at all elections from May 2007. It commented that:

> In both pilot schemes a number of returned postal voting statements contained signatures that did not match those provided for comparison; these were consequently rejected by the Returning Officers. Further consideration of what actions should be taken in relation to non-matching statements, including possible investigation by the police, will be required.[29]

2 local authorities provided a **postal vote tracking facility** for voters. The Commission's research had shown that one of the major concerns about postal voting was that the postal ballot packs would not be delivered to the Returning Officer in time to be counted. The number of people who took advantage of the tracking facility was small but those who did use it commented favourably and suggested that it increased confidence in the system. The facility was expensive however.[30]

7 local authorities held pilots requiring electors to sign for their ballot papers in polling stations. (The *Electoral Administration Act 2006* included this provision but it has not been brought into force.) The Commission reported that the vast majority of electors signed for their ballot papers without concern or complaint but the few who did refuse to sign 'were vociferous in their refusal':[31]

> The following issues were raised:
> - concerns as to who would have access to their signatures (i.e. what would be done with the list after the election);
> - questions about the value to be gained from requiring signatures without them being checked against another signature or other form of identification;

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[28] http://www.electoralcommission.org.uk/files/dms/FindingsElectronicCounting_22986-17173__E__N__S__W__.pdf

[29] http://www.electoralcommission.org.uk/files/dms/FindingsPostalVoteSignatureCheck_22987-17174__E__N__S__W__.pdf

[30] http://www.electoralcommission.org.uk/files/dms/FindingsPostalVoteTracking_22988-17175__E__N__S__W__.pdf

[31] http://www.electoralcommission.org.uk/files/dms/FindingsSigninginPollingStations_22990-17177__E__N__S__W__.pdf

- concerns regarding privacy and the secrecy of signatures which were then on view to other voters;
- concern that the requirement was an invasion of privacy;
- concern that the requirement caused unnecessary bureaucracy and was a waste of time and money.

Despite these reservations, public opinion research carried out in pilot scheme areas indicates that a substantial majority of respondents (92%) did not object to the requirement to sign for their ballot papers.[32]

## 6.    2007

12 local authorities ran pilot schemes at the local elections in May 2007. These were announced in a Written Ministerial Statement on 29 January 2007.[33]  Some of these pilots involved electronic voting including

the re-commencement of e-voting pilots on a small and controlled scale, testing a number of avenues including internet, telephone voting and the use of 'centralised all-elections' facilities at polling stations for advance and polling day voting which will enable us to explore the impact of this important part of the modernisation agenda.[34]

The Statement noted that 'to support those pilots that would be utilising electronic services, [the Department for Constitutional Affairs] has undertaken a rigorous procurement exercise and has established a framework of suitable suppliers for the piloting authorities to use.'[35]  The DCA published further details of the pilot schemes and said that 'one of the primary goals of the 2007 pilots is to further investigate the suitability of electronic voting as an enhancement to our traditional electoral process.'[36]  The pilot schemes for 2007 were as follows:

| Remote electronic voting services (internet & telephone) | Rushmore Borough Council<br>Sheffield City Council<br>Shrewsbury and Atcham Borough Council<br>South Bucks District Council<br>Swindon Borough Council |
|---|---|
| Supervised electronic voting services | Swindon Borough Council |
| E-counting services | Bedford Borough Council<br>Breckland District Council<br>Dover District Council<br>South Bucks District Council<br>Stratford-on-Avon District Council & Warwick District Council (joint application) |
| Advance ("early") voting | Bedford Borough Council<br>Broxbourne Council<br>Gateshead Council<br>Sunderland City Council |

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[32]  Ibid

[33]  HC Deb 29 January 2007 c2WS

[34]  Ibid

[35]  Ibid

[36]  Electoral Modernisation Pilots – Local Government Elections May 2007 – details of pilot initiatives. DCA, January 2007. http://www.dca.gov.uk/elections/elections-may-07.pdf

| Administrative (i.e. non-electronic) changes to existing processes that enhance access, security and administrative efficiency | Bedford Borough Council<br>Broxbourne Council<br>Gateshead Council<br>Sunderland City Council |
|---|---|

All of the pilot schemes for electronic voting continued to provide traditional polling stations on polling day itself.

