



Individual electoral registration in Northern Ireland

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Household registration was replaced in Northern Ireland by a system of Individual electoral registration introduced by the *Electoral Fraud (Northern Ireland) Act 2002* as a response to concerns about electoral fraud. The 'carry forward' of electors who do not respond to a canvass form but who are nevertheless added onto the next year's register was also abolished in 2002. The number of names on the new register in December 2002 fell by around 10.5% compared with the December 2001 register and in 2005 the 'carry-forward' was reinstated in time for the 2005 general election.

In 2006 the annual canvass was abolished in Northern Ireland and a system of continuous registration introduced; the Chief Electoral Officer was now required to keep the register up to date by using information provided to him by specified public bodies.

A report by the Electoral Commission on continuous electoral registration in Northern Ireland, published in November 2012, found that there had been 'a significant and worrying decline in both the accuracy and completeness of Northern Ireland's electoral register' since 2008. The Commission has recommended 'an immediate and sustained programme of action...to address and reverse the trend', including contact with every household in Northern Ireland to verify and update entries on the register and to identify new eligible electors. This Note gives further details of the Commission's report.

The *Electoral Registration and Administration Bill 2012-13* currently before Parliament makes provision for the introduction of individual electoral registration in Great Britain; the annual canvass is retained but the Bill gives the power to the Secretary of State to amend, abolish or reinstate it at a later date.

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1 Electoral registration in Northern Ireland

The system of registration in Northern Ireland still depends on a qualifying period of three months, unlike Great Britain where it is possible to apply for inclusion on the register as soon as a person has moved house. The three month requirement is longstanding and dates from original UK legislation requiring a qualifying period for registration. This period was repealed in Great Britain in the *Representation of the People Act 1948*. There have always been concerns in Northern Ireland that the qualifying period was necessary as a deterrent against Irish citizens taking up residence simply in order to vote in key elections there.¹ As in Great Britain, Irish and Commonwealth citizens may vote in Northern Ireland elections, provided they fulfil the residency requirements.

In line with the rest of the United Kingdom, it is possible to be registered to vote in more than one area, provided that the appropriate electoral officer considers that the requirements in the *Representation of the People Act 1983* as to residence are satisfied. Many students, for example are registered in two places. The danger is that a second registration may be used by an elector to vote twice, or by another voter personating the absent registered voter. The Chief Electoral Officer (CEO) noted in evidence to the Northern Ireland Affairs Select Committee in 1998 that registration of family members and others who have since moved out of a household was one of the main areas of abuse of the register.²

Until February 2001 a draft register appeared on 28 November of each year based on an annual canvass, with a form sent to the head of each household. Before 1988 these forms were returned by post, without checking by the canvasser, but the CEO decided to reduce the scope for fraud by employing canvassers to collect door to door and assist householders with completion where necessary.³

From February 2001 a new system of rolling registration operated in Northern Ireland, in line with the rest of the UK, where a revised register is issued monthly and claims and objections are made on a monthly basis.

1.1 The *Electoral Fraud (Northern Ireland) Act 2002*

The *Electoral Fraud (Northern Ireland) Act 2002* tightened electoral registration procedures in Northern Ireland as a response to concerns about electoral fraud. It introduced a system of individual registration for electors.⁴

The legislation made a number of changes to the registration process:

- Electors are registered as individuals, rather than in household units
- Voters have to provide their date of birth, National Insurance number and a signature when registering, as well as name and address
- Voters are required to produce a specified form of photographic identification at polling stations before being issued with a ballot paper

The legislation was complemented by the creation of a single electronic database which would facilitate cross checking of multiple registration and multiple voting. The application of

¹ Oliver Committee, Cmd 7004 1946

² HC 316 1997-98 para 15 and CEO Evidence p1 and Q4

³ *Administering Elections in Northern Ireland* Northern Ireland Office, October 1998 para 3.2

⁴ The background to the legislation is discussed in [Library Research Paper 05/15](#)

the provisions of the Act to Assembly, local government and European parliamentary elections was made by separate delegated legislation. The use of the 'carry forward' facility was abolished by the *Representation of the People (Northern Ireland) (Amendment) Regulations 2002*. Carry forward is where electors who do not respond to a canvass form are nevertheless added onto the next year's register.

1.2 The effects on registration of the 2002 legislation

Individual registration was introduced in September 2002 and the first new register was published in December 2002. The number of names on the new register had fallen by about 10.5% compared with the December 2001 register, representing 125,000 potential voters.

The electorate continued to fall: by a further 10,000 or one per cent, between December 2002 and February 2005.

