

HOUSE OF COMMONS

POLITICAL AND CONSTITUTIONAL REFORM COMMITTEE

THE GOVERNMENT'S VOTING AND PARLIAMENTARY REFORM PROPOSALS:  
PARLIAMENTARY VOTING SYSTEM AND CONSTITUENCIES BILL

THURSDAY, 9 SEPTEMBER 2010

MR BOB FARRANCE, MS LIZ BENSON, MR HUGH BUCHANAN and MR EDWARD LEWIS

DR ROGER MORTIMORE and DR STUART WILKS-HEEG

**Evidence heard in Public Questions 1 - 71**

**Members present**

Mr Graham Allen (Chair)

Nick Boles

Mr Christopher Chope

Sheila Gilmore

Simon Hart

Tristram Hunt

Mrs Eleanor Laing

Catherine McKinnell

Sir Peter Soulsby

Mr Andrew Turner

Stephen Williams

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**Examination of Witnesses**

*Witnesses:* **Mr Bob Farrance**, Secretary to the Boundary Commission for England, **Ms Liz Benson**, Secretary to the Boundary Commission for Northern Ireland, **Mr Hugh Buchanan**,

Secretary to the Boundary Commission for Scotland, and **Mr Edward Lewis**, Secretary to the Boundary Commission for Wales, gave evidence.

**Chair:** Welcome Ms Benson, Mr Buchanan, Mr Farrance and Mr Lewis. Welcome to the Political and Constitutional Reform Committee. I would like to start the questioning straight away so that we do not delay you any further; I appreciate you coming, in some cases quite long distances. Steve Williams?

**Q1 Stephen Williams:** Thank you, Chairman. Could I begin by referring to your written evidence? In paragraph 10 you say that the changes to the total number of constituencies and the tighter limits on the number of electives in each constituency will result in a complete redrawing of constituency boundaries. What do you think the level of disruption to existing parliamentary constituencies will be? Will every single constituency effectively need to be changed?

**Mr Buchanan:** To speak for Scotland, yes.

**Ms Benson:** Yes, and to speak for Northern Ireland, yes.

**Mr Lewis:** To speak for Wales, yes.

**Mr Farrance:** Likewise.

**Stephen Williams:** So, there is United Kingdom agreement on that.

**Chair:** To clarify, every constituency will be impacted.

**Mr Buchanan:** With the exception of Orkney and Shetland.

**Q2 Stephen Williams:** There are two reasons why I ask that, Chair: first of all, is that quite different to previous reviews? I have only taken part in two reviews in my lifetime and quite a lot of constituencies were left more or less the same, or in fact completely the same, and only a limited number were completely altered or abolished whereas this time you are saying every constituency will change?

**Mr Farrance:** Yes, I think that's correct. The effect of setting a parity target, as well as a reduction at the same time, leads to the inevitability of widespread change across the whole of the country. On previous occasions there was no target set, nor a strict parity target, which made it possible to retain some of the existing constituencies whole, with one or two local changes.

**Q3 Stephen Williams:** Given the human resources and technologies that are available to you at the moment, and the fact that there needs to be a big bang change to all 600 if that is what happens as a result of the Bill—all 600 constituencies will be substantially different to what we are used to now—is that physically possible, or do you need many more resources in order to deliver the objectives of the Bill?

**Mr Buchanan:** I do not think that the number of changed constituencies is a significant driver to complexity and cost of the review. You embark on a review, you assess every constituency—within your area of responsibility—you publish proposals, you take representations, etc. So a review is a quantum of work, the fact that every constituency changes, or a small number of constituencies change, has a very big impact on yourselves and your party organisations but less of an impact on our organisations.

**Q4 Stephen Williams:** In the criteria that's laid down in the Bill there isn't anything about the level of disruption to the existing pattern and fabric of constituencies that we are all used to, journalists are used to and our electors are used to. At the moment you have the concept of making minimal changes, or changes that are only absolutely necessary to a constituency boundary. Do you think the Bill is flawed in any way by not allowing that minimum disruption?

**Mr Farrance:** I wouldn't say it's flawed in that sense. I think it's a case that if you reduce the number of constituencies by any degree you are going to create change. It's absolutely necessary. At the same time, the introduction of a United Kingdom electoral quota will see a marked change in the number of electors in each constituency. Those factors drive the change I would say, rather than any flaw that may be in the Bill.

**Q5 Stephen Williams:** Just a technical question about methodology now. As I understand it, the four different commissions may be using different methodologies to find the building blocks to build up the new constituencies. Some of you are going to use postcode data, which I think the Ordnance Survey may be helping with, and some of you-I think in Wales-are going to be using existing council wards. Should you not agree between you a uniform approach?

**Mr Buchanan:** That would require uniform local government across the United Kingdom, which as you know isn't the case. The solutions that we're proposing to developing constituency proposals in each of our countries reflect the circumstances that we find in each of the countries. I think one of the reasons why there have been separate Boundary Commissions in each of the four countries for the last 65 years is to reflect those local differences and to allow local factors to be properly built in to the process.

**Q6 Stephen Williams:** What I am curious about, Chairman, is that I think most of us-certainly in England-when we went through the boundary review 10 years ago, will have been used to wards being used and not postcodes. To me-correct me if I am wrong-while a postcode will tell you the number of households in a particular area you don't necessarily know how many individuals are within those households. More importantly in the context of a political number, you don't know whether all of those householders are electors, which is the basic building block. So, how do postcodes work in this context?

**Mr Buchanan:** I think there are two points there. First point is that we're not using postcodes as a building block. We're using postcodes as a means of counting electors, so that where we have to divide a ward in Scotland, we then look at geography and look at major topographic features-rivers, railways, roads, areas of housing-patterns that suggest division or unity. We design constituencies around those, but when we have done so we then need to know how many electors exist and that is where the postcodes come in. What we're doing is we're taking the electoral register where each entry in the register contains a postcode. That allows us then to aggregate and say, "For this postcode there are this many electors," and that allows us then to count electors at a very small level of aggregation.

**Q7 Stephen Williams:** I am guessing by the accents-checking the names-that that is the practice in Scotland. For the English Boundary Commission this will be a new way of doing it though, won't it?

**Mr Farrance:** The English Boundary Commission has used local government wards since about 1974. The reasons for that are set out in its previous reports and I think are clearly well documented. More importantly than that, they are backed by statute, they're made by statutory instrument, and the electorates for each ward are readily available from the Electoral Registration Officers. So, there

is no argument about the unit or the electorate. Clearly the Commission is at a very early stage; it has only met once since the Bill was published. It will meet again in October 2010 and has much policy consideration to go through. We have done some modelling earlier in the year, based upon the proposals as they were emanating from the Conservative party, and it appears possible to allocate the correct number of constituencies using wards. However, it may be necessary to use a geography below ward level. I think the report from the academics that was published the other day covers that in some depth and does so quite clearly, and highlights the difficulties associated with it in the English sense. Scotland have started from a different position in terms of their GI solution and, therefore, they take quite a different approach.

**Q8 Stephen Williams:** Chairman, the only structure we will all be familiar with that is lower than the ward level at the moment are the polling districts, which are drawn up entirely by local government Electoral Registration Officers. I asked this in the previous evidence session to the academics: do you think there should be some statutory protection for a polling district so that an Electoral Registration Officer can't come along at a later stage than a boundary review and rejig the polling district boundaries?

**Mr Farrance:** My view on that would be very much a case of, if it were given that statutory backing and appeared in the boundary line data set issued by Ordnance Survey of administrative boundaries, it would be most helpful to use that. As you quite rightly say, the registers are based on the polling districts; the electorates, again, are readily available. It's a digital data set on the mapping that is not available at the moment.

