

Delivering democracy? The future of postal voting

The most important factor in improving participation is persuading voters that the election (and the political process more generally) is relevant to them and that their vote matters. That is the responsibility of politicians – of all parties, and at all levels of governance – and, arguably, the media.

But it is not the only solution to encouraging engagement. The evidence from academic studies, from opinion polling and from pilot schemes is that eliminating some of the practical conditions discouraging turnout can have a beneficial impact on participation rates.

The Commission believes that it is essential we exploit the opportunities new technologies provide and respond to new expectations about consumer choice and service.

However, in expressing this view, and pursuing its implications through this report, we do not lose sight of the fact that, as our own research demonstrates:

There is a substantial segment of the population who make a decision not to vote for reasons of political disconnection...for this group, the mechanics of the voting process is not a critical factor, and even though they may recognise that the new arrangements offer advantages in terms of simplicity and convenience, this alone will not encourage them to vote.

Public opinion and the 2003 electoral pilot schemes (MORI, May 2003)

Our vision is of a future in which voters have a choice about how to cast their ballot – and voters also have confidence that all the

voting channels open to them are as secure (if not more so) than the traditional polling station.

This vision encompasses use of 'old' and new technology at a range of voting times and locations. Critically, realising this vision requires investment of time, of money, and of political will.

The Commission believes that postal voting has a role to play in this vision of the future. But the way in which postal voting has worked to date is not necessarily the way forward.

Postal voting in Great Britain (both 'on demand' and as a single voting channel) has developed very rapidly over the last four years. This report takes stock of where we are today and makes wide-ranging recommendations for the future.

Findings

Turnout at the European Parliamentary elections across the UK was 38.8% – significantly higher than at the 1999 contests, in both pilot and non-pilot areas. The average turnout across the 25 EU

member states fell to a record low level of 46% and was lower still in the 10 new states.

In the four UK pilot regions turnout was 42.42%, including all those who cast their ballot, whether ultimately ruled valid or invalid. This is just over five percentage points higher than the 37.11% in non-pilot regions.

This year's European Parliamentary and local elections also saw a continuation of increasing take-up of postal voting outside the pilot regions. We looked specifically at three regions of England outside the pilot areas – postal votes were issued to 8.4%, 8.7% and 10.5% of electors in London, the West Midlands and the South West respectively. This represents a doubling of the take-up of postal voting since the 2001 general election.

In 2004, as in previous years, concerns about the security of postal voting centred on the scope for coercion or undue influence during the completion of ballot papers. Most allegations received by Returning Officers and police related either to voters being coerced to vote a certain way, or to voters being coerced into handing over their uncompleted ballot paper for completion by someone else. There is also concern over the integrity of the electoral register.

Public opinion surveys demonstrate that both postal voting on demand and all-postal methods suffer from perceived weaknesses in terms of the

integrity of voting. However, public attitudes to the two methods are significantly different with 'perceptions of fraud and abuse...more associated with all-postal voting'.

Public perceptions were doubtless influenced in part by a number of high profile allegations of fraud reported in the media during the election period.

However, these perceptions need to be set against the facts. The Commission is currently aware of only two allegations of impropriety in relation to postal voting across Great Britain that have resulted in arrests. Similarly, Returning Officers who have conducted 'integrity checks' after the close of poll report that no evidence of fraud or other irregularities have been found.

Nevertheless, we recognise that in pilot areas prosecutions may be brought up to two years after the close of poll (the time limit remains 12 months in other areas of Great Britain), and many Returning Officers have yet to complete their post-election audits.

As a result, the Commission is not yet able to conclude whether the increased use of postal voting across Great Britain has led to an increase of fraud or malpractice.

According to an extensive public opinion survey for the Commission, people in pilot regions were satisfied with all-postal voting by a margin of

two to one – 59% against 29%. Underpinning this satisfaction is a strong rating of the convenience of all-postal voting (see Figure 1).

