

GR No: 042/07

**INQUIRY INTO ELECTORAL REGISTRATION 2006
REPORT BY J WRIGHT**



**Isle of Man
Government**

Reiltys Ellan Vannin

**LAID BEFORE TYNWALD BY DIRECTION OF
THE COUNCIL OF MINISTERS**

November 2007

Price Band H: £7.30

To the Hon. Noel Q. Cringle, President of Tynwald, and the Hon Council and Keys in Tynwald assembled

Introduction by Chief Minister

The Council of Ministers appointed Mr J Wright Advocate in February 2007 to undertake an Inquiry into Electoral Registration.

The Council of Ministers considered the Report received from Mr Wright at their meeting on 20th September 2007 and requested that the Chief Minister meet with Mr Wright to discuss some points in his Report on which the Council of Ministers wanted clarification. The Chief Minister met with Mr Wright on the 25th September and reported back to the Council of Ministers on the 27th September.

The Council of Ministers now lay before Tynwald Mr Wright's Report and in doing so would wish to make the following comment:

The Council of Ministers has accepted the Report of Mr Wright but does not necessarily accept or endorse all the comment and observations as set out by Mr Wright in his Report. His Report will now be forwarded to the Governance Committee of the Council of Ministers for consideration of the recommendations contained therein, and the Council of Ministers will subsequently report to Tynwald on any actions taken or proposed.

The Council of Ministers will endeavour to report to Tynwald by no later than the July 2008 sitting.



Signed.....

Report to Tynwald

by J Wright

INQUIRY INTO ELECTORAL REGISTRATION 2006

Submitted November 2007

To: The Council of Ministers

1. On the 12th day of December 2006 Tynwald passed a resolution for the conduct of an Inquiry into certain matters concerned with Voter Registration in relation to the 2006 Isle of Man General Election. Originally the report was to be laid before Tynwald at its April 2007 sitting, however due to delays in my being able to start, this deadline was later extended to its October 2007 sitting.

2. The terms of reference, or remit, of this Inquiry were set as follows:

“That Tynwald views with concern the number of people disenfranchised in the General Election due to the state of the Electoral Register, and calls upon the Council of Ministers to appoint a person to hold an Inquiry into:

- a) the reasons for that situation;*
- b) whether the resources allocated to the preparation of the Register were sufficient;*
- c) whether those responsible for compiling and distributing the Register failed to discharge their responsibilities;*
- d) whether the procedures relating to proxy and absentee voting were correctly adhered to and need review; and*
- e) any other matter which comes to the attention of the Inquiry in connection with the conduct of the election;*

such person holding the Inquiry to have the powers conferred by the Inquiries (Evidence) Act 2003, and to lay the Report of the Inquiry before the October 2007 sitting of Tynwald with recommendations.”

3. I was appointed by Council of Ministers to conduct the inquiry. Because of changes in personnel in the Office of the Chief Secretary I was not allocated permanent administrative and secretarial support until 24 April 2007.

4. Throughout my inquiry I have met with unhesitating co-operation from those who assisted me and those to whom I addressed my queries. I received initial assistance from Jon Callister, who has, since, left the Office of Chief Secretary and moved to Spain. I wish to record my thanks to him. I was then allocated Mrs Caroline Mallon who has assisted me with matters secretarial and administrative. She has discharged her duties in the best traditions of the Isle of Man Civil Service. Without her assistance, and knowledge, I could not have completed my task. Her knowledge of the structure of Government and her experience in previous enquiries and committees was of great help. I wish to record my sincere thanks to her.

5. Notwithstanding the submissions and evidence I have received and gathered, notwithstanding the secretarial assistance rendered, and the input from anyone else, this report is my work alone. If it has merit I take credit, if there are faults they are solely mine.

6. There is one matter I should raise. I have not summonsed any witnesses or examined any witnesses in public. There was one area where it might be thought to have been required. That is in relation to the discrepancy between the statements of certain members of Tynwald as recorded in Hansard for 12 December 2006 and the actual evidence submitted to me. For a number of reasons I have taken the pragmatic view that this is a matter of privilege for Tynwald, and not a matter for me to examine Honourable Members about on Oath.
7. I now present my report.

John Wright

September 2007

CONTENTS

	<u>Page Number</u>
Chapter 1	04
Background	04
History and Legislative Framework	04
How it worked in practice (before 2006)	05
2006	06
Terms of Reference	07
Terms and Appointment	07
My Objective	07
Chapter 2	09
Methodology	09
Initial Impressions	10
Chapter 3	11
The current legislation and its implementation	11
Legislation	11
The legislative process	11
The Practical Application of the Legislation	12
The 2005 & 2006 Legislation	13
Organisational Flow Chart Registration Unit (Table 1)	15
Chapter 4	17
Statistical Information	17
Population and Electoral statistics (table 2)	17
Adding 16 & 17 year olds	19
Absent & Proxy Votes	19
Absent votes (table 3)	19
Conclusions re statistics	20
Chapter 5	21
Analysis of submissions	21
History	21
Submissions to me	21
The Legislators View from Hansard	26
Public Examination. Yes or No	28
Chapter 6	29
International Context	29
UK	29
England	30
Wales	30
Scotland	30
Northern Ireland	30

Jersey	31
Guernsey	32
Republic of Ireland	32
Australia	32
New Zealand	33
Canada	33
United States	33
Chapter 7	35
Problems	35
Raw Numbers	35
Mobility	35
Age	35
Immigration	35
Conscientious, haphazard and disaffected	36
The system itself	36
Those who administer or engage with the system	36
The voters	36
The politicians	36
The returning officers and their staff	37
The Registration Officer and his staff	37
Chapter 8	38
Did anything go wrong?	38
Allegations, rebuttals and findings	38
Registration Unit	38
Staff levels	41
Staff morale, absenteeism and health	41
Staff adequacy	41
The system	41
The changes and their effect	42
The computer	42
Start from fresh	42
Adding 16 & 17 year olds	42
Postal canvass	42
Household v Personal	43
Electronic Registration	43
Door knock canvass	43
Collation of information from other sources	43
Publicity	43
Web Site	43
Responsibility	43
A new responsible body	44
Individual reasons	44
Jury duty	44
Secrecy	45
Fraud Signature	45

Sale of information	45
Problems of lack of access to the Register	45
Format	45
Absent and Proxy votes	45
Neglect	46
Refusal	46
Good points, improvement	46
Is there any one to blame?	46
Chapter 9	47
Problems	47
Solutions	47
Chapter 10	54
Summary	54
Conclusions	55
<u>Appendices</u>	
<u>Appendix 1</u> Persons submitting evidence	59
<u>Appendix 2</u> Countries whose systems I examined	61
<u>Appendix 3</u> Legislation	62
<u>Appendix 4</u> Statistical tables	69
<u>Appendix 5</u> 2006 Election Timetable	74

Chapter 1

INTRODUCTION

Background

History and Legislative Framework

- 1.1 From 1946 to 2006, for 60 years, the Isle of Man has held General Elections to the House of Keys in the first and sixth year of each decade. The term of the House of Keys is 5 years. In the 80 years before 1946 there were also regular General Elections to the House of Keys, starting in 1866. Initially the term was 7 years. Of course there have been by elections, in between, and there have been elections to local authorities and the Isle of Man Board of Education.
- 1.2 Prior to 1866, whilst the Isle of Man is proud of its long, unbroken, democratic traditions dating back to 979, the method of selecting members to the House of Keys more resembled an oligarchy than a democracy. On a vacancy arising the remaining members put forward two names to the Lieutenant Governor, who chose one. Membership was for life.
- 1.3 In 1866, as part of the reforms; which started the Isle of Man on the path to home rule, giving it ever increasing control over its own revenues and how they should be spent, the first General Election to the House of Keys was held. The franchise, or qualification to vote, was not universal; it was based on property ownership. The right to vote and the right to sit on a jury were virtually identical. When it came to how to identify which persons were qualified to vote (and sit as jurors) the House of Keys Election Act 1866 appointed the "lunatic asylum" rates collectors of the sheadings, parishes and towns to compile provisional Registers every May to come into effect every October, and to last, in each case, for one year.
- 1.4 Provisional lists, compiled by the collectors from information collected by them annually in February and March and converted into a provisional list in May, were subject to revision between May and August by revising advocates and by the High Court. Once finalised the Register of Electors was lodged with the Clerk of the Rolls who was to provide copies for a fee. The fee was to be applied in employing clerks to manually copy the Register.
- 1.5 With amendments the 1866 Act lasted until 1924. Those amendments included votes for property owning women in 1881, a world first, and the gradual extension of the franchise to all persons over 21. The property franchise continued so that a person could have a personal vote and a property vote (in different constituencies). It was a condition of eligibility to vote that the elector had paid his or her rates for the year. The 1924 Act reduced the term of the House of Keys from seven years to five years.

- 1.6 The next big change came in 1929 when the Assessment Board took over responsibility for compiling the Electoral Register from the collectors, although the collectors were still employed on an agency basis by the Assessment Board. As well as being collectors of all Assessment Board Rates they also were designated Registration Officers. This was part time self employment.
- 1.7 The 1924 Act was replaced in 1951, that Act in its turn was replaced, in 1995 and finally in 2006, by the current legislation. There is now separate legislation for the conduct of elections and the gathering of the data to list who is entitled to vote. Of course there is also legislation relating to juries and elections to local authorities and the Isle of Man Board of Education. Along the way several significant changes to the legislation have taken place. The property vote became limited to local authority elections and was eventually abolished, the age of majority was reduced to 18 and women were allowed to serve on juries. As a consequence of changes in the structure of Government the responsibility for compiling the Register lay with the Registration Officer of the Treasury. Collectors finally disappeared in the late 1980s. Nationality restrictions on voting were abolished over the years recognising, and implementing, the oft quoted link between taxation, voting and representation.

How it worked in practice (before 2006)

- 1.8 Every year the Registration Officer and his staff sent out forms to every address they had on their data base. These forms were sent out in February and March and were due back within 14 days of receipt. The data base used latterly was that of the Manx Electricity Authority. The MEA had an address data base for every meter installed in the Island. It was comparatively easy to add, manually, the few addresses where it was known there was no electricity supply. It was thought the waste by sending to wholly office premises was justified. On return of the forms the data was processed to give a provisional Register in one of two forms. First, in rural constituencies all names were entered alphabetically, with ages and Jury qualification or exemption, these were split by polling district. For the towns the entries were made on a street by street basis, the streets being in alphabetical order within each polling district and then in numerical order within each street. The provisional Registers were then placed on display and could be revised. This revision was undertaken by the Registration Officer and there was an appeal to the High Bailiff. They still came into effect each October and were valid for one year. The only revision occurring during the year was the deletion of the names of persons who had died and whose deaths had been notified via the Registrar of Births, Deaths and Marriages. Of course the system had changed from a wholly manual/clerical process to one largely managed by computers. The human input of the collectors chasing up forms had also slowly disappeared.
- 1.9 From the 1990s in my capacity as a returning officer I had become aware of concern about a perceived fall in turnout at general elections and by elections both at Manx national and local election level. The Isle of Man was not alone in this. One proposed solution, adopted in the UK, was a continually updated Register. This was followed in the Island with the Registration of Electors Act

2006. This allows continuous updating of the Register to take place throughout the year and it was hoped would ensure an up to date Register with fewer inaccuracies.