**Mr Lewis:** If I could comment about Wales. First of all I should say we do not have wards for the principal authorities, they are electoral divisions, and it's important that you are aware that there is a different term used. We have an advantage also that all of Wales is divided into community areas, equivalent to English parishes.

**Q9 Stephen Williams:** Including Cardiff?

**Mr Lewis:** Including Cardiff. Many of the communities have their community councils or town councils, and some of those areas are subdivided into community wards for electoral purposes, so it is possible to get down to a fairly small area. A place like Cardiff would only have community councils on the rural periphery and not in the centre.

**Ms Benson:** If I could say from a Northern Ireland point of view, in rural areas we have town lands, which are unique to Ireland. In fact, rural wards are amalgamations of town lands. So in rural areas we possibly would use town lands as the sub ward unit where we have to split a ward. In urban areas the town lands don't have such significance so we would probably look to something else, like postcodes or census output areas.

**Q10 Stephen Williams:** This is the final question I will ask, Chairman.

The Bill proposes that these reviews take place much more frequently-every five years-but we know that local government reviews will also need to take place on a periodic basis, and that is not specified at the moment, and I hope we will have an elected second chamber at some point very soon as well. Do you think it's going to be sustainable in the future to have three different boundary reviews taking place over a decade? We might be permanently giving evidence to boundary reviews.

**Mr Farrance:** The English experience has been very much that the last two reviews have been conducted against a background of change in local government boundaries. The last review, which was criticised for the amount of time taken, followed the periodic electoral review of the Local Government Boundary Commission which was establishing new wards across England. So, therefore, the Commission's timetable was set by those new boundaries. It saw no benefit in submitting a report that was three quarters based on new ward structures where the other quarter was ignored. So I think the answer is: we will get on and conduct a review, whatever is happening in the background, but it's helpful if there is a settled and stable pattern of local government when that is happening.

**Mr Lewis:** I could say, from Wales, that under the Local Government Act 1972, as amended, there is a requirement upon the Local Government Boundary Commission to conduct reviews of electoral arrangements every eight to 10 years, so there are regular reviews. The advantage we have, of course, is that the secretariat supports both commissions so we have a very good idea of what is going on in local government and in parliamentary terms. So we do have an advantage from a common cause standpoint.

**Mr Farrance:** Yes, on that very point, the English Commission is purely set for parliamentary work. There is a separate Local Government Boundary Commission, although I do speak very regularly with my opposite number, so we're very aware of their work programmes.

**Ms Benson:** The same goes for Northern Ireland; we have two separate commissions.

**Chair:** Simon Hart?

**Q11 Simon Hart:** Can I just pick on the point Mr Buchanan said. He used two words, "division" and "unity", as being factors you take into account when reaching your conclusions. If the overriding and dominant feature of the legislation is a numerical one, 75,000 or 2% or 3% either side, to what extent does the division or unity factor apply?

**Mr Buchanan:** To the greatest possible extent within the parameters set down by the law.

**Q12 Simon Hart:** Can you say anything more about that?

**Mr Buchanan:** No I can't. This will be the first time we will have been conducting a review with an absolute numerical limit to the number of electors in each constituency. So whereas, in all previous reviews, a Commission has been able to set for itself what is an acceptable deviation from electoral parity by saying, "Well, it really doesn't make sense to divide this town or this community and, therefore, we will accept a rather larger electorate than we have anywhere else in order to retain that unity." The Commission loses that discretion under the legislation proposed by the Bill.

**Q13 Simon Hart:** So, does that lead us automatically to the conclusion that you are going to be-I am not putting words into your mouth obviously-forced to make decisions which might divide areas which your instincts, as a Commission, suggest should not be divided?

**Mr Buchanan:** In the first part of my answer I said that we would reflect unity to the greatest extent possible, whatever the case.

**Q14 Simon Hart:** With the greatest respect that could be fairly meaningless, couldn't it? If you are bound by the numbers you can have a willing stab but you might not make much progress.

**Mr Buchanan:** I hope it's not meaningless. One of the great unknowns of a review under this Bill is what the public engagement will be. One of the challenges for ourselves will be in trying to encourage people to understand what the law allows us to do and doesn't allow us to do. So I think the Commissions will want-as far as they can within the law-to reflect communities wherever they can, but clearly that discretion is reduced from the current position.

**Q15 Simon Hart:** Thank you. Can I just turn the spotlight to Wales, for obvious reasons, as it is an area that interests me. I have one of the relatively few seats, in Carmarthen, which straddles two local authority boundaries and, of course, there is 1,000 years of historical cultural difference between the two counties, which is very difficult to square, so whatever might happen might be advantageous, you never know. Could you just suggest what you see as the problems facing your task in Wales, in particular bearing in mind the Welsh Assembly boundaries which are going to be decoupled, we understand, as a consequence or as part of this legislation. I think that would be helpful to get that. Also, if the Bill does become an Act and you do start your work relatively soon, what are you going to do and what can you do before the Welsh Assembly elections in May 2011?

**Mr Lewis:** Well, we will be doing nothing in respect of the Assembly elections except, under the legislation, we will still have the power to complete the interim reviews. We have commenced several interim reviews in Wales in order to correct some of the anomalies that we have between parliamentary and Assembly constituency boundaries. The advantage is not for parliament, of course, but will be for the Assembly because those anomalies will be put right. I now understand that the Wales Office are looking at what happens next if the decoupling takes place. I believe that Ministers are now considering that there should be arrangements made for separate Assembly constituency reviews. I think this obviously relates to the referendum in Wales, in May 2011, as to whether there will be additional powers to the Assembly. Then Ministers will have choices to make as to whether, if there are additional powers, there will be additional Assembly members to be appointed and then what the basis should be for that. If there are no additional powers as a result of the referendum, then it becomes even more important for the current 40 constituencies to be maintained so that we avoid any demographic drifts taking place there.

**Q16 Simon Hart:** That is most useful. What are the concerns, as you see them? There may be none but I just wondered, for the record, if there are areas of this process that apply specifically to Wales that you think need to be highlighted?

**Mr Lewis:** I do not think that we have any particular concerns, in that I suppose the legislation brings advantages in that at the present time we have the issue of the preserved counties in Wales in which we have to try to fit the parliamentary constituencies into those boundaries. On the fifth review we took two preserved counties together, which was Gwynedd and Clwyd, and in the south Mid Glamorgan and Gwent, in order for North Wales to avoid the reduction of constituency in that area, and in South Wales to avoid a wholesale realignment of constituencies. The preserved counties for parliamentary basis wasn't a very good idea, so I think the Welsh Commission are pleased that that doesn't apply, or may not apply, for the next review.

**Q17 Chair:** Is there a limit currently on the number of constituencies there could be? If you guys decided you want to pump it up to 750 across the UK, could you do that?

**Mr Buchanan:** The current legislation gives us the current number of constituencies in our territory as a starting point and rules that result in nearly the same; perhaps a little bit more.

**Chair:** And, Mr Farrance, in England?

**Mr Farrance:** Yes. I think it comes down to the term, doesn't it, "At the start shall not be substantially greater or less than 613", which may exercise a few legal minds as to what "substantially greater" means.

**Q18 Chair:** So, you are a bit over target at the moment at 650 collectively?

**Mr Buchanan:** 632, because that is a GB target.

**Chair:** I see. So, 632 is a bit over optimum 613.

**Mr Buchanan:** In comparison, yes.

**Q19 Chair:** So, there is an acceptance that there should be a limit, even if it is a rather rough and ready one currently. Setting a given specific number is not such an outrageous thing for the Government to propose. It is well precedented. It's in the field in which you have been working but it's none the less a very precise number. So, you could achieve 600 if that were set for you, collectively, without too much difficulty providing you had the time to do it. Presumably-if you were told by Government 600 was the number-you could get to that in two, three or four Boundary Commission reviews relatively comfortably?