## D.    Electoral Commission evaluation of the 2007 pilots

The Commission published its evaluations of the 2007 pilots on 2 August 2007.[37]  In a press notice accompanying the reports the Commission said that there should be no more electoral pilot schemes until the government set out a strategy for modernising the electoral system and made it more secure.[38] The Commission's recommendations are summarised below:

- No more pilots of electronic voting without a system of individual voter registration. There also needs to be further consideration of its wider implications and significant improvements to testing and implementation.
- No further pilots of electronic counting, and more robust procurement and testing processes when electronic counting is used in future elections.
- That the government makes a decision whether to allow voting in advance of polling day; further pilots are unnecessary.
- That the government publishes a strategy for modernising the electoral process including changes to improve security.
- That the value of signing for ballot papers is limited in the absence of individual registration.

Peter Wardle, Chief Executive of the Electoral Commission, added:

> We have learnt a good deal from pilots over the past few years. But we do not see any merit in continuing with small-scale, piecemeal piloting where similar innovations are explored each year without sufficient planning and implementation time, and in the absence of any clear direction, or likelihood of new insights.
>
> We welcome the recent government green paper on constitutional reform; and we believe this needs to be supported by a clear plan for modernising elections. We continue to believe that the security of our electoral process needs to be strengthened through a system of individual registration."

The Electoral Commission published a summary paper of the key findings and recommendations following its evaluation of the pilots.[39]  The Commission found that the pilots which tested **advance voting** and **signing for ballot papers** at polling stations were implemented successfully 'although there was little in the way of new learning points when compared with previous rounds of similar pilot schemes'. The Commission therefore recommended that there should be no further pilots of these innovations and that the government should 'come to a decision on whether advance voting should be mandatory,

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[37]  http://www.electoralcommission.org.uk/elections/pilotsmay2007.cfm
[38]  http://www.electoralcommission.org.uk/media-centre/newsreleasereviews.cfm/news/657
[39]  http://www.electoralcommission.org.uk/templates/search/document.cfm/20111

optional or discontinued'. The Commission considered that there was little value in requiring voters to sign for their ballot papers at polling stations unless a system of individual registration was in place which would enable signatures to be checked against those provided at the point of registration.

There were considerable problems with some of the **e-counting** pilots. In Dover, Bedford and South Bucks e-counting was implemented successfully but in Stratford, Warwick and Breckland e-counting was

> so problematic that it was necessary to abandon e-counting for some or all of the elections and revert to a manual count. The failure of the e-counting solutions in these cases resulted in the counts taking significantly longer than a normal manual count would have done.[40]

The Commission said that despite the failures of e-counting in the 2007 pilots it still believed that electronic counting had the potential to increase the efficiency an accuracy of the counting process, however the implementation of such schemes needed to be carried out in an appropriate fashion. The Commission also commented that:

> There was insufficient time available to implement and plan the pilots, and we consider that the quality assurance and testing was undertaken too late and lacked sufficient depth. A number of elements of best practice that have been learned on previous occasions were not taken into account and concerns were raised regarding the transparency of the e-counting solutions deployed, which undermined stakeholder confidence. There was also an issue related to the ability of Returning Officers and suppliers to cope with the project management involved in implementing e-counting.[41]

The Commission questioned the value of carrying out further small-scale e-counting pilots and did not recommend any further similar pilots.

There were five **electronic voting** pilots in 2007 and the Commission considered that these had been broadly successful and had facilitated voting, however 'there were some issues concerning accessibility, public understanding of the pre-registration process and, in at least one pilot area, technical problems in relation to telephone voting.' The Commission recommended that there should not be any further e-counting pilots until the following requirements are met:

- There must be a comprehensive electoral modernisation strategy outlining how transparency, public trust and cost effectiveness can be achieved.