- 1.10 In 2006 it was also decided to lower the voting age to 16. That again required legislation. This had been foreshadowed in 2005 when the Registration of Electors Bill 2005 was undergoing its legislative passage; there had been debate about lowering the age for voting. The amendment was proposed via the Representation of the People (Amendment) Bill 2003, with consequential amendment to the Registration of Electors Bill 2005, in the Keys at Clauses stage, on 1st March 2006, by Hon S Rodan MHK.
- 1.11 Finally there was a feeling amongst the staff of the Registration Officer that the Registers had become populated with people who were no longer here. Although there are legal requirements for heads of household to return the annual forms, and a requirement on some one moving house to tell the Treasury Rates section of their move, there had been a reducing number of returns and the practice had grown up of leaving people on the Register rather than deleting their names, and there was no power to transfer information about moves from one section of Treasury, rates or census to another.
- 1.12 The decision was made to start the 2006 rolling Register from scratch, with no carry forward. In fact it was the only possible decision that could be made in law. The practice of carry forward was dubious in law or as best practice. In the UK it has needed specific legislation. In addition there were pressing practical considerations relating to information technology. The old mainframe on which the Registers had been compiled was to go out of service in May 2006. The new computer would not be able to readily transfer over the existing data. The new computer would however allow the regular and continuous updating felt necessary.

2006

- 1.13 The usual forms were sent out in January, February and March 2006, the usual notices were placed in the press to encourage return, a provisional Register was prepared from scratch and it went out to revision. It had about 47,000 names upon it. At the same time the 2006 mini census showed a population of more than 80,000. The 2005 voters list had shown more than 57,000 registered electors. It was now just three months before a general election. There was a big push with a second canvass to all non responding addresses, radio and press advertising and at schools with the sixth forms to get more voters, and the 16 & 17 year olds now entitled, on the Register. The Register ended up at 52,000. It probably should have contained somewhere close to 64,000 names. A lot of hard work was undertaken by candidates and the staff of the Registration Unit to ensure inclusion.
- 1.14 As the election approached candidates wanted copies of the Register. The new one was not yet in force, they had not been nominated, they were asked to pay

for the 2005 Register, which was out of date, anyway and was not going to be used in the election itself. Use of an out of date Register can cause difficulties to candidates.

- 1.15 As canvassing went on it became apparent that a large number of people had not been entered onto the new 2006 Register, they did not receive election material or visits from candidates, no poll cards were sent to them, and on election day they were not able to vote if they attended at the poll. Concerns were also raised about proxy voting and absent voting by candidates.

Terms of Reference

Terms and appointment

- 1.16 At its sitting on 12th December 2006 Tynwald passed the following resolution:

“That Tynwald views with concern the number of people disenfranchised in the General Election due to the state of the Electoral Register, and calls upon the Council of Ministers to appoint a person to hold an Inquiry into:

- a) the reasons for that situation;*
- b) whether the resources allocated to the preparation of the*
- c) Register were sufficient;*
- d) whether those responsible for compiling and distributing the*
- e) Register failed to discharge their responsibilities;*
- f) whether the procedures relating to proxy and absentee voting*
- g) were correctly adhered to and need review; and*
- h) any other matter which comes to the attention of the Inquiry in connection with the conduct of the election;*

such person holding the Inquiry to have the powers conferred by the Inquiries (Evidence) Act 2003, and to lay the Report of the Inquiry before the October 2007 sitting of Tynwald with recommendations.”

- 1.17 I was subsequently appointed by the Council of Ministers to conduct the Inquiry.

My objective

- 1.18 I examined the terms of reference carefully. I also read the Hansard report of the debate. It was clear that Tynwald was concerned about the number of people allegedly disenfranchised. I clearly needed to try to discover how many that might be. That would be by empirical statistical research. I also had a deadline to meet.
- 1.19 From the rest of the resolution it was clear that by Inquiry, asking of questions and receiving of evidence, I needed to find out

- a. whether or not anyone was disenfranchised from the 2006 election and if so how many
- b. whether the disenfranchisement (if any) was due to the Register, or the method of its compilation, or any other reason, and if so what
- c. what, if any, resources were allocated to the compilation of the 2006 Register, and were they sufficient for its task, and if not what was required for the future
- d. what the responsibilities were of those compiling the 2006 Register and whether they discharged those responsibilities or not and if not why not
- e. the procedures for proxy voting and absent voting, were they correctly carried out, if not why not and what effect it had, if any

Finally I was handed the task of investigating

- f. any other matter which might come to my attention.

1.20 In effect I was being asked to take a snapshot of part of the mechanics of democracy at work in the Isle of Man and asked my view, after conducting an Inquiry, as to whether or not it was found wanting. If it was I was being invited to suggest remedies.

1.21 Democracy, by secret ballot is the most important cornerstone of the so called western democratic societies. It is the right of all individuals to take part in deciding who governs them and how. To work democracy must attract the mutual respect of all of its participants, i.e. the electors and the elected and the civil servants who implement what the elected decide. It should also attract the respect of the media. Its processes should be simple, understandable and practical.

1.22 If what was feared by Tynwald, in the terms of reference, was true it might indicate a potential failing in part of the mechanics of our democratic system. Any breakdown in a system can quickly turn to disillusionment and that can lead, in extreme cases, and if not remedied, to the complete breakdown of the system.

1.23 My objective was to investigate swiftly and thoroughly and to ensure any findings were met with recommendations which, if implemented, would make matters simpler and also help resolve the difficulties perceived. I needed to come up with ideas to rectify and improve. Overall it appeared to me my over riding objective was to maintain, and if possible strengthen, the democratic process in the Isle of Man.

Chapter 2

Methodology

- 2.1 I held my first meeting with Mrs Mallon on 17 May 2007.
- 2.2 I decided that, whilst there might be some hard facts to analyse, the majority of evidence would be anecdotal and difficult to test. Nevertheless it would be important to test it as far as possible as it would reflect the experience of participants and their views on Manx democracy at work. If appropriate I had the power to summon witnesses who made submissions and examine them.
- 2.3 I determined to try and attract the widest response from the public at large. With that in mind I caused advertisements to be placed in the press, extended deadlines for submissions, wrote to the returning officers to seek their views, arranged to be interviewed on Manx Radio, Energy FM and 3 FM and, on an even more informal basis, I started up topics or discussion threads on a number of Island web site forums.
- 2.4 I caused meetings to be arranged between myself and the Registration Officer and his staff, the General Registry staff and the staff of the Registrar of Births Deaths and Marriages responsible for reporting deaths. I wish to record my gratitude for the positive way they approached my interference in their working lives, the frank and honest information they gave to me and their willingness to supply me with written and follow up information subsequently. I was allowed by His Honour the First Deemster to review certain returns relating to absent and proxy voting, again my grateful thanks to go to him.
- 2.5 I was provided with much statistical information by the Treasury, Economic Affairs Division, much I was able to borrow from facts they had provided to the Boundary Committee.
- 2.6 Everywhere I was met with kindness, courtesy and interest.
- 2.7 I did not originally write to members of the legislature. I had thought that they would have been aware of my appointment, would have seen the public invitations and would need no more encouragement. In addition I felt that I could not write to the "winners", as it were, without also writing to the "losers", as their views were just as valid. I did not wish to favour one group over another. Expressions of surprise were conveyed to me at this apparent breach of protocol. If I gave offence then I apologise. Members of the legislature were subsequently written to and given an extended deadline.
- 2.8 In all I interviewed 10 members of Government Staff, received 8 submissions from members of the public, 9 submissions from MHK's or MLC's, three further submissions from members of the public via MHK's, two submissions from returning officers, no submissions from unsuccessful candidates and over 100 expressions of opinion from 40 posters on the web site forums (some posters

made more than one submission). I also had the benefit of the 12 December 2006 Hansard which I read in depth.

- 2.9 A list of all persons submitting evidence is listed at **Appendix 1**.
- 2.10 Most of the submissions via web site forums were anonymous. That does not affect their potential validity, but it does mean that what is said does need to be tested, checked or corroborated from other sources, where possible. I did try to do this.
- 2.11 I made contact with the Electoral Commission in England and also visited the web sites for the equivalent bodies in a number of Commonwealth and Anglo Saxon democracies. A list is at **Appendix 2**.
- 2.12 I ended up with a large amount of information, statistical, numerical and written to consider, analyse, digest, question, test, interpret and finally write up. There were many contradictory views. I considered whether or not to summons witnesses and examine them. For reasons I go into later I dismissed this course of action.

Initial Impressions

- 2.13 It was apparent from an early stage of my enquiries that not all the statistical information existed to assist me answer the questions implicated within the terms. It became very clear that much of what was perceived to have gone wrong could be attributed to social and demographic changes or a lack of interest on the part of some potential voters or even an absolute refusal on the part of others to participate in the system rather than any failings in the system and its actual operation.
- 2.14 I came to the early preliminary conclusion that this, if true, had profound implications for a system which, if it carried on as it was, would always be at risk of the allegation of underperformance, however well its officers delivered. That in itself would be dangerous for the perception of democracy and possibly bring it into disrepute.
- 2.15 For a democratic system to work well it must be inclusive, simple and fair. Its rules must not be seen as exclusive or draconian. It must have the trust, faith and belief of its stakeholders. Any suggestions I have made have been with this in mind. I have tried to discuss the pros and cons and I have examined acceptability and Human Rights compliance. My aim, so far as is possible, is to make participation in the democratic process in the Isle of Man something that all qualified persons will want to do.

Chapter 3

The current legislation and its implementation

Legislation

- 3.1 The current legislation consists of the Representation of The People Act 1995 to 2006, the Registration of Electors Act 2006, The Education Act 1968, the Coroners of inquests Act 1987 and the Jury Act 1980.
- 3.2 There are also regulations under many of the Acts. No new rules were brought into force for the compiling of the 2006 Electoral Register although there are now rules for the rolling Register. The 2003 regulations were used throughout.
- 3.3 An extract of relevant Acts and Rules is set out in **Appendix 3**
- 3.4 In brief summary to be eligible to be on the Voters list to vote you must now
 - a) be 16, or over, or will be 16 before the next revision
 - b) have lived in IOM for one year previous to registration
 - c) live in the electoral district for which you are seeking to be registered

You cannot be registered if you are subject to a disqualification.

You cannot be on the register for more than one address.

The only difference between 2005 and 2006 is the widening of the franchise by age.