The Electoral Commission undertook to conduct research to establish the reasons for the decline. The Commission's conclusions were published in December 2003.⁵ The Northern Ireland Select Committee also issued a report on electoral registration in December 2004.⁶ The summary of the Committee's findings is given below:

The Electoral Fraud (Northern Ireland) Act 2002 has been successful in reducing fraud and establishing a more transparent electoral system for the people of Northern Ireland but our inquiry has uncovered a number of serious flaws in the current arrangements:

The rate of voter registration has been declining at an alarming rate and stands at less than 84% of those eligible. This level is a threat to the confidence in the present electoral arrangements and action to reverse the decline is required as a matter of urgency.

Young people and socially and economically depressed groups are under-represented on the register. Less than 25% of 17 and 18 year olds are registered. Sustained action needs to be taken to improve registration levels for these groups.

The registration forms provided for use by people with disabilities and learning difficulties are unwieldy and measures to improve arrangements for registering voters in these categories need to be devised.

Names of voters are no longer placed automatically on next year's register irrespective of whether they have registered to vote. We support fully this key measure to exclude so-called 'phantom' names from the register. However, imaginative measures are required to provide those who have failed to re-register with further opportunities to do so.

Some good work to publicise the changes in election arrangements has been done by the Electoral Commission but much more is required, particularly to target young people and those vulnerable groups which are under-represented on the electoral register.

We support the requirement for photographic identification to be produced before a vote is able to be cast. A number of photographic documents are

⁵ [The Electoral Fraud \(Northern Ireland\) Act 2002: An assessment of its first year in operation](#), Electoral Commission, December 2003

⁶ [HC 131 2004-5](#)

acceptable including the new Electoral Identity Card (EID). Fewer EIDs were issued than expected, and while the Electoral Office of Northern Ireland believes that the original requirement for EIDs has been met by other forms of photographic ID, over 3,500 voters were rejected at polling stations at both the Northern Ireland Assembly and the European Parliament elections as a result of not having adequate ID. We recommend that efforts to increase the uptake of the EID should be redoubled.

Assembly elections in 2003 took place in the period of the annual canvass. This caused confusion among the electorate and overburdened the staff of the Electoral Office of Northern Ireland. The government should consider legislation to ensure that this unsatisfactory state of affairs does not recur.

There is evidence that the arrangements for funding the Electoral Office of Northern Ireland are insufficiently flexible to meet its responsibilities under the 2002 Act, and could generally be improved. We call on the government to review the Office's funding mechanism with a view to making any necessary improvements.

There was evidence that the working relationship between the Electoral Commission and the Electoral Office of Northern Ireland could be improved. One example of poor working practice was the failure of these bodies to co-ordinate telephone help lines properly during the 2003 canvass period. This risked confusing those calling to seek advice. It is not cost-effective when the two organisations run competing services. The Electoral Commission and Electoral Office must lead the drive to engender confidence in the new voting arrangements and by co-ordinating their operations ensure fulfilment of their shared aims. The government needs to satisfy itself that the allocation of responsibilities between these bodies is fully transparent, and that there is no structural impediment to their full co-operation.⁷

Electoral Commission's report

The Electoral Commission found evidence that the registration rate for the whole of Northern Ireland in August 2002, before individual registration was introduced, was 95.5%. This was likely to have been in excess of the true numbers of people eligible to vote, particularly since in some constituencies there were more people on the electoral register than were accounted for in census figures.⁸

Evidence from the CEO indicated that 10% of names on the register had been carried forward each year until abolition of the facility.⁹ The Electoral Commission report noted that the higher non-registration rate was largely explained by the fact that the carry forward facility no longer applied.¹⁰

This conclusion was also supported by the Northern Ireland Select Committee:

39. The Electoral Commission has concluded that the removal of the carry-forward mechanism is likely to be the most important factor by far in the decline in the level of voter registration following the introduction of the 2002 Act. According to the Chief Electoral Officer, the response rate in canvasses has

⁷ *ibid*

⁸ *The Electoral Fraud (Northern Ireland) Act 2002: An assessment of its first year in operation*, Electoral Commission, December 2003, Para 4.3

⁹ Northern Ireland Select Committee report, HC 131, 2004-5, Minutes of Evidence 2 April 2003 from EONI

¹⁰ *The Electoral Fraud (Northern Ireland) Act 2002: An assessment of its first year in operation*, Electoral Commission, December 2003, Executive Summary

not changed with the introduction of the new system. The rate of responses has in the past been approximately 90%, and in the December 2002 canvass, the response rate was also about 90%. The difference is that whereas the non-responding 10% in the past would have been given one year's grace and left on the register, under the new system the 10% are now immediately removed from the register. Both the Electoral Commission and the Chief Electoral Officer indicate that the drop in registrations of about ten percentage points is likely to result primarily from the fact that approximately 10% of names are no longer carried forward from one register to the next.¹¹

1.3 The Electoral Registration (Northern Ireland) Act 2005

The Labour Government introduced the *Electoral Registration (Northern Ireland) Act 2005* to reinstate carry-over as an interim measure for the 2005 elections.