- A central process must be implemented to ensure that sufficiently secure and transparent e-voting solutions that have been tested and approved can be selected by local authorities.

- Sufficient time must be allocated for planning e-voting pilots.

- Individual registration must be implemented.

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[40] Ibid
[41] Ibid

The Commission considered that a major factor in the success or otherwise of pilots was the amount of time available for planning and implementation. It recommended that six months was a more realistic time frame from awarding a contract for an electoral pilot to implementing it. There were also concerns about the robustness of the procurement framework and recommended that the Ministry of Justice should 'take a more proactive role in the management of suppliers in order to ensure that they comply with testing and quality assurance requirements.'

In its general comments about the 2007 pilots the Commission called for a wider public policy debate on the merits of electoral innovations and believed that 'publication of a clear electoral modernisation strategy could facilitate and further that debate'. It also recommended that there should be a gap of at least one year before consideration is given to any further piloting at local government elections and that 'this period of time should be used to develop and debate a robust electoral modernisation strategy that would review progress, propose a new way forward and instigate a public and policy debate. It would also allow elections staff and suppliers a breathing space in order to catch up with the recent EAA changes'.

## E.     Government response to the Electoral Commission's recommendations following the 2007 pilots

The Government's response to the Electoral Commission's recommendations and evaluation of the 2007 pilots was published on 12 November 2007.[42]    The Government indicated that the Commission's evaluations and the findings of the Gould report on the Scottish elections in 2007 would inform future developments in modernising elections and on improving the electoral system. These improvements would focus on:

- Ensuring that the conduct of elections is secure, transparent and accountable;
- Improving participation - ensuring the voting process is universally accessible for all eligible people;
- Making the voting process more convenient and responsive to the needs of voters;
- Improving the reputation and credibility of systems being used (e.g. remote e-voting and e-counting);
- Increasing integrity in the electoral process.[43]

The Government also stated that it considered that future pilots would continue to be necessary especially in the light of the commitment in the *Governance of Britain* Green Paper to investigate the modernisation of voting methods, in particular the benefits of remote electronic voting.[44]   A summary of the Government's response to the key recommendations made by the Electoral Commission following its evaluation of the 2007 pilots is given below.

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[42]   Available at http://www.justice.gov.uk/publications/gov-response-elec-comm.htm
[43]   Ibid, p1
[44]   CM 7170, para 150

**E-voting**

The Government disagreed with the Commission that the level of risk to the integrity of the electoral system posed by the e-voting pilots was unacceptable but acknowledged that there were some operational problems around access to e-voting in some situations. The Government also stressed that it would continue to use piloting to trial changes to the electoral system:

> The pilots are a mechanism for Government to identify and address the wider issues associated with changes to traditional electoral practice and the Government will seek to continue piloting as a sensible and proportionate method of gathering important evidence about how best to improve the electoral system. They also help to produce evidence for how greater value for money could be achieved in future and the scale of implementation required to reduce costs.[45]

In response to the Commission's recommendation that there should be no more pilots of e-voting until there was a 'comprehensive electoral modernisation framework covering the role of e-voting', the Government said that it believed that 'further pilots will be necessary to test capacity and scalability issues for e-voting solutions if this is to be pursued.'[46]

The Government noted the Commission's recommendation that individual registration should be a precondition to e-voting pilots but said that although it appreciated the potential benefits that such a system might bring, 'this has been debated by Parliament and has been rejected.'[47]

**Electronic counting**

The Electoral Commission had said that the 'piloting process has largely achieved its objective for e-counting' and questioned the value of 'undertaking further small scale pilots of the kind that were run at the May 2007 elections' but the Government disagreed, saying that it thought this conclusion was 'rather premature' and that it was likely that there were 'lessons still to be learned from further testing of the processes.'[48] In particular further information was needed about 'the use of proprietary machines, off-the-shelf solutions, auto-adjudication of ballots and the use of e-counting at different types of elections.'[49] The Government also noted that 'the experience of the Scottish elections in May 2007 suggests that further piloting is required before e-counting can be considered to be a reliable and transparent solution on a national basis.'[50]