- 3.5 The qualification for being on the Jury List is slightly different, with different starting ages and a cut off age, of 65, as well as exemption categories

The Legislative process

- 3.6 It appears from the complaints that it is the 2006 Registration of Electors Act, it's planning, legislative process and implementation which gave greatest cause for concern, followed by the provisions of the Representation of the People (Amendment) Act 2006 followed by the Representation of the People Act 1995 and rules relating to absent and proxy votes.
- 3.7 The Representation of the People Act 1995 has been amended on two occasions, Firstly in 2004 to clarify the ability of an MHK to resign and secondly in 2006, with consequential amendments arising out of the reduction in the voting age and a completely new provision for absent voting.

Practical Application of the Legislation

- 3.8 Absent voting originated as sick voting or voting for persons who were to be off Island at the date of the poll, or who would not be able to vote because of their work. It is now very wide. The changes over the years have been to liberalise the availability of absent votes. They are now available almost on demand. The previous version of s 26 of the Representation of the People Act had a list of matters such as illness or absence or work. That list no longer exists. The Representation of the People Act 2006 (lowering of the voting age apart) was a tidying up exercise and as such should not have had an effect whatsoever on the administration of absent votes. The only possible adverse consequence of the amendment might be an increase in applications to be treated as an absent voter.
- 3.9 Proxy voting was introduced in 1995. It has now run for 3 elections, the provisions were amended slightly by the Representation of the People (Amendment) Act 2006. Again the amendments were not sufficient to cause any difficulty. To qualify for a proxy vote you must anticipate being off island at election time.
- 3.10 The total number of absent voters and proxy voters at the 2006 was a very small percentage of the total. Absent voter applications totalled 1,453 (2.7 %) of the electorate and successful votes comprised 1,322. (4% of total turnout) Of course that means that 132 applicants did not have their votes registered. Nearly half of this was in one constituency. 916 voters registered proxies, less than 2% of voters. There is no way of knowing how many proxy votes were cast.
- 3.11 Absent votes are dealt with in one of two ways; they are posted to all applicants who apply to vote off Island. For on Island applicants they are hand delivered by a certifying person nominated by the returning officer. Useful for the elderly, infirm and bedridden, this is because the certifying person acts as a householder witness and also returns the form on behalf of the elector.
- 3.12 It is not clear why there was a shortfall in the numbers of absent votes returned as opposed to applications. When I was a returning officer the problem was not getting the votes out and back but multiple applications. To get 100 valid applications one used to receive many times that number as all of the candidates went round care homes filing up applications for all residents. There could be the following reasons, vote returned late due to being sent out late or posted back late, not received back as not used or posted, persons on Island not being in when the certifying person called, applicant dying. Most returning officers use experienced certifying officers who call several times at the voters address and leave notices, and will go back at specific times. A certifying person is useful because they deliver the ballot and accompanying papers to the voter, act as householder to help fill in the forms, witness the ballot being filed, place the appropriate document in the correct envelopes and return to the returning officer, this saves the voter the trouble of finding someone to certify.

- 3.13 The only problem I can identify is that the time table for absent votes is tight. For the 2006 election timetable see **Appendix 5**. First no one can vote before nomination day. Applications to be treated as absent voters are unlikely to be processed by returning officers before then as they may have no election and would not get paid for processing the forms. Applications come in from before nomination day all the way through until after the deadlines, which in practical terms are a week before poll for off Island and 4 days before poll for on Island. There are practical difficulties with later applicants. Someone who applies very late is cutting it fine. All returning officers will ensure that applications are dealt with by return, on day of receipt or next day. The real truth is that there will always be late appliers and people who are never at home (in spite, in the past, of alleging they are too sick to attend the poll) and who do not ring up. The first five days of the time table after nomination day are wasted, forms can be processed but the ballot papers are not printed. Processing cannot be completed and the papers cannot be sent out. There are a limited number of on Island printers and on the afternoon of nomination day they are inundated by requests for printing of ballot papers. There is only a ten day window of opportunity to fully process the off island absent voters. That 10 days has to include the voter getting to know the Island is having an election or by election, that there is a contest in the constituency he is registered in, obtaining an absent voters application, filling it, submitting it, the returning officer processing it and issuing the ballot and declaration of identity papers. It only takes a one day postal strike or a day of poor winter weather with no post and some applications do not get issued, reach their destination or are returned on time to be counted.
- 3.14 Proxy votes are a more recent thing than absent votes. They have not taken off, they are not as popular. They can be very useful. If you know that the election is going to be in November, after all it is always in November every five years, it is not hard to predict, then if you know you are going to be away why not appoint a proxy, you know it will be tight with an absent vote bearing in mind when you are to leave. Proxy votes are more likely to be useful to someone who is frequently away for long periods at a time and difficult to contact, serving members of the armed forces, perhaps.

The 2005 & 2006 Legislation

- 3.15 The rolling Register and the new legislation was introduced with the following legislative time table, from Council of Ministers approval to introduction and passage through the legislature and Royal Assent and appointed Day Order:
- principle of roll over registration accepted by Council of Ministers for further assessment and drafting, 20th January 2005. This included the start from scratch proposal for 2006
 - progress report and drafting to CoMin, 17th March 2005
 - presentation of draft Bill to Council of Ministers and acceptance for the Bill to be taken through the legislature, 27th October 2005.

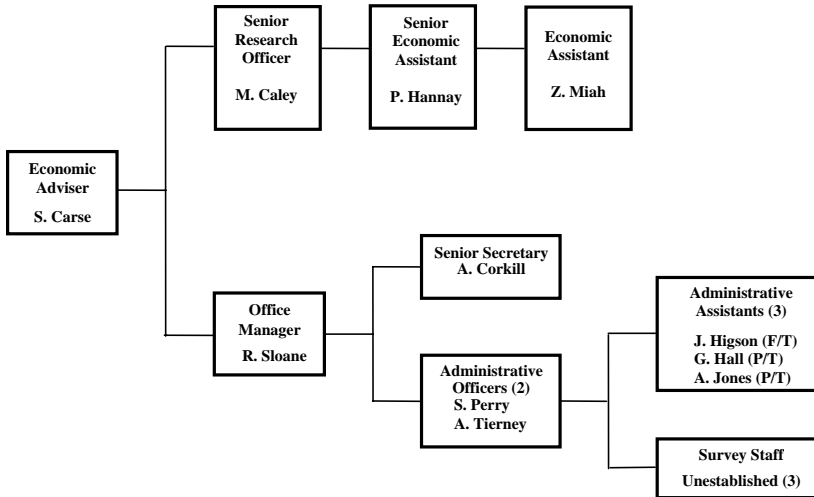
Passage through the legislature and after:

Bill introduced into Keys	6 th December 2005
Bill completed passage	14 th March 2006
Bill signed at Tynwald	12 th July 2006
Receiving of Royal Assent	12 th July 2006
Date of Appointed Day order	27 th September 2006
Appointed Day	27 th September 2006

- 3.16 There appear to be unexplained delays in the legislative process after the bill had passed both branches before it was presented to Tynwald for signature and subsequently the appointed day order. The Act only became operative law seven weeks before the election. However the compiling of the 2006 Electoral Register had to go ahead, and would have gone ahead any way, under the old legislation, but on the new computer, so a Register would have been produced in identical format save for the 16 and 17 year olds. During the debates it was made clear that the 2006 Register would be “start from scratch” and the reasons were given. The only real change was the change in the voting age introduced in the passage of the Representation of the People (Amendment) Bill 2003 which took even longer to progress. Nevertheless it is clear that the late appointed day order left only 3 weeks to nomination day to include all the 16 and 17 year olds.
- 3.17 The staff of the Registration Unit is a full time equivalent (FTE) of 10. Of these, 4 are professional staff (economists). The administrative/support staff (6 FTE but a head count of 7) are deployed on general duties as well as the Electoral Register. Mr Carse (Economic Advisor and head of the Registration Unit) gave evidence to me that the 2005 submission to Council of Ministers arose from a number of things. First best practice dictated a rolling Register; rolling Registers were being introduced elsewhere to remedy falling electoral rolls and inaccurate electoral rolls. Second it was necessary to move electoral registration off its existing computer system. The new system was not going to be able to import the previous electoral Register data.

Table 1

Organisational Flow chart of Registration Unit



3.18 It has been suggested that this was not enough staff to deal with a complete new register, whether under the old or new legislation. It has been pointed out that 2006 was a mini Census year. I enquired what their process and forward planning was for the census and the electoral Register 2006. It is worth remembering that these are people who are experienced in both; they have been compiling the Register annually for many years. It was known when Census night would be and when data would need to be input for Census. The Registration Unit worked around that.

3.19 The time line for the production of the 2006 Register was as follows;

9th January – first canvass; blank forms distributed by post to all households. This was earlier than usual, and was to take into account that it was a Census year and also it was a Register from scratch

January-July – registrations processed. The work was done around the Census, as and when staff was available. By July however the raw Census data had all been input, there was no problem with compiling the Register

Last week in July – second canvass; blank forms distributed by post to all households from whom no Registrations had been received, this was later than normal, usually April, for revision in May. A two month time lag had appeared, this was probably down to having to process two sets of data, the Census and election registration in March, April and May

July / August – registrations processed.

1st September (date of new Register)-October 9th registrations processed

Public Notices placed in local Press during:-

Week of 25th July in Courier & Examiner
Week of 29th August in Courier & Examiner
Week of 5th September in Examiner

8th-9th October – Register compiled, printed and signed
12th October – Registers delivered to General Registry for display on 13th
12th October – Registers posted to Local Authorities
13th October – Registers on display at Economic Affairs Division
13th October-20th November – amendments/corrections made to October 12th
Registers. This was under the 2006 Act. Late additions could probably not have
been made without the 27 September appointed day order.

Chapter 4

Statistical information

- 4.1 From historical data it is possible to extract from the Census and mini Census information and from the electoral Register information which compares the two, ie actual population and registered population for nearly 50 years on a 5 yearly basis.

Table 2

Population and Electoral Statistics

Population

	1.Census	2.Census voting age	3.Registered to vote
Year			
1951	54,024	40,188	n/a
1956	n/a	n/a	n/a
1961	47,166	35,355	n/a
1966	49,312	36,554	39,946
1971	53,288	40,178	40,621
1976	60,496	45,737	44,324
1981	64,679	49,313	47,499
1986	64,282	50,079	46,915
1991	69,788	55,071	50,643
1996	71,714	56,490	52,784
2001	76,315	60,082	56,838
2006	80,058	65,487	52,047

n/a meaning not available

- 4.2 Table 2 enables a number of findings to be drawn
- It shows the growth of the population over 55 years
 - It shows stability and equality in early years between age qualified voters and registered voters
 - It shows a downward drift in registered voters as compared with qualified voters in the later years
- 4.3 Things were actually worse than Table 2 shows. When the provisional electoral Register for 2006 was published it had upon it only 47,000 electors. That was a 17,000 shortfall. In percentage terms it meant that up to 29% of the eligible electorate were missing from the Register. After a publicity campaign and after the attempts of missing electors and candidates to increase registration the Isle of Man was still left with a Register which was 12,000 voters short, in percentage terms that is still over 21% shortfall.