**Mr Buchanan:** In your scenario, I'm not quite sure what is changing and what is remaining the same.

**Chair:** What is changing is the number from-

**Mr Buchanan:** And everything else is remaining the same?

**Chair:** Yes. You could collectively get to 600 incrementally without any great difficulty.

**Mr Farrance:** I don't think there would be any particular advantage in doing it incrementally; if you wanted to make the change then get it over with. The pain would be just as great, because every constituency would probably need to be amended if you were going to retain the consistency that we seek in constituency design.

**Mr Lewis:** One of the problems, Chairman, is that under the current rules there is effectively a ratchet effect in the number of constituencies and we would need new rules to do what you suggest to bring things down. If I can refer to the fifth review; the Welsh Commission had a situation where there could have been a 41st constituency in Wales because the numbers were quite close, but the Commission took a view that they would stay at 40. If they had gone to 41 that would have meant that there would have been an extra Assembly constituency and there would have been an impact upon the regional membership of the Assembly as well. So that was quite a challenge for them. I think new rules would be needed to achieve a downward trend.

**Mr Farrance:** I think also if you were to adopt an incremental approach in reduction terms, I think it has to be recognised that every review will see a large degree of change because of the 5% parity targets. Also, as the electorate of England grows-if it continues to grow-and others stand still, there may be redistribution between the four parts of the UK. So, with that comes great change.

**Q20 Chair:** Where I'm trying to get to is that if you kept the current process of local inquiries and basing constituencies on community, geographical boundaries and natural phenomena, that would be a less painful process than going straight to 600 from 650, but you are saying, "No, if it needs to

be done it can be done quickly," although, presumably, it can only be done quickly if the local inquiries and the criteria are amended or abolished?

**Mr Farrance:** The experiences I've picked up from the last two reviews in England are that people do not like change in whatever form it comes. They object to change. We experienced it where the actual number of constituencies increased by five at the fourth review and four at the fifth review. So, if you are reducing you will receive the same degree of complaint I would imagine. It's about change-people don't like it.

**Q21 Chair:** You started by saying every constituency will change. I don't suppose you have any sympathy at all for the MPs that are going to be fighting each other to the death over the next three years.

**Mr Farrance:** Ultra vires.

**Chair:** I don't expect you to answer that. However, the fact that all four of you smiled I think is probably adequate. Eleanor?

**Q22 Eleanor Laing:** Yes, I think you should say that that's ultra vires.

**Q23** Before I come to my questions, just following on from what the Chairman has just said, would it be right to say that if the principle is that the number of Members of Parliament is to be reduced to 600 then, as Macbeth said, "If it were done when 'tis done, then 'twere well it were done quickly.". Might I suggest that there is no point in prolonging such a process over, say, four boundary reviews, which would take several decades, and that there would then be uncertainty ongoing in every single constituency? I know you cannot comment on the policy but you can confirm that if it can be done incrementally it can also be done immediately?

**Mr Farrance:** Immediately after the fifth general review that the English Commission undertook it had a look at how the review had gone and also sat down and talked about the aspects of the rules and the legislation which perhaps should be changed. The one thing the members then said-and we have a completely new makeup of the Commission now-was, "If you're going to make change do it in one big bang rather than incrementally".

**Eleanor Laing:** That is a very important point. Thank you for that answer.

**Mr Buchanan:** I think the other thing I would say is that the rules as drafted-and Bob referred to this before-will mean that there will be continuing change. If we look back at the situation in Scotland over the last 10 years, then it leads us to think that every five years, i.e. at every review, the number of seats in Scotland will be one less than before.

**Q24 Eleanor Laing:** Is that because of population change?

**Mr Buchanan:** It's largely because of electorate increase in England, and therefore Scotland's proportion of the total has been decreasing steadily over the last 10 years. If that continues then at each review the Scottish Commission will face the task of designing a different number of constituencies. If you have a tight parity target and a changed number of constituencies, then a lot of constituencies have to change to accommodate any change in overall number.

**Mr Farrance:** Before we came here today I had a look back and, between February 1976 and 1 December 2009, the electorate of England has grown by just over 4 million.

**Q25 Eleanor Laing:** Is it correct that even in the last 10 years it has increased from 37 million to 38 million?

**Mr Farrance:** Yes. Across the period of time I described, if the Commissions had given full reign to that, it would have produced an extra 60 constituencies at 4 million. England's electorate is changing rapidly, and that will affect the degree of change at every review with a 5% parity target.

**Q26 Eleanor Laing:** Just for the record can I ask Mr Buchanan what is the current electorate in Scotland?

**Mr Buchanan:** Around about 4 million.

**Q27 Eleanor Laing:** Thank you.

Can I come on to the actual arithmetic of the equalisation? We have had debate in parliament this week, and there was some criticism of the arithmetic being supreme. I think it is a perfectly reasonable point to take that the arithmetic should be supreme. Can you confirm that-sorry, I shouldn't lead the witnesses. Does the 5% variation give sufficient flexibility to allow your processes to work on, let us say, ward boundaries rather than having to divide up wards if there was no variation whatsoever or a 1% variation? Is it the case that the arithmetic would only be achievable if the unit being used was smaller than a ward, but if you have a 5% variation does that give sufficient flexibility?

**Mr Farrance:** I would say that the more you screw down the electoral parity target the more difficult it becomes, particularly if you're using wards to build constituencies. At the fourth and fifth reviews the Commission, if you like, tightened its own screw and brought more constituencies closer to the electoral quota. The earlier conversations about recognising community of course make hitting a target difficult because no community is the same size. If you take the Isle of Wight, for example, what parity target could you achieve to keep the Isle of Wight intact or other communities around England, be they 20,000 or 70,000 in size? So, it's a difficulty whatever target you choose, but the more you screw it down the harder it becomes.

**Q28 Eleanor Laing:** Some of us would suggest that the Isle of Wight is an exception. Just in normal constituencies within a large county like Essex, for example, if you have a 5% variation you can pretty well keep communities in their natural form?

**Mr Buchanan:** Well, you mentioned "communities" there but in your earlier question you mentioned "wards". Let us be clear, in Scotland wards will be divided.

**Q29 Eleanor Laing:** Is that because wards in Scotland are larger, as it happens, because of the way local government is constructed?

**Mr Buchanan:** That is one of the factors, yes. In Scotland, for the Scottish Parliament review that the Commission recently completed, there was no absolute parity limit, but the Commission still took the view that it was preferable to divide wards and seek other boundaries of social or physical geography in order to define constituencies.

**Q30 Eleanor Laing:** So, that precedent has already been set?

**Mr Buchanan:** It has in Scotland.

**Q31 Eleanor Laing:** And would you say that it works in practice?

**Mr Buchanan:** Let us find out at the Scottish Parliament elections.

**Q32 Eleanor Laing:** Thank you.

Can I go on to the actual boundaries, just following on from that? Again, there has been some criticism of the possibility that county boundaries might have to be crossed and that possibly city boundaries might have to be crossed. In your estimation, would it be correct to say that instances where county boundaries or city boundaries would have to be crossed, in order to achieve equality within a 5% tolerance, would be very few, and that in most cases of the 600 constituencies that will be created there will be no need to cross county or city boundaries?

**Mr Lewis:** Most boundaries for local authorities in Wales will be crossed but, of course, you have to put that in the context that up until now we have been using the preserved counties—that is, the former county council areas that no longer exist except in law and for the ceremonial purposes. There is also, if you take a long-term view, the possibility that local government itself will change over a period of time and there could be fewer local authorities and, therefore, and you would have new boundaries there. So I don't think it's a huge issue of having to cross boundaries by local authorities.