Section 1 of the Act gave the Chief Electoral Officer the power to reinstate on the electoral register the names of those removed following the canvass of 15 October 2004, who failed to complete the annual canvass form, or completed it inaccurately. The re-registration took effect on 1 April 2005. Statistics from the CEO's office indicate that the percentage of the eligible population who became registered increased from 83% in December 2004 to 90% by April 2005. In effect, 70,000 voters were reinstated.¹²

1.4 The Northern Ireland (Miscellaneous Provisions) Act 2006

The *Northern Ireland (Miscellaneous Provisions) Act 2006* removed the legal requirement to conduct an annual canvass of electors in Northern Ireland; electors were registered once and only had to re-register if their personal details changed. The Act enabled the Chief Electoral Officer to keep the register up to date by using data supplied to him by other public bodies.¹³ The CEO cannot amend the register simply on the basis of this information however, he has to wait until an individual elector responds to an enquiry from him asking for any change to be confirmed.

Section 2 of the Act abolished the annual canvass, by amending section 10 of the *Representation of the People Act* in respect of Northern Ireland. Section 3 made provision for a canvass to be held in 2010 and every tenth year following 2010 unless the Secretary of State for Northern Ireland ordered otherwise. The Chief Electoral Officer recommended against an annual canvass in 2010; his annual report for 2009-10 reported his decision:

Recommendation about a Canvass

3.45 Under section 10ZA of the Representation of the People Act 1983 a canvass of electors was to be held in 2010 unless the Secretary of State made an order that it was not.

3.46 Following advice from the Chief Electoral Officer that an annual canvass within less than nine months of the General Election would almost certainly result in a significant reduction in the eligible electorate, the Secretary of State accepted the recommendation that no canvass should take place. The Representation of the People (Timing of the Canvass) (Northern Ireland) Order 2010 gave effect to that decision.¹⁴

¹¹ [HC 131 2004-5](#)

¹² Information from CEO September 2005

¹³ Section D of [Library Research Paper 06/14](#) gives further details

¹⁴ [Report of the Chief Electoral Officer for Northern Ireland 2009-10](#), HC 328, July 2010

The CEO also reported that the electoral register published on 1 December 2009 was 85.2% comprehensive.¹⁵

The *Northern Ireland (Miscellaneous Provisions) Act 2006* requires the Chief Electoral Officer to carry out a canvass of electors in 2016 if one has not taken place before the end of 2015. The Chief Electoral Officer did not recommend that a canvass should take place in 2011-12 because the 'the comprehensiveness of the register published in December 2010 showed an increase of 2.7% compared with the register published in December 2009' and was 86.7% comprehensive.¹⁶ Nor was a recommendation made for a canvass in 2012-13 as the CEO reported that 'the register published in December 2011 showed an increase of 1.1% compared with the register published in December 2010' and was 87.8% comprehensive.¹⁷

2 Electoral Commission's reports on continuous electoral registration

In November 2012 the Electoral Commission published a report, *Continuous electoral registration in Northern Ireland*. This was the second research report published by the Commission following the change to a system of continuous electoral registration in Northern Ireland in 2006 after the *Northern Ireland (Miscellaneous Provisions) Act 2006* removed the requirement for an annual canvass.

The Commission's first report was published in April 2008; the research had been carried out by Price Waterhouse Coopers.¹⁸ The report noted that there was a high level of accuracy after one year of continuous electoral registration but warned that the number of address changes had decreased because the Electoral Office for Northern Ireland had been notified of the majority of these at the annual canvass in the past:

Prior to the introduction of continuous registration, the majority of address changes would appear to have been notified to the EONI through the annual canvass, rather than the rolling registration process. The canvass therefore provided a means of 'cleaning out' inaccurate addresses. Thus, in the 2006 canvass, 4.6 per cent of those re-registering did so at a different address compared to their pre-canvass Register entry. Similarly, in the 2005 canvass, 4.9 per cent re-registered at a different address.

As suggested in Update Report No 9, if the Register under continuous registration is keeping up to date with address changes, it is not unreasonable to expect at least that level of activity over the course of a year. While it is still too early to judge the efficacy of new arrangements made, or to be made, in keeping the register up-to-date with address changes, the available data would suggest that, thus far, this is not happening.