- 4.4 By examining the Table at **Appendix 4** it is possible to draw some more conclusions.
- a) The first relates to the percentages of potentially eligible voters registered as distributed by constituency
 - i. Sheading, rural and single seat constituencies tend to have a greater percentage of eligible voters registered
 - ii Douglas constituencies have a very poor registration rate, the worst being East Douglas
 - b) i. Given the discrepancies between eligible voters and registered voters it is possible to argue that Douglas is not over represented in the House of Keys. If seats in the Keys were based on actual Census population, rather than registered population the figures are 2,724 over 15's per MHK, by the Electoral Register they are only 2,166 per MHK. On a population basis Douglas has 21,000 potential electors of whom only 15,000 are registered. That qualifies Douglas for 8 seats in the Keys. 15,000 out of 52,000 registered only qualifies Douglas for 7 seats.
- 4.5 It is possible to have some mischievous fun with the figures as well, or, put more seriously, it is possible to demonstrate that the turn outs, despite an increased franchise were even lower than they had been and that in some seats the elected members were elected on tiny mandates. So it is possible to demonstrate that in one constituency the turn out was only 30% of the age qualified franchise holding population, that average Island turn out was below 50% and that the victor in one constituency romped home with the voting endorsement of only just 15% of the age qualified franchise holding population.
- 4.6 Fun or not, it highlights that the percentage of non registration is highest in Douglas and lowest in country areas. In fact on the final 2006 registered total of 52,000 the Douglas shortfall is about 2/3rd at 8,000 out of approximately 12,000.
- 4.7 The raw data and my short prima facie interpretation of it do not necessarily give an accurate impression however; indeed it is impossible to get a completely accurate impression. Why?
- 4.8 The Census statistics and the Electoral Register are collected using different methodologies and questions. There is no question on the Census about election franchise qualification or length of residence on Island. To qualify for inclusion on the Electoral Register it is necessary that you have lived on the Island for 12 months. To be included in the census it is necessary to have been living on the Island for only one day. As we do not have a population or residents register and we keep no accurate statistics of annual immigration and emigration it means I was not able to compare like with exact like. The figures should not be very far apart however.

4.9 As the world becomes smaller and people become more willing to move for work it is clear that the two figures, persons of voting age resident on census night and persons actually registered to vote will diverge. Assuming comings and goings occur equally around the year, there will be a small difference, it may be 1,000 or 2,000. It clearly is not 12,000 or 17,000. A 5% leeway might be acceptable but a shortfall of 20% or 30% is not. The reason for this is that 5% might be explicable by population movement, 30% is not. At 20% or 30% there is something going wrong.

Adding 16 and 17 year olds

4.10 So what of the 16 and 17 year olds? The best statistics I have been able to obtain have been that there were approximately 2,000 16 and 17 year old residents on the Island at the time of the election (although I am not able to be told how many of these were eligible to Register, i.e. had been on the Island for 12 months or more). Of that 2,000 only 718 (35.2%) registered, 689 in constituencies in which an election was held. Of these 397 (57.6%), compared to the overall rate of 61.2% turned out to vote.

Absent and Proxy votes

4.11 Absent and Proxy votes. There were 916 proxies issued for the 2006 General Election. I cannot say how many proxies voted. As far as absent voters were concerned I have set out in table 3 the figures for applications and successful return of papers sent out. The statutory provisions are now very relaxed although the forms are out of date.

Table 3

Absent votes 2006

Constituency	Issued	Returned
Ayre	No election	Mr Teare returned unopposed
Michael	70	68
Glenfaba	34	24
Peel	102	100
Garff	54	52
Middle	102	100
Ramsey	216	207
Onchan	175	169
Malew & Santon	30	27
Castletown	20	19
Rushen	184	118
Douglas East	255	236
Douglas West	78	72
Douglas South	133	130
Douglas North	not available for inspection	

Conclusion re statistics

4.12 Having shown that almost anything can be demonstrated by statistics I still conclude that there is empirical evidence, as well as anecdotal evidence, of a large and worrying shortfall in voter registration by 2006. I do not think it was new. I think it has probably been creeping up for some time. It was exacerbated in 2006 by starting the Register from scratch and the late adding of the 16 and 17 year olds. I am satisfied it is made up of a combination of factors, especially in the flat land that Douglas East has become. First only a small proportion of 16 and 17 year olds registered. The turn out amongst those who did was quite good. The legislation allowing registration was only in effect very late in the day. Secondly I find many people put off or forgot to return the 2006 form(s), being convinced they had already done so with the Census or even the forms from a year before. This is best described as carelessness. Third due to mobility of labour we have a substantial but as yet unquantified number of immigrants, with little or no connection to the IOM, who may be here only temporarily, who have no idea about voter Registration, and if they did they would probably not be interested. Fourth we have a substantial number of young people living away from home for the first time in rented accommodation. They may move frequently, they may have little interest in the political system and perceive no incentive to register or vote. Fifth there are people who do not wish to register, or vote. This is a deliberate choice, they do not wish to be identified, they are avoiding credit reference agencies who buy the Register, and they have a genuine fear of registration, often misguided. Sixthly there appear to be an increasing number who have no respect for the democratic system and do not wish to participate in it. Their views range from the "it won't make any difference" approach to the principled stand of some who perceive the whole body politick as being corrupt and who will not sully themselves by joining in. Finally, seventhly, we have problems with the system, lack of follow through lack of chasing, lack of enforcement.

Chapter 5

Analysis of submissions

History

- 5.1 It will come as no surprise that complaints about the state of the Register are not new. Lisner identified two publicly reported historical episodes. He first identified the maiden speech in Tynwald of Surgeon-General Alfred Sanderson (occasionally spelt Saunderson in 'Hansard'). After the General Election of 1903 he is reported to have said that

"He had been called upon to pay £3 for a list of South Douglas, and would not have begrudged the money if the list had been correct. He had about six dozen papers, sent out in accordance with the list, returned from the Dead Letter Office in Liverpool. A great many of the people had been dead for years, but still their names were kept on the list, many whose names were on the list had left the Island; whilst others who had lived in the town for the last ten years had their names omitted. He thought the matter should really be looked into, and the difficulty obviated."

- 5.2 Apparently there was quite a debate after an earlier General Election. There was a letter to the Mona's Herald from a Mr Cowin of Douglas questioning the whole legality of the Election because people were not on the register that should have been. The paper was keen to support the letter writer in his actions and the matter was the subject of the newspaper Editorial.

Submissions to me

- 5.3 The first and largest group of submissions have been those about absences from the Register. I received several individual complaints and half of the members of the legislature who made submissions raised this point. It has to be accepted that there was a large shortfall in Registration. This is clearly not acceptable to the body politick as a whole. It also has to be accepted that as a result of the actions of some candidates and the Registration Unit and its staff and the second canvass and the publicity campaign that 5,000 "missing" (including 700 plus 16 & 17 year olds) voters were registered in a very short time. Both the candidates and the Registration Unit staff are to be congratulated for that. It still left a shortfall of up to 12,000. There was no evidence that forms had not gone out to all addresses, on two occasions to non responsive addresses, there was no evidence that there were mail sacks of undelivered forms, either blank or filled in, at the sorting office or at the offices of the Registration Unit. There was evidence that all forms received back were dealt with, that as soon as it was realised there was a substantial shortfall there was second canvass accompanied by an intensive media campaign. The only things I can find actual fault with were not matters specifically raised in submissions, with one exception. It must have been apparent in March or April that the number on the first run of the 2006

Register was low. That is when the second canvass forms should have gone out. This would have left time for a third canvass. Of course March and April were when the census was at its busiest. To that extent, and to that extent only, can it be implied that the Registration Unit were perhaps overstretched.

- 5.4 I am of the view that the delivery of the initial canvass of electoral registration forms, in January 2006, was not accompanied by sufficient information and there was not a sufficient publicity campaign. Given it was a Register being compiled anew with no carry forward, a sheet of A4 with simple explanatory information in large bold print telling members of the public that if they did not return this form they, and members of their households, would not be entitled to vote, they might have trouble obtaining credit and urging them to fill in and return the form. A stronger drawing to attention of heads of household of the financial penalties might also have helped. That should have been repeated even more strongly at the re canvass. Maybe there should have been a second re canvass built in to planning.
- 5.5 Registration for 2006 could, and did, carry on as normal, there appear to have been sufficient resources for normal Registration and for the additional 2000 16 & 17 year olds who were not able to be registered until Royal Assent and appointed day orders, which did not arrive until late in the day. The circulation of information via schools and colleges was the best course that could be adopted; indeed it was the only course that could have been adopted.
- 5.6 There are a small number of instances when it is alleged that forms were hand delivered to the Registration Unit or posted and names did not appear on the Register. On questioning it appeared that these were people confusing the Census form with the Registration form. The anecdotal evidence of Registration staff is that the question they asked complainants was "did the form they had returned contain job or employments details", if the answer was yes it was Census. I received no individual complaints and there is no evidence that forms once submitted were not processed properly.
- 5.7 The overwhelming evidence points to oversight, or refusal, to complete the forms on at least two occasions per non registered household.
- 5.8 Four submissions were made with technical reasons for not wishing to be on the Register. On investigation they were all found to be due to misconceptions
 - a) Won't go on Register because alleges date of birth required on form. He has fears that this together with all the other information could lead to identity theft and fraud. Dates of birth do not appear on the Register, they are not publicly available. They are required for two purposes
 - i. to show when some one is 16 and the date they are entitled to vote from and
 - ii. the date they reach 65 and are no longer eligible to be jurors.

In addition having a date of birth (or other identifier) assists in cross referencing moves and changes.

- b) Won't go on Register because alleges the ballot is not secret. At the polling station the ballot paper number is recorded against the electoral registration number. This information is not available to any one. It is sent to the High Court office immediately after the election. It is necessary in case of an electoral petition or criminal prosecution for electoral fraud. It is an essential safe guard to the democratic process.
- c) Won't go on the Register because alleges all the information is sold. This also is wrong. You can opt out from your information being sold or disclosed other than to candidates and officials in an election. This is a simple tick box process.
- d) Won't go on the Register because alleges it was illegal in two years when the head of household's signature was not provided with a space or even asked for. This was an oversight, it has now been rectified. It never rendered the Register illegal.

5.9 Concerns were expressed by a number of candidates that they had difficulty obtaining copies of the Register one or two months before nomination day. They could have bought one but they wanted one free as a candidate. The General Registry reached a pragmatic solution, issuing a Register to those who asked on an undertaking to pay if they did not stand. Of course these were not the Registers which would be used at polling day and a wholly new Register was due out, not just amendments. All candidates were allowed not just the one copy they were entitled to but copies of each revision. In other words they got more than their entitlement.