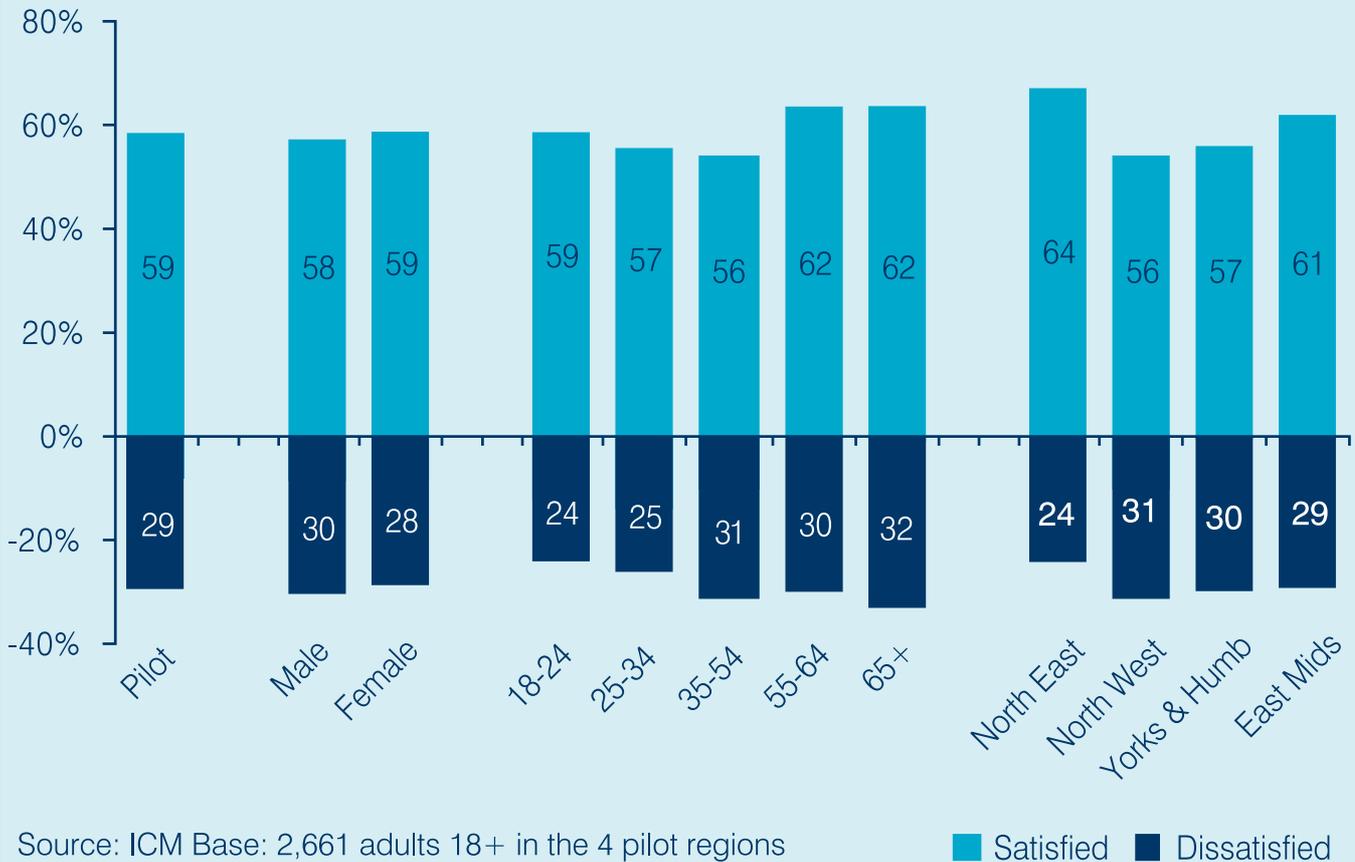
However, this is not to say that the public do not have strong reservations and concerns about all-postal voting. A notable feature of public opinion this year compared to previous measures is the increased strength of criticism of all-postal voting and opposition to its future use (although those taking this stance are still in a minority).