**Mr Farrance:** The English experience is that, at the fourth review, the English Commission started to cross boundaries for the first time in the London boroughs. At the fifth review it needed to do so in respect of the unitary authorities in many areas. Some it could observe. The easiest way to look at is: what is the electorate of the area, divide it by the electoral quota, and you get its theoretical entitlement to seats. That may not be, and in most cases isn't, an exact number. Therefore, as soon as you apply a parity target the chances of having to cross the local authority boundary become much greater.

**Q33 Eleanor Laing:** But if there are 600 seats would you estimate that that might happen in maybe 20 seats or 50 seats, but it wouldn't be 300 seats, would it?

**Mr Farrance:** It's very hard to gauge at this stage how many seats would cross the boundary between two authorities, without doing the modelling on the figures.

**Chair:** Eleanor, I am going to have to stop you just to get a few more questions in. Tristram?

**Q34 Tristram Hunt:** In terms of this suggestion that one would take account of history, identity, geography and sense of place as much as possible but yet, ultimately, it comes down to the raw utilitarian numbers, can you give us a sense of that balance of how you are going to try to take account of those competing forces?

**Mr Buchanan:** They are not competing, in the sense that one has an absolute position in the Bill and the other is entirely discretionary.

**Q35 Tristram Hunt:** So, this would be absolutely clear that if this Bill passes you will be under the straight legal obligation to go for this raw number and if we cross rivers, we cross mountains, we divide communities, you have a statutory obligation to do that and it doesn't come into your remit if that is divisive of traditional communities or identities?

**Mr Buchanan:** When you do constituency design there is almost always two ways of doing it, two or more options. You start with this absolute requirement that electorate must fit within a target range, but then you will probably have one option that crosses that river and another option that doesn't cross that river. So you end up weighing up two solutions that are satisfactory or unsatisfactory, to different degrees and in different ways, and the Commission will form a judgment on which of those it views is preferable, publish that as provisional proposals, listen to people's responses, which will often be positing the alternative that the Commission has already deliberated on, and then take the process forward from there.

**Q36 Tristram Hunt:** Will this involve a cultural change within your organisation, such that you now have this utilitarian impulse?

**Mr Buchanan:** No, because parity has always been there in the rules. It's just given primacy in the Bill in a way that hasn't been the case before, but it has been in the legislation.

**Q37 Tristram Hunt:** When you suggested that you would hope the public would try to understand the process that you are going to go through and make their voice heard, what resources or what capacity is needed so that the public do get involved? There is this implication in your evidence, and in some of the evidence we have seen, that nasty political parties get involved and try to make you think things you don't want to think, whereas now we want the public to come and express their views. How is that going to happen?

**Mr Farrance:** Well, I would say that the Commissions have always wanted the public to express their views. I don't think it's a new thing.

**Q38 Tristram Hunt:** Now you have a longer time frame for them to do so, as I understand it, within the Bill. So, how are you going to encourage this? Do you have the resources to do that, or do you just hope it's going to happen?

**Mr Farrance:** No. At the last two reviews in England the Commissioners put together an information booklet to inform about the process, what the rules would require. I would anticipate a similar booklet for this forthcoming review. I would also expect the news releases that all Members here have probably received from the Commissions over the years in respect of reviews, to be as full as they ever were, giving explanations, again, about how the review process works. Of course, all of that information will be online.

**Mr Buchanan:** I think the other thing to say is that the Commissions don't see themselves as acting alone here, that the Commission's primary task is to carry out the review but the communication is often done through political parties. So, I think the onus comes back to politicians, and your organisations, to inform and to prompt people to make appropriate responses, responses that can be accommodated within the law rather than emotive responses that cannot, unfortunately, be accommodated within the law.

**Q39 Tristram Hunt:** Finally, are you in charge of the naming of constituencies?

**Mr Buchanan:** Yes.

**Tristram Hunt:** Could I suggest to you that constituencies that have names "northeast", "southeast", "southwest" and "northwest" are very boring and do not promote identity or affection. You might want to draw on some of the historical and geographical affection for places. I would like to be MP for The Potteries rather than StokeonTrent Central.

**Chair:** We will take that as an advance plea there. Naming constituencies after members of the Political and Constitutional Reform Committee will also be acceptable. Catherine McKinnell?

**Q40 Catherine McKinnell:** I wanted to follow on a little bit upon the line of questioning that Tristram was starting with there. I know you have explained that, in your view, or certainly there has been evidence to show, that change of this magnitude should happen in a big bang approach as opposed to incrementally. Do you have any concerns about the time scales that you are required to undertake this operation?

**Mr Lewis:** I don't think the time scales for Wales are going to be too challenging. I think the reality is England, being the biggest area, has the biggest task, but for Wales certainly there is not going to be a difficulty.

**Catherine McKinnell:** So, can I direct the question to England?

**Mr Farrance:** The difficulty is what is unknown and that is the level of response. At the fourth general review the Commission received in the region of 40,000 representations. At the fifth general review it's in the region of 29,000. We don't know which way it will go next time. It may be that the public are not as fully engaged as perhaps we would wish; it may be they find it difficult to put forward solutions that are different. A lot will depend on that. Taking a potential worst case scenario, based upon what is in the Bill in front of us, the initial view of myself and the Commission is that the timetable is achievable.

**Q41 Catherine McKinnell:** You explored with Tristram that you would probably also give the public information, but I imagine extending the period of consultation to 12 weeks and changing the format of it quite significantly will require much different, and probably much greater, resources in terms of dealing with written correspondence. Are you confident that those resources will be made available to enable you to do that?

**Mr Farrance:** Yes. We've been working closely with the Cabinet Office, the sponsor of our body, and we have a programme director who is assisting in terms of identifying the staffing levels we will require and the skill set. So, at this moment, we're confident that we will be able to acquire the resource that we need. Time will tell.

**Q42 Catherine McKinnell:** Also in terms of time scales, the changes are going to be based upon the electoral register as at December. Your own reports have suggested that there are potentially 3.5 million voters missing from the registers. It's not an Electoral Commission report that suggested that, but there have been reports that suggested that there are a significant number of potential voters missing from the registers. Is the Electoral Commission taking any steps at this stage to try to increase voter registration?

**Mr Buchanan:** An Electoral Commission question not a Boundary Commission question.

**Catherine McKinnell:** Boundary Commission, sorry; apologies. Obviously the two issues are linked, in terms of the timescales in which you are required to undertake the boundary changes based on an electoral register that is incomplete, but presumably this is not an issue that you given any consideration to?

**Mr Buchanan:** No. In that sense we're very much servants of Parliament and if Parliament tells us to use the electoral register from a particular date we will carry on and happily do so.

**Q43 Mr Chope:** Can I just ask Mr Farrance a quick one on the regional boundaries. Will there be any need to cross regional boundaries in England as far as you can tell?

**Mr Farrance:** At the moment it's not possible to say. In terms of regional boundaries you're referring to the boundaries in the 2002 European Parliamentary Elections Act?

**Mr Chope:** Yes.

**Mr Farrance:** Those of you who represent constituencies in England will be aware that the Commission has previously worked on a county by county basis and other allocated constituencies in that way. The legislation, as it will be amended, will require them to allocate three constituencies across the piece. I think if you do the mathematics, if you gave each county or London borough its entitlement, you wouldn't arrive at 503; you would arrive at quite a different number. So I suspect the Commission will want-in the first stage-to allocate constituencies on a regional basis. Once it has done that I would expect it to try to allocate constituencies to authorities independently-counties, London boroughs. It's at that stage that the Commission may identify a need to pair, i.e. where it will create a constituency across the boundary. I would imagine that will be the process but that doesn't necessarily mean that you have to create constituencies across the regional boundary. But the Commission would not be blind to that possibility.