5.10 This did give rise to complaints that the amendments were not on additional sheets but by issue of complete new Registers. In normal years this would be the case and anyone obtaining the Register on CD Rom can just obtain updates. With so many changes going on, the addition of the 16 & 17 year olds and the addition of 5,000 electors in the run up to nominations, it was inevitable, but regrettable, that there was wastage of paper. It should not happen again in future.

5.11 It is worth pointing out the role of the General Registry. It is not to compile the Registers, only to hold the Registers and issue them. They sell Registers to creditor reference and other business concerns and make them available for public inspection and give them to candidates and election officials. They have one other function; every death registered is passed over to the Registration Unit for the name of that person to be removed. I received one complaint that this had not happened, it caused anguish to the family of the deceased. It was a regrettable oversight, it should not have happened. I am unable to say if it was a failure to notify by the General Registry or a failure to act upon the information

- by the Registration Unit or a delay in the updating process of only a matter of two or three weeks, which would be an acceptable length of time for this sort of information to take to pass through the system.
- 5.12 There was a suggestion as to the availability of the Register organised by post code number in Excel or MS Word or Access format. This related to extracting addresses for envelope addressing for mail shots. This should change when, as agreed by Tynwald, the recommendation of the Boundary Committee to group rural constituencies by post code comes in.
 - 5.13 Whilst some people submitting evidence preferred more written reminders another significant group favoured the good old tried and trusted knock on door approach. This of course was the way it was done by the collectors who also acted as part time electoral registration officers. The suggestion was to do it like the Census. One person, a former collector and registration officer, as well as Coroner for Garff, gave me detailed evidence of the system which has been abandoned. Others thought we might use the Census information itself.
 - 5.14 An interesting side issue was that the 14 day limit for return of the forms, some one objected and said it was either too short or too prescriptive, what if someone was away, arrived back too late and so did not return. Clearly it is an advisory deadline and common sense should prevail.
 - 5.15 There were several requests for a better accompanying leaflet and a better set out form. The information is densely packed, so is the form.
 - 5.16 One MHK suggested there was a problem with absent and proxy votes as they were mutually self exclusive and that if you were sick you could not have a proxy but had to go for an absent vote and worse by applying for the wrong type of vote you risked losing your vote altogether. I accept there is a distinction in qualification but no one alleges it caused any problems.
 - 5.17 There was a request for postal voting to be available to everyone on demand. There was no suggestion of moving that forward to have either electronic voting or electronic voter registration.
 - 5.18 Another suggestion was to have a major revision exercise every 5 years to coincide with the Census and mini Census.
 - 5.19 There were a number of suggestions about compulsory registration and voting.

In the case of registration, to move responsibility to individuals and to have financial penalties. At present it is the head of household, and no one has been prosecuted for many years, at least not since 1989. Those who favoured compulsory voting were concerned about there being a NOTA (None of the Above) option.

- 5.20 Returning officers were generally happy with how the poll had gone and with the working of absent and proxy votes.
- 5.21 One person was concerned about ensuring serving members of the forces from the Isle of Man were afforded the opportunity to vote. I have rung this person repeatedly to try and discuss further. His phone was on divert and the divert was never answered.
- 5.22 One MHK felt everything had gone very smoothly, he identified, and he was the only politician to do so, the reluctance to register or to vote and set out his findings as to the reasons. These included disenchantment with the system and politicians.
- 5.23 This tied in with the submissions by the many individuals who made over 100 posts on various web sites. Views inevitably ranged across the spectrum from compulsory registration to refusal to register or vote as democratic rights in themselves. It was as much a democratic right not to vote or to register said one. Several quoted the fear of being selected for Jury duty as being reason enough to not register, others had no intention of voting. I have to report that the largest number of posts were from those who would not vote because either they were not Manx and did not want to get involved in what they described as "Manx local politics" about which they professed to know (or wish to know) nothing, or being Manx had the greatest contempt imaginable for the system and its participants. Matters frequently mentioned included MEA and Mount Murray, alleged self interest, jobs for the boys, legislative and administrative incompetence were all laid at the doors of the politicians as reasons for not voting or registering to vote. There was discontent also with different voters, in different constituencies having a different number of votes and representatives. The Legislative Council also formed an area of lack of respect. The fact it is not popularly elected, the fact that no clear decision appears to have been taken as to how that should be resolved and finally what was described frequently as the "farce" over the elections to the Legislative Council following the retirements of Mr Singer and Mr Gelling. These are of course anonymous and anecdotal, but they were repeated.
- 5.24 Even amongst those who did not have such views there was concern as to why they had to send in a form year after year, especially when they were on so many other data bases, tax, NI, Census, Government employees, benefit recipient, driving licence, rate payers etc.
- 5.25 I now come to the most confusing, to me, part of the submissions, those which have gone missing between the debate on 12 December 2006 and my invitation for submissions and the closing date. Thirteen Members of the legislature spoke on 12 December 2006. Most had horror stories with which to regale Tynwald Court, sometimes the tales were clearly very personal to the people concerned. None of them have been brought to my attention in any way at all, let alone in a way I could identify and investigate, with names and addresses so I could cross check the forms and registers and test their validity and truth. One written

submission was frank, from the worst affected constituency," *I was able to distribute forms...I did receive complaints... [but]... I can not claim that I received hundreds of complaints" as have been claimed in some quarters"* The over statement of case, if that is what it was, is just as likely to be a further source of disenchantment. I later discovered that Mr Carse had written to all of the members of Tynwald who had expressed adverse comments requesting full details. He did so out of concern and so as to get to the bottom of cases and to ensure problems were rectified. He received no details either.

The legislators' view from Hansard

- 5.26 P Karran MHK alleged a disgraceful statistic, a lack of accountability, suggested that an observer of a third world election would have rejected the result as a consequence. He suggested a lack of competency, a disgraceful attack on democracy, mix ups involving the dead and dogs appearing on lists now and in the past. It was suggested by Mr Karran he knew of someone who appeared on the first version, had been removed by the second version and was back by the third version. He told the Court that there had been problems with knowing how many leaflets were needed, that in some areas over 50% of the voters were missing. He also had specific comments about his constituency. He has made none of them good and I have not been able to investigate any of them. He hinted at past Register giving details of property ownership, marital status and owner occupation. His final query was about sickness and absenteeism in the Registration Unit. Put bluntly (apart from a signifier for a property vote) none of these details were on any post war Register and my finding is that staff levels were no lower than previously, were adequate and there was no stress, sickness or absenteeism. Over time was required to be worked once on the last weekend of compilation of the 2006 October register. There were no absences within the Registration Unit, apart from pre agreed holidays, between June and October 2006.
- 5.27 Mrs A Craine MHK was concerned that attempts had not been made to register 16 year olds in June and July before they left school; she alleged the registration process was shambolic. In addition she alleged she had proof of hand delivered voters forms not taken into account. None of this was drawn to my attention. She did raise points about proxies and proxy identification and the numbering of the Register in multi district constituencies that I was able to follow through. She was invited to meet with Mr Carse to examine her concerns and did not respond. The fact is that registration of 16 and 17 year olds was impossible until Royal Assent and appointed day orders had been received and made for both acts.
- 5.28 D Cretney MHK suggested joint information Census and Register and outlined numbering problems, absent vote problems and choosing not to register. These I have been able to investigate.
- 5.29 Mrs C Christian MLC wanted an exploration as to why some people do not wish to register. She also raised, in correspondence, the issue of numbering and

confusion over proxy voting. She also raised the question of receipt by the Registration Unit.

- 5.30 M Quayle MHK suggested combining the Census and Registration material. He highlighted instances of split families where some were on and others off and felt it was inconceivable that when the form was filled family members were left off. Again no specific examples were given to me to examine. He did however make the point about voters wanting one man one vote and equality of number of representatives. In fact a programme error left some voters on the Register but with names not printed out. This was rectified.
- 5.31 S Rodan MHK thought the 2006 Registers were more accurate, that turn out had been higher. He also wanted to use the figures to take away seats from Douglas and redistribute to Middle and Garff. He expressed concerns about the proxy and absent vote systems.
- 5.32 J Houghton MHK reported a national disgrace, people on the Register 50 years being removed, the Registration Unit being in total disarray with staff resigning. He suggested that adoption of the wipe clean, start afresh policy as foolish in an election year. He also had an adverse comment about voter numbering in electoral districts. I have already dealt with the resignation point. It was wholly unrelated. Mr Houghton suggested that the legislative changes were ill conceived and ill thought through. He himself voted for the legislative changes and he, as with all other Honourable Members, had had the effect explained to them in briefing papers and debate.
- 5.33 E G Lowey MLC felt someone needed to be reprimanded and gave an example about a former member for one constituency who was not on the list even although his wife was. Again no evidence produced. He suggested an investigation into wider use of the internet, including for voting. In fact this was able to be investigated. He was on the list at a slightly different address. It has to be remembered that Manx addresses are not Government allocated or fixed in stone. There was a difference in the address on the returned form and on the MEA data base. Husband and wife were separated by a few names on the Register due to data input error.
- 5.34 Mrs P Crowe MLC accepted there had been complications.
- 5.35 A Bell MHK reminded members of the situation in 2001, that they had wanted a change after the 2001 General Election inquest. He commented on the delayed Tynwald signature and Royal Assent. He suggested the old lists were inaccurate due to emigration of up to 1,000 per year.
- 5.36 D Anderson MHK drew to the attention of the Court that there were no ghost voters in Glenfaba, an improvement but questioned why people were reluctant to go on the list.

- 5.37 Mrs B Cannell MHK alleged much stress in the Registration Unit and too small a staff.
- 5.38 P Braidwood MHK agreed that the Register was more accurate and that it was not all bad news.

Public Examination. Yes or No.

- 5.39 It was at this stage I had to consider if I should exercise my powers to call and examine witnesses. I decided not to. The only witnesses to call would have been the Honourable Members who took part in the debate. It was summer recess. If they had wanted to make submissions they had had the chance to do so and it would have inevitably extended my Inquiry beyond the October sitting of Tynwald as I tried to identify the individual cases and put them one by one to the Registration Unit for rebuttal. I understand Mr Carse had already invited each one to meet with him and none had responded. I feel this was the pragmatic approach. I also did not wish to trespass upon the ancient privileges of Tynwald Court.