According to the information supplied by the EONI, there were 10,900 transfers due to changes of address in the period from March to November 2007. This represents one per cent of the December 2006 Electoral Register. Assuming a

¹⁵ [Report of the Chief Electoral Officer for Northern Ireland 2009-10](#), HC 328, July 2010, 3.37

¹⁶ [Report of the Chief Electoral Officer for Northern Ireland 2010-11](#), HC 1379, September 2011

¹⁷ [Report of the Chief Electoral Officer for Northern Ireland 2011-12](#), HC 548, September 2012

¹⁸ [Continuous registration and the electoral register](#), Electoral Commission Northern Ireland, 2008

constant monthly rate of transfers, this can be extrapolated into an estimate of 1.2 per cent for the 12-month period from December 2006 to December 2007.¹⁹

The Electoral Commission's second report, published in November 2012, found that there had been 'a significant and worrying decline in both the accuracy and completeness of Northern Ireland's electoral register' since 2008.²⁰ The Commission's research found that the register in use on 1 April 2012 was 78% accurate and 71% complete. The majority of the inaccuracies were related to entries for people who were no longer resident at the address. The Commission pointed out that the inclusion of such a significant number of inaccurate entries was inflating the overall size of the register and summarised its explanations for the decrease in accuracy and completeness:

- Previous research has shown that population movement is the key factor affecting electoral registration and the evidence from this report supports this.
- In particular, it does not appear that the processes currently employed to manage the register in Northern Ireland under continuous registration are able to keep pace with either population change or home movement.
- This means that not all of those becoming eligible to register or moving are being added to the register, and also that where people have moved from a property, a proportion of redundant register entries are not being removed.
- Data matching initiatives have not been able to compensate for a full canvass of all households. The reasons for this require further investigation as the current data matching initiatives have not yet been robustly evaluated. Likely explanations include the quality and volume of data received and how this data is used to target people.
- The failure to remove many redundant entries means that the continued growth in the overall size of the register is not a good indicator of its quality as a proportion of the increase is due to accumulated inaccuracies.
- Initiatives that effectively target particular groups, such as 16-17 year olds via the schools initiative, have a very positive impact on completeness.
- Interest in politics is an important driver of registration and the declining estimates for accuracy and completeness are set against declining interest in politics. Indeed, there was an increase of 25% of the population saying they were not at all interested in politics between 1998 and 2009.²¹

The Electoral Commission recommended an 'immediate and sustained programme of action...to address and reverse the trend identified in this report' and noted that there was a risk that important elections to be held in Northern Ireland over the next four years could be held using registers which failed to include hundreds of thousands of eligible electors and

¹⁹ [Continuous registration and the electoral register](#), Electoral Commission Northern Ireland, 2008

²⁰ [Continuous electoral registration in Northern Ireland](#), Electoral Commission, November 2012, p1

²¹ [Continuous electoral registration in Northern Ireland](#), Electoral Commission, November 2012, p5

which contained many redundant entries. The Commission's recommendations are given below:

Before the 2014 elections, we recommend:

1. Household registration activity, involving all necessary steps to identify who is entitled to be registered in respect of a property, to improve the accuracy and completeness of electoral registers
2. Appropriate funding for this activity should be made available to the CEO
3. There should be public awareness activity to support the household registration work

In addition to this household activity, and beginning immediately, we recommend that the CEO should:

4. Review all existing agreements with data holding organisations to ensure that they provide effective support to enable him to meet his statutory registration objectives
5. Review the effectiveness of his existing processes for contacting electors identified through data matching, in order to encourage registration applications/updates/and to review/remove redundant entries

Finally, over the medium- to long-term, we recommend that the UK government introduces legislation to:

6. Extend to Northern Ireland the performance standards framework that applies in Great Britain
7. Amend the statutory framework for the conduct of the canvass in Northern Ireland in order to allow for a more effective and efficient process, more closely aligned with Great Britain

On-going monitoring of the state of the register in Northern Ireland will also be essential. The CEO will assess his performance against the Commission standards for the pilot period up to 31 March 2013 and will provide the Commission with all relevant information/ data to complete its assessment in mid April 2013. We also plan to undertake a further study into levels of accuracy and completeness in Northern Ireland in 2014.²²

3 Response of the CEO to the Electoral Commission's report

The Chief Electoral Officer for Northern Ireland responded to the Electoral Commission's findings in *Continuous electoral registration in Northern Ireland*:

Continuous registration was introduced in law in 2006 and the first data matching processes involving the supply of personal data from official sources to the Electoral Office for Northern Ireland were put in place in 2008. It is therefore still a comparatively new process which has continued to evolve as additional data sources have been added.

This report provides the first real opportunity to assess how well that process is working. It is disappointing to see that the register is not as accurate as we had

²² [Continuous electoral registration in Northern Ireland](#), Electoral Commission, November 2012, p6

anticipated, however I will look in detail at what more we can do to improve its accuracy and completeness in advance of the elections in 2014, including giving consideration as to whether or not a canvass should take place in 2013.

It is important to point out that a registration system is only as good as the information that is received and there is an onus on individuals to ensure that they are on the electoral register and that their details are correct. I would urge everyone to ensure that they are registered to vote and to notify the Electoral Office at the earliest possible opportunity if their circumstances have changed.²³

²³ [EONI press notice](#), 27 November 2012