**Q44 Mr Chope:** Because of the absolute parity being required in terms of numbers and the constraints that is going to impose-just asking about England-have you worked out how many constituencies, by the time we get to May 2015, would exceed the parity boundary which would have been set based upon the registration figures for October 2010?

**Mr Farrance:** I cannot look in that crystal ball, I'm afraid. I would need to see the figures to be able to tell you, for each year from 2010. It's not possible to guess.

**Q45 Mr Chope:** So, that is something you would only be able to do in retrospect?

**Mr Farrance:** In retrospect, yes.

**Q46 Mr Chope:** At the moment, if my understanding is correct, it is possible for a Boundary Commission for the evidence to be taken that, for example, there has been decanting that has resulted in a depopulation of one ward, when the houses are refurbished and people move back, and there is planning permission being given for 1,000 houses and so on-those issues can be taken into account at the moment, is that right?

**Mr Farrance:** Yes. At the moment the Commission is not blind to growth or decline since the year it starts its review. However, many of the claims made have proven to be without foundation in the past.

**Q47 Mr Chope:** Finally, have you considered how this Bill might be amended to try, as far as possible, to accommodate the desire of the Government but at the same time to give you a little bit more flexibility?

**Mr Buchanan:** I don't think we would view it as being our place to set the policy in the Bill.

**Q48 Mr Chope:** For example, you could say that the absolute figure should be modified with these possible exceptions. Would that not be a possible reason?

**Mr Buchanan:** I think that is for you to decide and not us.

**Q49 Chair:** Final question from me is: it is strange at first sight that we measure constituencies by registered electors rather than people. Would it present you with enormous difficulties to base constituency boundaries on the number of people who are represented by the Members of Parliament? Members of Parliament-I have to speak from personal experience-probably have more casework from people who are not on the register than those that are.

**Mr Buchanan:** I think there are significant practical problems. One of the things that this country does not have is a precise and continuously updated register of population. Our electoral register is continuously updated and spring cleaned or autumn cleaned once a year, whereas our population is only precisely counted once every decade.

**Chair:** The same with Mr Farrance?

**Mr Farrance:** I wouldn't disagree with that answer.

**Chair:** I am very sorry. I have every colleague in fact indicating wanting to come back in to ask more questions. What we will do, if we may, is drop you a line with some follow-up questions from colleagues. If colleagues will now write down what was so desperate that they had to get in, we will do that. Thank you so much for attending today. We really appreciate your time. Thank you all.

### **Examination of Witnesses**

**Witnesses:** **Dr Roger Mortimore**, Head of Political and Electoral Research, Ipsos MORI and **Dr Stuart Wilks-Heeg**, Executive Director of Democratic Audit and Author of a recent study for the Electoral Commission on electoral registration, gave evidence.

**Chair:** Dr Mortimore and Dr Wilks-Heeg, nice to see you. Welcome. I think we are probably going to focus primarily on electoral registers in the 50 minutes that remain, and I am going to ask Sheila Gilmore to start off.

**Q50 Sheila Gilmore:** My question to begin with is about the unreliability of the registration system, and in particular the under-registration that there is of certain groups in certain places. It has certainly been my experience-and I have been involved in elections over a large number of years-that this seems to have become substantially worse, ironically at a time when some ways of registering yourself have become easier-you can go online and register at home. I don't think I have ever found it quite so bad as I have found it this year, in terms of going to some streets, some areas, where out of a block of eight flats there are perhaps only two households registered. This is a serious problem, so do you have any views about how we could take steps to deal with this, and how long it might take to resolve that problem?

**Dr Wilks -Heeg:** I'll take that first. There is no doubt that there has been a long-term decline in registration levels going over several decades. It probably started in the 1970s. There were two issues with the registers then and it's important to separate them out: one is the issue of the completeness of the registers and the other is the issue of the accuracy. Those two things often mirror one another but they are conceptually quite distinct. What we do know-from what we can piece together, because there is a complete lack of research for the period between the late 1990s and about 2005-is the biggest drop happened in that period, between 2000 and 2005. Since then there has been some recovery. The registers have certainly stabilised, in terms of their completeness and to take into account population growth and the growth of the eligible electorate. They're not

getting back to where they were in the late 1990s, however. So there does seem to have been this overall decline and we also know, very clearly, that the pattern of there being a big contrast between different parts of the country has continued and probably, although the evidence is difficult to really interrogate, the differences between areas has grown in terms of the completeness of the registers.

I think it is also important to add, though, that the registers decline in quality, in terms of accuracy and completeness, over the lifecycle of a register. So whenever you do an estimate, depending on the point you are at in the life of the register, you're going to get a different figure. The one thing that has helped with this problem is rolling registration, which has not been taken up by as many electors as it should be, but certainly that is an improvement relative to where we were before the changes introduced in 2000.

Dr Mortimore: I agree with all of that. I think the biggest single factor in terms of the register is simply outdatedness, that when people move house they don't always get on to the register very quickly. Although rolling registration has improved that, it is clear that a lot of people aren't aware of it and a lot of those who are aware of it are not taking advantage of it. Those who have recently moved are not getting round to filling in the forms every time, so they're still off on the second year, and you can see that the longer people have lived at their present address the more likely they are to be on the register. That is the biggest part of it. I guess part of the decline is the social change that people are getting less and less prepared to fill out all the forms they get through the door every year and possibly, also, the ways in which social changes have made it more difficult to make sure that the councils have delivered the forms to every household.

**Q51 Sheila Gilmore:** Do you have any suggestions as to ways in which we might take steps to improve this then, preferably in a short space of time rather than a long one?

Dr Mortimore: Certainly not in the very short term. One of the clearest things is that the biggest driver behind why people do bother to register is either that they are politically engaged or that they feel that they have a duty to do so-they believe in the democratic electoral system-and that is something that has declined over the past few decades. In particular, if you look at whether people feel they have a duty to vote, that is almost universal in people above middle age. It's much less universal in people from the age of 40 downwards. That is clearly tied to people who, even if they're not interested in a vote, if they feel they have a duty to do it will still feel they have a duty to make sure they're on the register. For those who don't feel they have a duty-and that is probably not something that's going to change-it is all about engagement, about seeing the point of elections and why it is worth while being able to vote, and the wider problem of how you get people interested enough in elections to want to be on the register is the long-term point of it.

The other problem we haven't mentioned yet is that quite a lot of people who aren't on the register simply don't know they're not on the register. That's always obvious when it comes up to an election, you suddenly get people registering at the last minute; you get a lot of people turning up at the polling station and finding they can't vote. Clearly, there is a possibility of at least a minor improvement through information campaigns, getting that message across, more effectively, that you need to check that you are on the register and you need to check regularly and you need to fill out the form every year to stay on the register.

Dr Wilks-Heeg: I concur with much of that. I don't think there is very much that can be done in the very short term to improve the register, if we mean by December 2010. It's too late. We're in the middle of the annual canvass and some local authorities are very advanced in that process already. It would be difficult to do anything at this very late juncture. However, we do know, very clearly, from the research that exists-particularly that from the 1980s and 1990s-that there are particular

practices which Electoral Registration Officers can follow, which if they all follow, virtually to the letter, will maximise the annual canvass return, which is crucial, which then in turn maximises the completeness and accuracy of the registers.