Chapter 6

The International Context

UK

- 6.1 As ever with the UK, I found some matters which are truly national and others which are dealt with on a country by country basis. This is made all the more apparent by devolution and the fact there are now not just Westminster and local Councils but also devolved parliaments or assemblies in three of the four constituent countries of the UK.
- 6.2 In the UK there is the Electoral Commission. It is a statutory public body accountable to Parliament. It is responsible to Government for all things electoral; it is ultimately responsible for Constituency Boundaries and registration. There are sub bodies for the component parts of the UK.
- 6.3 It views registration as the "lynch pin" of the electoral process. They have conducted research into registration, they have issued papers. It is considered that across the UK non registration has increased from 3% in the early 1980's to 7% to 8% in the early 1990's down to 10% or 11% by 2004. That is a missing voter population of 3, 500,000. Their conclusion showed racial differences in registration, low rates of registration amongst those who moved regularly, low rates amongst the 18 to 24 age group, renters, students and those in inner cities. All of this It sets out on its report "The Electoral Commission Register to Vote 2006".
- 6.4 They also commissioned MORI to conduct a poll
- Public opinion and registration
- Common top-of-mind associations "time-consuming", "a chore" "old fashioned".
- There is a broad consensus that registration is not a priority.
There is no depth of knowledge about the registration process.
Some people falsely assume they are registered when they are unlikely to be so.
Ineligibility and disinterest in voting are the most common explanations for not being registered.
Few non-registrants see benefits to being registered.
- 6.5 In Great Britain Registration is carried out by Registration Officers who are local authority officers. It is on a household basis and since 2000 has been on a rolling basis with monthly up dates.
- 6.6 The conclusion of their latest research is that rolling registration is unlikely to have made any difference to registration levels. It may, in the short term have reduced them.

England

- 6.7 Has rolling registration with monthly updates, compiled by Electoral Registration Officers employed by local authorities. There are 430 different Registers, there is no UK or English national Register. There is an annual canvass. Despite moving to a rolling Register registration levels are falling. Individual registration areas are using different methods of publicity, canvassing etc to improve. Registration is on a household basis. Registration is lowest amongst Afro Caribbean's, students, 18-24's frequent movers, tenants. It is also low in inner city areas. Copeland in Cumbria obtained a 99% registration in 2004 after the second canvass was carried out door to door.

Wales

- 6.8 Has rolling registration with monthly updates, compiled by Electoral Registration Officers employed by local authorities. There is no Welsh national Register. There is an annual canvass. Since moving to a rolling Register registration levels are increasing. Individual registration areas are using different methods of publicity, canvassing etc to improve. Registration is on a household basis. Registration is generally higher than in England. It appears to have increased since the advent of the Welsh Assembly.

Scotland

- 6.9 Has rolling registration with monthly updates, compiled by Electoral Registration Officers employed by local authorities. There is no Scottish national Register. There is an annual canvass. Since moving to a rolling Register registration levels are increasing. Individual Registration areas are using different methods of publicity, canvassing etc to improve. Registration is on a household basis. Registration is higher than in England. Registration appears to have increased since the advent of the Scottish Parliament.

Northern Ireland

- 6.10 In Northern Ireland the system is a rolling Register with individual Registration. There has been high profile public awareness, marketing and publicity to ensure high levels of voter Registration. The Northern Ireland Register is a national Register for Northern Ireland. There is only one Register and it is compiled by the Chief Electoral Registration Officer for Northern Ireland.
- 6.11 The Northern Ireland Register makes removal every year, in other words a clean start every year, compulsory. This is a response to problems of electoral fraud during the period of the troubles. It has had the result initially of a continuously falling Register. Temporary provision for carrying forward have had to be introduced so as avoid "the risk of damaging the integrity of the Register due to lack of comprehensiveness".

- 6.12 The NI Register is compiled by the CERO for Northern Ireland through the Electoral Office of Northern Ireland, a subsidiary body of the Electoral Commission. As in IOM the only thing shown on the Register is name address and electoral number. You can opt out of having your name on the Register to avoid it being sold to credit agencies. (This applies to England, Scotland and Wales as well).
- 6.13 EONI operates a web site with forms and information. You cannot register or change address on line but can download and fill in and post on.
- 6.14 The Northern Ireland Office published a consultation paper on Northern Ireland Electoral Registration in August 2005. No decisions have yet been taken.
- 6.15 In 2004 the UK Government had decided, in respect of Northern Ireland, against compilation afresh each year. In Northern Ireland to Register you have to sign, give date of birth and a National Insurance or passport or driving licence number. There had been a drastic fall in registrations. There was a crisis of confidence in the accuracy of the N.I Register. Registration dropped from 94% to less than 85%. 18 to 24's were only registered at 74%.
- 6.16 The solutions adopted for Northern Ireland;
- Individual Registration
 - Signature
 - Requirement for one of 3 identifiers
 - No more annual canvass
 - Enhanced data sharing
 - Allowing registration up to 11 days before polling day

Jersey

- 6.17 The Electoral Register is compiled on a parish (constituency) basis on an annual canvass and has been a rolling Register since 2002. The qualification to vote is age 18 and two years residence in Jersey. You must be on the Register by mid day on nomination day.
- 6.18 There have been proposals, neither adopted nor rejected, to move responsibility from the parish officials to the Office of Population Registration. Jersey hopes to have in place, by 2008, an accurate population Register, each person to have a unique identifier. That identifier would be needed to live; work and pay tax or draw benefit in Jersey. It is suggested that it should be the basis for the franchise, that the two year waiting period should be abolished.

Guernsey

- 6.19 Guernsey allows all of its franchised voters a postal ballot. After the introduction of this voter Registration, carried out in a similar way to that of the IOM, England or Jersey increased from 26,000 to 29,000.

Republic of Ireland

- 6.20 Ireland had an election in 2007. There was great concern about constituency size and over, or under, representation (prima facie this is more directly linked to the Boundary Committee's task except of course that there are two measures voter registration or actual Census population which might affect the decision). In Ireland constituency boundaries and the number of T.D.'s are determined by the Census, ie by gross population statistics rather than voters registered.
- 6.21 A new Electoral Register is compiled each year and is published on 1 November. Resident Irish citizens are entitled to vote at all elections and they are identified by the letter 'P' after their names on the Register. Resident British citizens can vote in local, European and Dáil elections and are identified by the letter 'D'. Resident EU citizens can only vote in local and European elections and have a letter 'E' after their names. Those identified by the letter 'L' opposite their name (non-EU citizens) can only vote at local elections.
- 6.22 The draft Register can be inspected during working hours at the offices of the local authority or county registrar and at public libraries, post offices and Garda stations. Residents can also check if they are registered by entering their details on the Register of Electors online enquiries website. Registration is not possible on line.
- 6.23 Voters have until 25 November each year to make a correction or have their name included. The amended Register is then published in February.
- 6.24 If a voter is qualified to vote but has missed the deadline to include their name on the Register, they can apply to be included in a Supplement to the Register, which will allow them to vote at any election or referendum held during the year. They can apply for inclusion on the Supplemental Register up to 13 working days before polling day.

Australia

- 6.25 Continuous Roll Update commenced in 1997 and is now an established process by which the Australian Electoral Commission (AEC) systematically reviews the Commonwealth electorate to ensure its ongoing accuracy and currency. The AEC obtains information for this exercise from other agencies, who supply the AEC with change of address data and new client details. Ongoing reviews of electoral enrolment are conducted by mailing letters to selected electors at addresses and a residence may be reviewed door knock by a fieldwork officer who actually visits the residence.

- 6.26 Individuals register with AEC by post. The AEC operates a comprehensive and informative web site with all of the forms available for down load. Registration is not available on line.
- 6.27 The AEC pre Registers 17 year olds and has entered into registration agreements with schools to ensure a high rate of young voter Registration. Victoria sends a birthday card at 17 encouraging Registration. This has increased registration at 18 by 10% over all of the rest of Australia.

New Zealand

- 6.28 New Zealand has national Electoral Enrolment Office, Chief Electoral Officer and an Electoral Commission; they work closely and run a national unified web site. Voter registration is undertaken on a household basis annually by canvass sending out electoral enrolments packs. New Zealand also operates the worlds most direct and interactive voter registration. Potential voters can receive information about registration, check to see if registered, change registration, register for the first time or de register on line.

Canada

- 6.29 Canada has a centralised national registration system. It has separate operating divisions for each state. The main concern in Canada has been low registration amongst 18 to 24's, immigrants and first peoples. This is attributed to high mobility, lack of integration into the political community and disinterest amongst these groups. It is thought necessary to register young people, first peoples and immigrants as their active engagement is seen as tied to the success of the political system. Canada too has followed the Australian example of school drives for voter registration.
- 6.30 Canada is moving to an online as well as paper registration system, at present registration is by paper canvass by post with postal follow up.

United States

- 6.31 After the fiasco of the first Bush election, hanging chads and questions about voter registration the United States has set up the US Voters Assistance Commission under the Help America Vote Act 2002. voter registration had always been something the parties were heavily involved in.

The Help America Vote Act of 2002 (HAVA) requires the Election Assistance Commission (EAC) to:

- Generate technical guidance on the administration of federal elections.
- Produce voluntary voting systems guidelines.
- Research and report on matters that affect the administration of federal elections.

- Otherwise provide information and guidance with respect to laws, procedures, and technologies affecting the administration of Federal elections.
- Administer payments to States to meet HAVA requirements.
- Provide grants for election technology development and for pilot programs to test election technology.
- Manage funds targeted to certain programs designed to encourage youth participation in elections.
- Develop a national program for the testing, certification, and decertification of voting systems.
- Maintain the national mail voter registration form that was developed in accordance with the National Voter Registration Act of 1993 (NVRA),
- Report to Congress every two years on the impact of the NVRA on the administration of federal elections, and provide information to States on their responsibilities under that law.
- Audit persons who received federal funds authorized by HAVA from the General Services Administration or the Election Assistance Commission.
- Submit an annual report to Congress describing EAC activities for the previous fiscal year.

6.32 Registration applications may be obtained from either the local election official in any county or city, or through registration outreach programs sponsored by such groups as the League of Women Voters. In addition, voters can also register to vote when applying for a driver's license or identity card at State DMV or driver's licensing offices, or at State offices providing public assistance, State offices providing State-funded programs for people with disabilities, and at armed forces recruitment offices.

6.33 Many States also offer registration opportunities at public libraries, post offices, unemployment offices, public high schools and universities. Colleges, universities and trade schools, participating in federal student loan programs, also offer voter registration applications to enrolled students prior to general elections.

Chapter 7

The problems

Raw numbers

- 7.1 Because we do not know, exactly how many people come to live here or depart from the Isle of Man annually it is difficult accurately predicting exactly how many should be on the Registers from Census information. With 80,000 plus residents and 15,000 of them being under 16, the gross maximum registration is about 65,000. As there are people who will not have been resident for the requisite 12 months this figure will be reduced. As there are, according to Hon A Bell MHK about 1,000 unrecorded departees a year, that adds other inaccuracies. Deaths go onto the register immediately.
- 7.2 The best I can say is that Registration at 52,000 was low. It is at least 12,000 below strength, may be more. My view is that 100% registration would be nearer to 64,000.
- 7.3 Until we have a Residents Register there is not much we can do to be absolutely accurate. If the Residency Legislation is to be implemented it will be a useful cross check, as a minimum.