Many electors found the process of postal voting very difficult this year – either due to the design of the ballot packs or the large number of combined elections taking place. There is a clear need for a better and more accessibly designed postal ballot stationery.

Perhaps the most compelling evidence from the analysis of the 2004 elections is the strength of public support for choice. Our survey found that 'People demand choice and effectively swapping postal voting on demand with all-postal voting is not considered to be a satisfactory development...'

Figure 1 : Satisfaction with all-postal voting

Q. As you may remember, in your area everyone voted by post in the elections on June 10 rather than in their polling station. Regardless of whether or not you voted how satisfied or dissatisfied were you with this arrangement?



Key recommendations

The road ahead

Postal voting should remain part of the UK electoral system.

Postal voting on demand continues to enjoy very high levels of public support, and increasing levels of use.

However, the Commission believes that work can and must be done to improve the process of postal voting on demand, improve security and enhance the capacity of electoral administrators to manage the throughput of postal votes.

In particular, the Commission urges the Government to agree to introduce a system of individual electoral registration, which is the key building block on which safe and secure remote elections can be delivered.

The Commission recommends that **all-postal voting** should not be pursued for use at UK statutory elections.

Instead, a **new foundation model** of voting for statutory elections and referendums should be developed. The Commission will work with all

interested stakeholders to design this new approach to voting, which must be capable of offering electors both choice and security.

The Commission will report on a recommended approach to this foundation model by 31 March 2005. The model must by definition and design enable the introduction of additional voting channels as and when appropriate, particularly the various electronic channels that have been trialled in pilots.

Delivering confidence

The Commission recommends the urgent introduction of primary legislation to give effect to:

- an updated offence of undue influence in relation to postal voting; and
- a new offence relating to the fraudulent completion of postal vote applications.

The Government must also undertake a wider review of the existing legal framework for postal voting on demand to ensure that it is 'fit for purpose' in the light of the increased use of postal voting.

The law relating to the issue of postal votes should be revised to require Returning Officers to use the most efficient means of dispatch available. This should not, however, be introduced without a parallel commitment from local and central government to meet the costs of using first class post for issue of postal ballots.

The law should explicitly require Returning Officers to conduct post-election audits of election stationery such as Declarations of Identity, security statements and postal vote applications.

Delivering convenience

Any voting methods involving voting 'remotely' should require the Returning Officer to send a pre-election information card.

Postal voting, whether on demand or otherwise, should provide for:

- home visits;
- helplines and assistance email addresses; and
- suitable provision for disabled electors to vote independently.

The current Declaration of Identity should be replaced with a new security statement to accompany postal ballots. This security statement should:

- require the voter to sign a statement that they are the individual to whom the ballot paper was addressed;
- not require any form of witness signature;
- include a clear explanation of the role and use of the statement, in particular that it will be separated from the ballot paper before counting can begin and that failure to complete the statement will render a ballot paper invalid; and
- be designed and printed to make it obvious to the voter that this separation will occur.

Delivering capacity

All legislation pertaining to an election – particularly a fixed term election – should be in place in time to allow the implementation of proper and robust procurement process.

The Government should support the development of the election markup language (EML) to facilitate the accurate transfer of data from voter registration systems for use in the automated issue of postal votes.

The Commission will undertake a feasibility study on a certification and accreditation scheme for ballot pack production.

Further recommendations are set out in the full body of the report.

The Commission welcomes views on what elements should be included in the new foundation model of voting. Comments can be sent to foundation@electoralcommission.org.uk

Further information

The full report is available on The Electoral Commission's website: www.electoralcommission.org.uk or in hard copy from the Commission's offices.

We are an independent body set up by the UK Parliament. We aim to gain public confidence and encourage people to take part in the democratic process within the UK by modernising the electoral process, promoting public awareness of electoral matters, and regulating political parties. For more information see: www.electoralcommission.org.uk

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