In the 1990s that research was done annually and then was disseminated back to EROs to advise them very precisely how they should be undertaking the task. That very rapidly corrected the problem of the loss of electors which was associated with the community charge or poll tax in the early 1990s. So we know that things can be done. Times have changed since then, forms of electoral registration have changed slightly since then, but many of those lessons still apply. They are still very much embedded in the Electoral Commission's advice and guidance to Electoral Registration Officers and also in the Electoral Commission's performance standards framework. So those principles are still there. However, it would seem that there are certain local authorities where perhaps not all of this best practice is being used, but that is certainly, in terms of future canvasses, a key area to focus on.

**Q52 Chair:** I don't know if you heard my question earlier to the witnesses from the Boundary Commissions about why we register electors rather than people, since we are electing Members of Parliament, and Members of Parliament represent all people, regardless of party, registration, and indeed nationality, and I argued that in my own case, certainly, I had more casework from non-registered people than registered people, and I have checked on that. Why do we do register voters rather than people? Does that make sense?

**Dr Wilks-Heeg:** I think this is an important issue to raise. I would agree with the answers from the Boundary Commissioners. There is a problem using population figures because we don't have a population register and we obviously only get the accurate figures every 10 years-and there are questions about the extent to which the census captures the population. I think there could be a way-this would involve fairly significant changes to the Bill, I would imagine-of trying to at least take account of differential populations which MPs serve and which the new constituencies would comprise. If you look at the moment, there are some constituencies with well over 100,000 people in them, as many as 125,000 in some of the London constituencies, so in terms of casework that's a significant difference to what we would see in some of the smaller constituencies. So I do think there are grounds to look at this more closely, given the practice which has grown up over several decades of MPs-I don't need to tell you-taking on more and more casework and finding that this is a growing part of their role.

**Chair:** Andrew?

**Q53 Mr Turner:** Sorry, could I follow that up, because I wasn't quite clear what you meant by your answer. The number of non-registered people presumably who should be registered, not those who should not be registered? We're not talking about Somalis?

**Dr Wilks-Heeg:** Well, clearly, Somalis can still go to their local MP, and I'm sure they do, and add to an MP's casework burden, but you're right to distinguish, yes. There is a difference between people who are eligible to be on the electoral roll and aren't, and then people who are simply living somewhere and not eligible to be on that roll. So yes, there is a distinction that needs to be drawn. At the moment we don't really have the data sophisticated enough to estimate the difference between those two groups of people. Hopefully, with some of the changes with some of the 2011 Census questions we'll be able to do that much more precisely.

**Dr Mortimore:** It's a particular problem in terms of information. We know exactly how many registered electors there are. We know, with some degree of accuracy, what the total population is,

from the census and from the ONS estimates, but there are no figures at all for people who are qualified to be electors, in other words British Commonwealth and EU citizens. Those figures are just not available.

**Q54 Mr Turner:** One of the points you raise-it was Dr Wilks-Heeg who said this-the highest concentration of under-registration is most likely to be found in metropolitan areas; smaller towns and cities with a large student population; and coastal areas. Now, some of those are people who are bad at getting registered and some of them may be registered somewhere else. Is that a reasonable distinction?

Dr Wilks-Heeg: It is, particularly with students, clearly. Students can be registered in two different places: parental address and wherever they're studying. We don't know the extent to which students do register in both places or not. Anecdotal evidence I have, certainly from Liverpool, is that many students choose not to go on the register in Liverpool, on the assumption that they're registered at their parental address. Likewise, with some of the coastal areas, but by no means all, there may be people who have second homes there, and therefore there would be a possibility for them to be registered in that locality as well. Again, we have no idea, because we still do not have the coordinated online register of electors first proposed in 2004, I believe. We don't know the extent to which these legitimate double entries on the registers exist.

**Q55 Mr Turner:** Is there any correlation between the size of wards-in my constituency there are 2,500 electors, and in Birmingham there are over 20,000-and sufficient feeling that one is involved, that one ought to get registered?

Dr Wilks-Heeg: I have never seen any research evidence on that. I would wonder whether there is likely to be a relationship. I think the main drivers of the difference in registration are who lives in those areas, not the size of the ward. So if you've got a ward with very heavy concentrations of private sector rented housing, very rapid population turnover, a high proportion of young people, a high proportion of people from particular minority groups, then you would expect the registration to be lower in that ward than a well settled ward with high levels of owner occupation, with people living there five, 10 years, and so on.

**Q56 Mr Turner:** Finally, what is the difference, if there is a difference, between England in general-perhaps there is no such thing as "England in general"-but England, Scotland, Wales and Northern Ireland? It was said that in Northern Ireland the number of people registered was over 100% of those people present. I don't know whether that is true but have you had any information about that?

Dr Wilks-Heeg: Yes, it was one of the reasons for the Electoral Fraud (Northern Ireland) Act. There was a concern that there was systematic over-registration which was fraudulent, and there were ghost electors on the Northern Ireland electoral roll. That's one of the reasons, it's assumed, when individual voter registration was brought in in Northern Ireland, that we saw a very sharp drop in the registration rate which now stands I think at about 84%. As you say, I think it was previously over 100%. There is a difficulty calculating registration rates because of the unreliability of some of the population estimates and also the issues I referred to earlier about double registrations across electoral rolls, and so on. So we do occasionally find parliamentary constituencies in England, Scotland or Wales with registration rates over 100%. It's just a quirk of the statistics which comes up occasionally.

**Mr Turner:** Has Dr Mortimore anything to add?

Dr Mortimore: I don't think I have anything to add to that.

**Eleanor Laing (in the Chair):** Thank you, Andrew. The Chairman gives his apologies. He has had to go to attend to some urgent business of the Committee and he will be back very shortly. Stephen Williams?

**Q57 Stephen Williams:** Thank you, temporary Chairman. Can I come back to this completeness of the register. I remember when rolling registers came in they were meant to ensure the register was more complete and accurate but, from the evidence that you have both presented, that does not appear to be the case-or maybe it would have been worse without rolling registration. What improvements do you think could be brought about? I am about to move house, and I'm pretty sure the BBC Licensing Authority, the energy companies and everyone else will catch up with me very quickly as to the fact that I have moved into a property, but it will be largely down to me to re-register myself at a different address. Is there a process that needs to be changed, do you think?

Dr Mortimore: I think it's true, and it's probably a little bit wider than just the moving house issue. It's perfectly practically feasible for there to be much greater cross checking of different administrative records to find out who are the people who are existing or not on the register. Clearly there are legal issues to that, there are moral issues of privacy to that, and there is a possibility that a part of the population would be seriously alienated by that being done. It would be a big decision to decide that you wanted to do that, but clearly that possibility is there if it was decided that it was a good thing to proceed with.

**Q58 Stephen Williams:** One of your comments mentioned the poll tax situation in the early 1990s and the effect that that had on under registration, particularly amongst younger people. But I run into quite a lot of people who, when I discover they are not on the register, say, "Well, I registered for council tax, as it now is, and I assumed the council would therefore put me down on the register." That is almost a reversal of the poll tax problem. Is that not a simple process that could be reformed?

Dr Mortimore: Yes, I think it is a very simple process and, you're right, we found that a lot in our research that people say that they expect that it will happen, they can't understand why it doesn't happen.

**Q59 Stephen Williams:** Can I come back to what Andrew's question was about, double registration? I represent a university city and at every election I come across people who say they are voting for me. The trouble is they are doing it in Hampshire rather than in Bristol, and seaside towns were mentioned as well. I am registered-I am sure we all are-I have voted in London elections before as well as Bristol elections. Is it right that people should be able to continue to have dual registration, if not the dual exercise of that franchise?

Dr Wilks-Heeg: I think at the moment we have no option other than to allow that, given that those people won't necessarily know where they're going to be when the election is called, and where they'll be on the actual day.