Mobility

- 7.4 We have two types of mobility, internal and on and off the Island. I deal here with internal mobility. This is something which is likely to affect the young and poor more than the established. Young people leave home, they share flats they come and go. Some people in lodgings or in cheap private rented housing tend to move more frequently. Keeping track is hard. Many live in houses divided into flats. It is impossible to know who lives where and to make contact.

Age

- 7.5 To this extent internal mobility is also an age related problem. As stability, job, relationships and marriage come along the internal mobility and instability tend to go. Of course there are still house moves but they are fewer and there is more evidence.

Immigration

- 7.6 Over the last 40 years the Island has seen massive inward migration; initially of people who were used to systems such as ours, latterly perhaps less so. How Central Europeans or Philipinos come to understand our systems is a matter of mystery, there is no one point for contact, to issue driving licences, N.I. Tax Reference, residency, work permits, let alone registration for voters. However all of these are tax payers and should in a theoretical democratic system have representation and the right to vote for that representation.

The conscientious, the haphazard and the disaffected

- 7.7 Every system has these, those who will go out of their way to Register, who consider it their civic duty. Those who will support democracy by choosing to register and check the revision lists to ensure they are on the Register.
- 7.8 Then we have the less committed. Those who forget will do it later, but for whom, unless pushed later does not come. The form is left on the table with good intentions, but eventually tea is spilled on it or it is binned.
- 7.9 Finally there are those for whom the Manx political system is in serious ill repute, who would not take part because of what they see as corruption, in its widest sense, at the heart of the system and the political class.
- 7.10 I cannot say how many are in each category. It is safe to say that 47,000 are in the conscientious class, they did register first off. Another 4,300 are in the second class, they registered with a little help from their friendly candidates and the Registration Unit. That leaves a worrying 10,000 to 12,000 who fall between classes 2 and 3, some of whom would have registered if they had been pushed just a little bit harder. It leaves a potentially worrying hard core, whose numbers cannot be guesstimated, who feel they have problems with the system for any number of reasons.

The system itself

- 7.11 Registration is a Nineteenth Century procedure, updated for computers, without taking into account the advances that the computer age could bring. The same could be said for the actual voting and election process itself. There are so many other ways of collecting the information; Government already has the information on other databases.

Those who administer or engage with the system

The voters

- 7.12 Voters want a system which works, is simple and convenient, they do not want any more paperwork than necessary and they do not wish to be confused by "jobs worth" regulations. They want the registration and voting processes to take up as little of their precious time as possible. They do not wish to understand why when Government has all the information it has to be provided again...and again and....

The politicians

- 7.13 They want as many people to be on the Registers as possible and for the Registers to be accurate and up to date. They want the process of canvassing, leafleting, house to house visits and checking turn out on the day to be

straightforward. They want to win, or at least get a message across to as many as possible.

The returning officers and their staff

- 7.14 I am no longer a returning officer. Having been one for over 25 years I can safely say that it is done as a public duty, at great financial loss to the volunteer advocates who pay their staff, give them the election fees and lose a days work in the office. Returning officers in my experience want a simple effective system with up to date Registers and the simplest most foolproof voting, absent and proxy voting systems. The voting system, a black mark on a ballot paper has not changed for 141 years. They want more than anything to deliver a faultless and professional service on the day. They do not need uncertainty as to systems and problems with the Registers. They get the blame on the day if anything goes wrong.

The Registration Officer and his staff

- 7.15 I am concerned at the onslaught that the Registration Officer and his staff were subjected to. Most of the allegations made in the press and in Tynwald Court have not been submitted to my Inquiry. I am convinced by my enquiries that his office did a sterling job, got a new Register up and running and one which is now more accurate than those which went before. There are many problems which need to be overcome before full Registration will happen. Mr Carse and his staff are working on the rolling Register, one year old as I write my report. It will get better. We need to find a way so that all the other participants in the system can assist in that task.

Chapter 8

Did anything go wrong?

- 8.1 Prima facie something went wrong with the registration process in 2006. From a 2005 level of 57,000 Voters on the Register this reduced initially to 47,000 and then with 16 & 17 year olds added and chasing by candidates and Registration Unit staff with a widespread publicity campaign this increased to 52,000. This was at a time when the Island population hit 80,000. This was an increase of 4,000 over the 2001 figure. Including 16 & 17 year olds the number of voters should have increased by 5,400. If registration had run smoothly it is possible there could have been as many as 64,000 on the Register in September 2006.

Allegations, rebuttals and findings

- 8.2 I shall now examine the allegations and rebuttals made to me about each alleged area of break down or fault.

Registration Unit

- 8.3 The allegations about the Registration Unit break down into allegations which are wholly related to the system and machinery, wholly related to staff and a mix of both.
- 8.4 **Forms not sent out or not received.** There is ample evidence that forms were sent out to all addresses on an extensive data base. It is a data base which is the most comprehensive and up to date address data base on Island. In fact a second postal canvass was also accomplished. There was no evidence of forms not sent out or not delivered. **I reject this allegation and specifically find the postal canvass to have been full and thorough.**
- 8.5 **Forms returned not acted upon.** There is no evidence of forms completed and returned not being actioned by the Registration Unit. Indeed the evidence is entirely the opposite. There was no evidence of forms returned not being processed. **I reject this allegation and specifically find the processing to have been full and thorough.**
- 8.6 **Forms returned not being fully processed or being subject to processing errors.** There was enough clear and unambiguous anecdotal evidence that in the processing of nearly 20,000 forms there were a few errors in data input. This is not acceptable, even at a low level. I accept there are checks, including revisions, but given that this was a start from scratch exercise it was incumbent upon the Registration Unit to check and double check and check again. **I specifically find that a few, number unable to be calculated, persons were missed off the Register due to faults in the processing.** The Registration Unit accept this and are now working to ensure all is well from now on.

- 8.7 **Registration Unit overwhelmed by Census and Register being compiled at same time.** There was no evidence, not even anecdotal evidence of this at the end of the day. **I specifically find that the Registration Unit was not overwhelmed by Census and Register being compiled at same time, save for one possible area, namely the length of time it took to process the first canvass and arrive at the 47,000 provisional Register. In fact it would be more accurate to describe this as a matter of timetabling.**
- 8.8 **A start from scratch Register should not have started in election year.** Given the IT problems with the old main frame not being supported and the need to migrate the Register from the old to the new system the advice to Council of Ministers in 2005 was correct and so was the decision. It was unavoidable. **I specifically find that a start from scratch Register was the only possibility in 2006 whether or not it was an election year.**
- 8.9 **Registration Unit and Council of Ministers should have been aware that a start from scratch Register would inevitably fall short initially and that extra resources and publicity were needed but not given.** Given my finding at 8.9 it was inevitable that there was to be a start from scratch Register in 2006. It was incumbent upon the Registration Unit to identify potential problems. There had been highly publicised problems in Northern Ireland with a serious drop in Registrations. It is not clear when this should have been within the knowledge of the Registration Unit. It is unclear as to whether they warned Council of Ministers of this potential problem. It should have come to their knowledge, they should have warned Council of Ministers. In the absence of evidence that they did it appears that they did not. I am sure Council of Ministers were advised the Register would be more accurate, I am not sure they were advised there would be a substantial number drop. In the event no one was forewarned that there was a potential problem at an early enough stage to plan how to relieve the problem. There were clearly practical ways the problem could have either been avoided or resolved if door step canvassing, wider publicity, plain English accompanying leaflets and even a third or fourth canvass if the first had been processed early enough. **I specifically find that the Registration Unit, whilst appreciating some of the problems, had not fully predicted the actual outcome. As a result it did not warn Council of Ministers and no avoidance measures were put into place. I do not put this down to complacency or negligence. I believe it was a genuine oversight. I find that there were avoidance measures available but I am far from convinced, even with collectors, a third postal canvass and explanatory warning leaflets in the plainest English, that the registered voter figures would have been much higher than was actually achieved.**
- 8.10 **The timing of the legislative changes and the delays in signing in Tynwald and appointed day orders.** These legislative changes arose out of observations upon the 2001 election, save for the change in the franchise. They did come along late in the day. However the registration process continued under the legislation in force. There may have been uncertainty. If the appointed day order for the Registration legislation had not been issued the additional

5,000 including 16 & 17 year olds would not have been registered as there would have been no rolling Register. As for the 16 & 17 year olds it really was impossible to reregister them before summer school holidays. Given that it affected students in their public examination years most of them had stopped attending school at end May, turning up for examinations thereafter. There was no power to Register before the Registration legislation got its appointed day order, and that was not until late September 2006. **I specifically find that whilst they may have caused minor practical difficulties, these can at best be described as distractions which had no affect whatsoever on the outcome in terms of voters registered.**

- 8.11 **Lack of accountability, would fail third world observer approval, the suggestion of a deliberate attack on democracy, dead dogs being on the Register and up to 50% of the electorate being missed off in some areas.** As I have commented no evidence was submitted to back up any of these sensational allegations. My enquiries lead me to believe the Registration Unit and its staff is fully publicly accountable. They have a minister responsible for them. I was unable to ascertain what level of registration would prove acceptable to election observers. I found no deliberate attempt to exclude voters, rather I found repeated and genuine attempts to place as many on the Register as possible. As for dogs, they can only have appeared if someone filled them in on their form as household members. Some voters have strong feelings for their pets. I experienced that personally when giving welfare rights advice as a student. One couple complained about being disallowed benefit for two children named on the forms. It took me two meetings, and a visit to their home, before I discovered that the two children, whose claims to benefit had been disallowed, were in fact two Great Danes! Finally I could find no evidence of 50% registration levels anywhere. **I specifically do not accept these unsubstantiated allegations.**
- 8.12 **There was a mix up over voter numbering so that there were several voters per constituency with the same electoral number.** The evidence for this was incontrovertible, it occurred in the September 2006 Register, and it was rectified by the October/November 2006 Register used on Nomination and Polling days. It was an oversight, and a very unfortunate one. It was accepted by the Registration Unit. There was another problem which I noticed even though no one brought it to my attention, electors are supposed to be identified by an electoral number. In all cases I saw they were a mixture of letters and numbers giving a unique electoral identifier. **This allegation is correct. I do not find it had any deleterious effect. It was identified early on and rectified.**
- 8.13 **A disgrace, people 50 years on the Register removed, total disarray in the Registration Unit, staff resigning, adoption of start from scratch foolish in election year.** There was no evidence submitted, once again, to support these claims. I cannot accept them. What happened may have been unfortunate, Honourable Members were advised of the start from scratch policy and the reason for it during the passage of the Registration Bill. The fact that

some one has been on the Register for 50 years does not entitle them to stay on for ever; they have to keep on sending in the forms, either on their own or with help. **This was not a disgrace, by any dictionary definition, neither was it, as alleged by another, shambolic. It was an unfortunate coming together of circumstances. There was certainly no evidence that there was any disarray in the Registration Unit or that its procedures were shambolic. There is evidence that Honourable Members knew from the start of "the from scratch" policy and if they had concerns about the registration of their more elderly constituents they could have assisted at the time of the original canvass.**