**Advance voting**

The Electoral Commission had recommended that the Government should 'come to a decision on whether advance voting should be mandatory, optional or discontinued'. The Government agreed that significant information had been gained through the planning of the advance voting pilots over recent years but that the issue would need to be further

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[45] *The Government's response to the key recommendations from the Electoral Commission's evaluations*, Ministry of Justice, November 2007, p2
[46] Ibid, p3
[47] Ibid, p3
[48] Ibid, p5
[49] Ibid, p5
[50] Ibid, p6

considered in the context of the proposal in the *Governance of Britain* Green Paper that there should be a consultation exercise about weekend voting.[51]

**Signing for ballot papers**

The Commission had recommended that there should be no further piloting of signing for ballot papers at polling stations and had also questioned whether there was any deterrent value in requiring electors to do this unless the provisions were linked to a system of individual registration. The Government response was that it is

> …committed to the full implementation of requiring signatures in polling stations at all elections, as and when Parliamentary time allows. Until such time as the measure can be fully rolled out, we may continue to seek to use opportunities such as election pilots as a means by which practical implementation issues can be identified and addressed before full implementation.[52]

# F.    Press comment on the 2007 pilots

There were a number of press reports about the 2007 pilot schemes. The *Sheffield Star* reported that despite £1 million being spent on piloting e-voting (by telephone and internet), only a third of people in most Sheffield wards voted and the overall turnout was 'just 36 per cent, a slight increase on 34.5 per cent last year.'[53] Sir Bob Kerslake, chief executive of Sheffield Council said that "the pilot was as much about testing a new system rather than the number of people who used it." [54]

The *Eastern Daily Press* reported problems with the pilot for e-counting at the local elections for Breckland District Council:

> Breckland Council is drafting in more than 30 staff to count remaining votes in its local elections manually after abandoning the computerised counting system that caused chaos.
>
> The count was called off on Friday night amid confusion, frustration and anger - nearly 11 hours after ballot papers were first processed by scanners. Just 29 of the 54 seats had been declared, and the count will resume at Dereham tomorrow.[55]

The *Bedford Times & Citizen* also reported problems with e-counting in Bedford and the votes eventually had to be counted manually.[56]

The Open Rights Group, which campaigns for digital civil rights, published a report on the 2007 elections which was mentioned in a number of press reports. The ORG reported that:

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[51]  For further information see Library Standard Note, SN/PC/4469, *Weekend voting*, available at
      http://www.parliament.uk/commons/lib/research/notes/snpc-04469.pdf
[52]  *The Government's response to the key recommendations from the Electoral Commission's evaluations*,
      Ministry of Justice, November 2007, p8
[53]  High-tech ballot methods fail to woo voters*, Sheffield Star*, 22 May 2007
[54]  Ibid
[55]  Breckland Council is drafting in more than 30 staff to count the remaining votes, *Eastern Daily Press*, 7 May
      2007
[56]  Branston canters home after election confusion, *Bedford Times & Citizen*, 6 May 2007

…the problems observed at the English and Scottish elections in May 2007 raise serious concerns regarding the suitability of e-voting and e-counting technologies for statutory elections. E-voting is a 'black box system', where the mechanisms for recording and tabulating the vote are hidden from the voter. This makes public scrutiny impossible, and leaves statutory elections open to error and fraud. The Government has prioritised the introduction of e-voting because of the perceived convenience of new technologies, ignoring other vital considerations such as confidence and trust in the electoral system. ORG considers that the problems observed and difficulties scrutinising results delivered by e-counting systems bring their suitability for statutory elections into question.[57]

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[57] http://www.openrightsgroup.org/e-voting-main/