**Q60 Stephen Williams:** We have postal voting, don't we?

Dr Wilks-Heeg: We do. I suppose that would be one safeguard against the problem, but it adds an issue of complexity into it for the elector. What would obviously help is if we did have this coordinated online register of electors, and yet we still don't. The fact that people are able in certain categories to register in some places does open up the possibility that they do vote in two places.

There are anecdotal stories, and so on, that this happened in the 2010 general election. I have no idea on what scale. So I think it probably is something that we would want to tighten up in the system of registration, as part of the broader agenda of introducing individual registration and getting a co-ordinated online register of electors.

**Q61 Stephen Williams:** Can I just have one final question about this coordinated online registration which I think you said was first proposed in 2004? I had not heard of this before. Why has that not been introduced? Is it inertia, resources? It is not any Government's policy? Who suggested it back in 2004?

**Dr Wilks-Heeg:** I think it was announced by Nick Raynsford to the House of Commons in January 2004, when he was the Minister responsible. I think it's a long story and you probably have to get into a discussion with the relevant civil servants and the Electoral Commission about it. I think part of the problem was that neither the MOJ nor the Electoral Commission wanted to be designated as the keeper of this online co-ordinated register. I think there were also technical problems which bedevilled it, because different local authorities use different software and there was a big problem to make sure these could be standardised in some way, and ultimately all of this slowed down progress significantly. That was my understanding.

**Chair:** I am about to ask colleagues to speed up a little if they wish to get to the end of the questions. Eleanor?

**Q62 Eleanor Laing:** I can give a point of information to Stephen Williams and the witnesses on his last question. I was one of the signatories to the amendments to the 2004 Bill which proposed both core and individual voter registration. At least we now have individual voter registration. But that is only a point of information. It is a pity it wasn't brought in before. But will individual voter registration improve the situation?

**Dr Wilks-Heeg:** Yes, in terms of accuracy it should do. Whether it will in terms of completeness for the register is quite a different question. I think there is a danger that those two things are being conflated in much discussion. If we look at the experience in Northern Ireland, the register there now is estimated to be, I think, 84% complete and 94% accurate. Now that's a big contrast and I don't think we would be willing to accept-across the UK as a whole-a registration rate of 84%. So we know that it could impact. The Northern Ireland case is very complicated and it's very difficult to derive precise lessons from that, but I think it is instructive to make a comparison with that.

In terms of the accuracy of the registers, I think individual registration would clearly help to make sure we remove ghost voters from the rolls. We don't know how many there are. We know there are likely to be some-people who simply don't exist. It will be clear that they don't have a National Insurance number, etc, and that will deal with that problem.

In terms of other ways in which we would need to clean up the registers, individual registration probably only goes so far. What will be critical is the extent to which electoral registration officers can access other data sources and what data sources they do access. So, for example, if they access information on passports or addresses held by the DVLA, or something like that, and only certain people have driving licences, that is only going to take you so far, and there may be, obviously, technical and legal issues about accessing that kind of data in any case.

Likewise, in terms of eliminating the problem of electors being registered simultaneously in different places when they're not supposed to be. Again-as the legislation proposes-you would need to supplement it with core, otherwise you simply can't know whether you've got voters registered

in multiple different places. So there are several things which need to be added in and, crucially, the annual canvass will remain very important in terms of updating the registers every year to make sure they're complete and accurate.

**Q63 Eleanor Laing:** I am delighted to hear you say that, because it is roughly what I said in 2004. Perhaps they will listen to you.

Just taking forward the point about other sources of information, my understanding is that that would require changes to the law on data sharing and data protection but from the evidence that you have gathered in your studies, would you advocate that as a good idea? We're all in favour of data protection, but is there a balance to be achieved? Should local authorities be able to use even their own records, for example, their housing benefit records, to check on their registration records?

**Dr Wilks-Heeg:** They do that kind of thing already to a significant degree and in fact EROs do have quite significant powers, in terms of being able to request information from other sources. Some of them choose to use it; some of them don't. Some of them say they have difficulties accessing that information because of their own fears and also the fears of other bodies about data protection. But certainly, EROs at the moment routinely are -or at least they should be-looking at things like council tax records and other records held by the local authority. They should be getting notices from the Registrar of Deaths, and so on. I can't think of a local authority that doesn't do that. They also have the capacity to request information from registered social landlords, even private landlords, residential homes, universities, university halls of residence. The extent to which they currently do this varies enormously, and that is the crucial point, I think.

**Q64 Eleanor Laing:** Thank you. One quick last question: have you made any distinction in your assessments between people who have failed to register because they have moved house but they'll do it the following year, and it was a mistake, and they will catch up, and those who deliberately decide they will not register because they don't want to be registered?

**Dr Mortimore:** I don't think it's possible to draw a hard line between them. There are a small number, undoubtedly, who are absolutely determined they will not register because they're hostile to the process, but a far bigger proportion who don't register because they don't care about it, or don't care much so they might get round to it but they haven't got round to it yet, which goes on year after year after year. Of course, if you just ask people, as we do in our surveys, you don't always get a straight answer. They won't necessarily want to admit that they're not intending to, they would rather say, "I will but I haven't got round to it yet." So I don't think you can clearly distinguish one from the other.

**Q65 Simon Hart:** Let us move away from registration for a second. In your evidence, Dr Wilks-Heeg, you say, "The Bill has been introduced with much haste, militating against expert consultation, proper pre-legislative scrutiny and informed debate, both within and without the Houses of Parliament", which is quite strong stuff. The first part of my question is: what do you believe the consequences of that are for voter engagement and getting a piece of legislation which has voter interest rather than party political interest? That is my first question. The second part is this: we heard the Boundaries Commission evidence. You were here for that.

**Dr Wilks-Heeg:** I was here.

**Simon Hart:** Yes. One or two things struck me, one of which is the enthusiasm with which they are looking forward to this task; they can't wait to get stuck in. Then of course theirs is a logistical problem-some of our problems are rather more political. They advocated a sort of "big bang"

approach and if we connect there your comments, your lack of pre-legislative scrutiny concerns with the idea of "Look, just let's charge down the door and take the pain"-and they blame that on the fact that people are just basically against change in whatever form it comes, whenever it comes. Do you think if there was satisfactory pre-legislative scrutiny, the change would be more graciously received because people would think a proper process has been gone through and evidence has been properly considered, and in those circumstances a big bang is fine, after a proper process of preparation? Sorry, a long question. Do you get my drift?

Dr Wilks-Heeg: I'll try to answer it as fully as I can. Perhaps it does seem like a strong statement but I assume this Committee would agree-I can't speak for all of you, obviously-that there has been haste in bringing this Bill to Parliament and that that has restricted the scope for pre-legislative scrutiny. I don't think there's any doubt that that's the case.

**Chair:** I don't think there is any disagreement here.

Dr Wilks-Heeg: Yes. Allied to that is that, this is also a very big and ambitious undertaking. We've heard that all of the boundaries of every existing constituency are likely to change. I don't think that has ever happened before. We've never reduced the House of Commons in size before, in terms of number of MPs, without taking out a chunk of the UK as we did with the Irish MPs, obviously after partition, or I think there was another change when the university seats came out, and that was a reduction. So reducing the number of MPs is quite a big deal in historical terms, and I still haven't heard a convincing rationale of why we should go for 600. I do think that number seems arbitrary and I do think it raises issues about the balance between Back Bench MPs and the Executive and, in light of recent reforms of the House of Commons, I think that should be considered in the round. So I think there are a number of issues there we need to look at.

In addition, in terms of the timetable for this review process, two very significant things are going to happen once the Boundary Commissions have started their work: one of those is that we'll have the 2011 census, which will give us a unique opportunity to look at the completeness and accuracy of the registers in a far more thorough way than we usually can. It happens once every 10 years. The second thing is that we're told we're going to have an accelerated introduction of individual registration, which we can project will have significant impact on the number of registered electors in different constituencies and at the levels of England, Scotland and Wales. So there is a lot going on in this period which I feel is not being looked at in the round, in relation to what are very big changes.

**Chair:** Dr Mortimore, any comments?

Dr Mortimore: Perhaps just one point on the census. It is undoubtedly true that checking the registers against the census is the best we can do, and it's worth doing and should be done when it become possible, but the census itself of course is not perfect. There are significant numbers of people these days who don't get on the census. I think, from memory, the official response rate was in the low 90s last time, and there were some London authorities with under two thirds response, even that ONS admitted-and some of those took action because they thought they were still under counted. The census figures, the counts that were put in each area, adjust for that and try and get the population right, but in terms of having the perfect list of names even the census isn't perfect, and of course the sort of people who don't get on the census, or don't want to be on the census is exactly the same sort of people who don't want to get on the register. It is the best that can be done, in terms of checking the register but it's going to be a long way short of perfect because what you're comparing it with is also short of perfect.

**Q66 Mr Chope:** I was fascinated by Dr Wilks-Heeg's analysis of all the powers that EROs could have to check the register, but don't necessarily use at the moment, and I wonder whether he could put in a memorandum to us exactly what those powers are, the source of those powers in law, and what other powers could be used that are not yet available because of data protection or other legislation? The other point I was going to ask was whether he believes that we should move towards a system of registering people as residents, because if we registered the residents we might be able to get a more accurate relationship between the resident population and the burden of Members of Parliament, which I think is an argument that has been put forward against this Bill?

Dr Wilks-Heeg: Certainly, in terms of providing a memorandum, I would be happy to do so.

Registering residents: obviously this would be the norm in continental European countries, where people usually have to register with somebody when they move into an area, and most people do. It would have a number of advantages, in terms of understanding patterns of electoral registration eligibility, and so on. However, we also know that this is likely to be resisted. In previous years, there would have been concerns about the relationship of any such agenda to the introduction of ID cards, etc. So I think at some point we are going to have to revisit this question. Hopefully a way can be found in which it can be sold to UK citizens in a way that doesn't encounter so much concern and resistance. Certainly in some European countries there are obvious benefits that you get from registering, which is one of the reasons people would do it, aside from the legal requirement to do so, of course.

**Q67 Mr Chope:** At the moment, quite a lot of people, for example, if they want to register with their doctor, have to establish that they have a residence; if they want to get credit, they need to establish that they have a fixed residence. What surprises me is that, with those increasing pressures, we haven't seen an increase in registration as a result, even though they are registered as electors.

Dr Wilks-Heeg: I'm not sure I quite follow.

**Mr Chope:** Well, at the moment if, for example, you want to get registered with a doctor, you need to establish that you are living at a fixed address, and one way of doing that is to show that you are on the electoral register. Similarly, if you want to get a bank statement or you want to take out a new bank account, you need to produce some evidence that you are living at the place you say you are, and the electoral registration is used as corroboration for that, and because of the usefulness of the electoral registration as a corroborating factor, I am surprised that more people are not registering.

Dr Wilks-Heeg: I see your point. We have no research evidence on this, so this is completely speculative, but it probably is the case that the fact that electoral registration is used by credit reference agencies has helped keep registration levels up from where they might have been otherwise. There is a debate there whether the register should be used for those purposes, but I think it probably has that effect. However, and this is one of the things which was discussed in the Electoral Commission report on electoral registration, it is theoretically possible—we don't have any clear evidence—that people who might be in debt and seeking to avoid detection from debt collection agencies may also take themselves off the electoral roll, as they did in relation to poll tax avoidance, and given the increasing levels of personal debt, and people defaulting on it, this could be serving to depress registration levels slightly in some areas. But you would need further research on that, because it is a speculative thing that I am advancing there.

**Q68 Chair:** Just to pick up on the first point that Mr Chope raised, from my experience the personality and the energy of the Electoral Registration Officer matters immensely, from someone who just does what they have to do to someone who is very committed to try to get democratic engagement. Isn't it rather unusual that there is this sort of laissez-faire view about one of the most important things that we have in our democracy, which is the right to vote, and shouldn't there be a bit stronger sense of direction from the centre to make sure there is a rather more even and high level of capability from Electoral Registration Officers?

**Dr Mortimore:** I'm not sure it's quite fair to describe it as "laissez-faire", and certainly the Electoral Commission I think does what it can, within the existing legislative framework, to check what EROs are doing, whether they're following best practice, and to follow that up where they think there is a serious cause for concern. My feeling is that they increasingly do follow it up where they think there are concerns. I think the key issue is: we're bound to get variation because we have so many Electoral Registration Officers. It's a highly localised system, so there are clearly going to be differences. It will partly be about how the ERO approaches the task; it will partly be about the skills that they bring to the job and it will partly be about how they're resourced. There is no ring-fenced funding for EROs. Some of them are far better resourced by their local authorities than others, and that can make a very significant difference, particularly when it comes to this crucial thing of personal canvassing. At that stage where the postal canvass has not yielded a response from everybody and people go round and knock on doors to get the forms back, if that is not being resourced that can make quite a significant difference; maybe five, maybe more, percentage points on the registration level.

**Q69 Chair:** A final one from me and I think from the Committee as a whole. Some hold that there is a de-politicisation going on at local level, that politics is now conducted at the national level, often between the media and Downing Street, at one extreme, and that the parties are more of a hollow shell than they have ever been in terms of local activity. We are seeing, with the local inquiries disappearing and not taking evidence from political parties in open session, one sliver of evidence that that might be the case, but also, if a boundary is settled after the next round, is it not incumbent upon political parties to keep the level of registration exactly as it is rather than recruit extra people-which is what many parties do, and certainly my party tries to get people on the electoral register, which is very low in my constituency-keeping it as it is rather than improving the levels of democratic participation, because you would be inviting a further review of your expanded constituency?

**Dr Mortimore:** I'm not sure it's going to work like that, because each constituency isn't viewed in isolation. If the constituency next door gets an extra 10,000 people on the register your boundary is going to have to change as well. There is a knock-on effect through the whole system.

**Q70 Chair:** They won't do it either, will they? We'll all try and go pat on "This is it, let's try and keep the stability in the system now."

**Dr Wilks-Heeg:** It's an intriguing question and I've long argued that-I think this lies partly behind your question-the slow decline or perhaps fast decline of political parties, in terms of canvassing at election time, and so on, that has lost a kind of check on the registers in terms of keeping them complete and accurate, and I think there is obviously a danger that that could continue. Whether political parties and candidates might pursue this as a kind of rational strategy-I think that's quite speculative. I think it would be difficult to know how anybody could try to manage that process. Given that there are so many factors which impact on electoral registration, I don't think it would be possible for local parties to try and manipulate it in that way, so I wouldn't be particularly concerned about that.

**Q71 Chair:** Thank you very much. Would you like to sum up, in terms of anything that you wished you had been asked but weren't or particular points of emphasis that you'd like to leave with the Committee on the whole field of registration? Dr Wilks-Heeg?

Dr Wilks-Heeg: I think I've had the opportunity to cover most areas. I think what I would probably want to reinforce is that there are very stark contrasts emerging in registration levels in different parts of the country. We'll know more about that after the 2011 Census, and I do think it would be preferable if we were in a situation where that detail could be fed into this very important boundary review process.

**Chair:** Dr Mortimore?

Dr Mortimore: Yes, I think all I would add is that we are still in rather a state of ignorance at the moment. We do not know a great deal about the state of the registers. We've tried to find out what we can, but a lot of this is educated guesswork.

**Chair:** Thank you very much for your time this morning-fascinating evidence. Thank you so much indeed for coming along.