Staff levels

- 8.14 No evidence was submitted that staffing levels were inadequate or what an adequate level would be. The submission by Mr Carse indicated his staff levels were in order and working well. **I specifically find that there were no manpower inadequacies. That is not to say that if some one or all of my recommendations are adopted there will not be staffing implications**

Staff morale, absenteeism and health

- 8.15 No evidence was submitted that staff morale was low. I visited a happy close knit team in the office of the Registration Unit. None of them made any submissions to me about low levels of morale in 2006. The statistics show no illnesses or other absenteeism between June and October 2006. **I specifically find that there was no morale, absenteeism or health problems in 2006.**

Staff adequacy, staff leaving

- 8.16 No evidence was submitted that the staff employed was inadequate or not competent for the job in hand. If they were it would have spelled disaster for the Census as well. One member of staff left after the period in question. **I specifically find that there was no staff inadequacy. As to the allegation that a member of staff had left it is true that one member of staff had indicated, months earlier that he was to leave, gave in notice and then stayed on to help get the October Register out. I find his leaving was unconnected.**

The system

- 8.17 **That the system was out of date and needed examining.** The actual system of collecting names by paper return, whether by post or door to door collection is over 140 years old. It is, as found by MORI, in their poll in England out of date, lacking modern relevance etc. There are many sources from which the information gathered can also be at worst checked from and at best extracted from. These range from Census, through information held by Government Departments to alternative methods of registration fit for the 21st

century. As an interim measure good old fashioned door stepping could be brought back. **I find that not all possible reasonable methods of compiling and or checking an accurate up to date, Register and of reviewing it, are being used. It is not acceptable that Government holds information in one hand and does not allow its other hand to know about it, exceptions to be retained in the most exceptional and confidential areas such as Census and tax and medical registration and admission.**

Changes and their effect

8.18 I refer back to 8.10. The effect of the legislative changes appears to me to have been much over stated. **I specifically find it made so little difference as to be insignificant.**

The computer

8.19 This is a fact of life in this day and age of IT. **I find that faced with a problem the Electoral Registration Unit and CoMin set out to resolve it as best as possible. I am mindful of the repeated evidence of the lack of ghosts. I am satisfied that what was delivered was a 2006 Register which was far more accurate than Registers for years in the past as far as the information had been submitted and was on it. There was a shortfall and that is another matter.**

Start from fresh

8.20 This became inevitable with the obsolescence of the old IT system and the specification of a new one. I have not gone into the back ground of those specifications and when or why. **This was delivered and I repeat my findings at 8.19.**

Adding 16 & 17 year olds

8.21 This made no difference. **I find as a fact that due to the legislative passage of the two Acts it was impossible to Register or pre register before 27 September.**

Postal canvass

8.22 The traditional method, in the past backed up by door knocking. Now out of date for some but bound to remain the mainstay, supplemented by other means of sourcing the information and changes to it. **I find as a fact that the assistance previously given to the collectors by the Rating Department and the Deeds Registry, namely regular returns of changed ownership should be reinstated immediately. Postal canvass with support from other sources is likely to be the mainstay of the registration process for many years, but there must be a speedy introduction of the ability to check on line, to register and amend on line.**

Household versus individual

- 8.23 No one submitted that this should stay as a head of household function, whatever that may mean in this day and age. **I find that legislation should be introduced to move responsibility to the individual.**

Electronic registration

- 8.24 **I find that the Register should be available on line for checking. I suggest that it should not be downloadable. also find that all forms should be on line and that it should be possible to complete them and submit them on line.**

Door knock canvass

- 8.25 It was suggested this be re introduced. **I find that this should be reinstated with immediate effect, especially in General Election years.**

Collation of information from other sources

- 8.26 Suggestions were made that there were already several places in Government with the relevant information. Obviously these should not be the primary sources but they can be used for checking and updating. **I find this must be reintroduced and strengthened, to include information from Rates, House conveyances, N.I., Driving Licences, Pensions, Benefit Claims etc. All the forms need a little tear off slip at the end giving name, date of birth, former address and new address.**

Publicity

- 8.27 **Suggestions were made that the instructions for filling forms were defective.** Forms have varied in design year on year. The forms are dense; there is no room for simple explanations in plain English. **I fully accept this and suggest that leaflets are made available for distribution in future, which more fully and simply explain why the forms are sent out and must be returned.**

Web site

- 8.28 **I endorse the suggestions for more IT to be involved. I have already covered this in part. I recommend a separate web site to Government simply entitled Isle of Man Voter Registration**

Responsibility

- 8.29 Responsibility is divided into two. That of Government to provide the systems and ensure they work. With a bit of tweaking and possibly if some of my

suggestions are followed that side will improve sufficiently not to give rise to cause for concern. The corollary of this is the responsibility of the resident to register.

- 8.30 The derivation of the word idiot is from the Greek. It was a term applied to those who ignored their civic duties and did not take part in the democratic Government of Athens on the Acropolis. It could now be a term to be applied to legislators who ignore the dissatisfaction expressed to them by an electorate where up to 20% opt out!
- 8.31 It may take a long time to get them back on board. In the meantime, without compulsion, but by using tried and trusted methods, importing some information already held and adding on some electronics I suggest we can have an accurate and full register. This will not infringe their Human Rights and they can still refuse to vote. That may of course become a problem to be addressed in future.

A new responsible body

- 8.32 The Boundary Committee, in its interim report, in 2005 suggested a standing Boundary Commission for the Isle of Man. As a member of that Committee I endorse that. Further as the only member of this inquiry I make a very strong recommendation, namely that such things as voter registration, number of seats and the method of election of either branch as well as the number of votes and representatives an elector should have is something ideally removed from the cut and thrust of day to day politics and given to an Isle of Man Electoral Commission. **I specifically recommend that such a body is advisable. It would be easier to show it was HR compliant than Tynwald trying to resolve where every member has a vested interest. It could remove from Tynwald some of the constitutional problems with which it has been wrestling and which may have lowered it in the eyes of certain segments of the population.**

Individual reasons

- 8.33 There will always be voters who express concerns, who feel they must not be involved or who criticise the system. It appears to me that it is inherent in the system of democracy. They should be accommodated, this is one reason I do not suggest compulsion to be on the Register, at first.

Jury duty

- 8.34 Jury duty is almost as important in a democratic society as voting. It allows ordinary people to be involved not only in the selection of those who govern but to also play a part in the administration of justice. In historical terms it has allowed the disaffected to express views on government legislation by bringing in verdicts of not guilty against the evidence which have resulted in law change.

Secrecy

- 8.35 I do not believe any of the changes I have suggested will result in any loss of ballot box secrecy, nor should they impinge upon Data Protection issues.

Fraud/Signature

- 8.36 There appears to be no evidence of fraud within the Manx system. We must keep it that way. I do recommended moving to the need to produce an identification document at poll. I have suggested the identity number from Residency Registration, as an interim other documents, such as driving licences should do. I believe there is no need to sign for on line voter registration as long as other information is obtained or cross checked, ie date of birth and one of driving licence, passport etc.

Sale of Information

- 8.37 I see no need for changes.

Problems over access to the Register

- 8.38 I feel this was more a question of timing, with more candidates wanting to prepare earlier. The position of the General Registry was pragmatic. I see no reasons for change. If my suggestion as to the Register being available on line, but not downloadable (except on payment of a fee) is followed this may ease the problem. The real problem is when the last update should be allowed onto the Register before polling takes place. Is it a few days before polling day or before nomination day or is it when the writ to dissolve Tynwald is issued. That has knock on effect as to how the Register is updated after, at the very least, nomination day.

Format

- 8.39 I suggest that the register is updated on the rolling process to 1st September in every year. In an election year additions are allowed until one week before polling. Additions will be in a separate supplemental Register, compiled by street in towns and post code in the country areas. This will mean that there will not need to be re numbering by insertion. These supplements should be issued every fortnight during the campaign.

Absent and proxy votes

- 8.40 The main complaints did not show any break down in the system. The new application form being proposed moves matters forward, but what is really needed is legislative change to make either available on demand. Mrs Christian MLC wanted clearer forms and information plus receipts from the Registration Unit. I would hope this is not necessary. If a change is needed it would be to have the Registration Unit send out a letter to the voter and proxy on completion

of process confirming who has appointed whom and for how long. There seems to have been confusion on the day amongst the staff of returning officers as to how to identify proxies. I believe at present the only question is "are you X on the Proxy voting list, the named proxy for Y of Z with electoral number 123456". This needs training and if necessary a rule change. Mrs Christian MLC also raised a point about residence of the proxy. It is nowhere specified. They should be IOM resident, in due course on the residents register, in the meantime as long as Manx residents are not disqualified I see no problems, the limits are to stop political party proxies, almost professional voters, if you like. The legislation needs to be clarified.

Neglect

- 8.41 This is a serious problem. My suggestions about information sharing and door step canvass as well as increased publicity and better explanatory leaflets should improve this. The main problem with the 2006 Register arises from this section of the public and those referred to in the next section. They did not return their forms.

Refusal

- 8.42 The points I make at 8.41 apply here. However Honourable Members may wish to consider the high numbers of refusers and to consider what they can do to reintegrate them back into the Manx body politick.

Good points

- 8.43 There are good points. The Electoral Registration Unit should be proud. It delivered a "from scratch" Register with 52,000 voters in eight months. The 2006 Register did not have ghosts; it was more accurate than many previous Registers. It was short on numbers. That now must be addressed. I am certain that the Registration Unit is up to the task.

Is there any one to blame?

- 8.44 The simple answer is no. Members of the public had become used to not filling out and returning the forms and their names remaining on the Register. The Register had become littered with the long gone. The Register needed updating. Computer systems dictated 2006 as the year it was to happen. Council of Ministers and Members were advised what was happening. Maybe no one expected or could have predicted such a combination of a population increase, a widening of the franchise and a fall in voter registration. I am conscious there are those who will shout whitewash. They are wrong. We have a new system, an accurate Register, and with good will and time and cooperation it will achieve much higher rates of registration. If they were right they should have submitted evidence to me to support their case and responded to Mr Carse when he offered them the opportunity.

- 8.45 **I find as a fact that the drop in registrations was caused by a combination of factors, removing ghosts, starting from scratch, neglect or refusal to return and the fact that there is a mobile population. I also find that there are many things Government can do to ensure registration levels reach an acceptable level.**

Chapter 9

Problems

- 9.1 The major problem is that even now, one year after the 2006 election registration levels are still only running at 52,000. There has been another postal canvass. The problem of under registration will be permanent and will not go away if the present systems and procedures remain in place. This may cause further disillusionment with and damage to the political process in the Isle of Man.

Solutions

- 9.2 **Make voter registration compulsory and enforce the law.**
This is a possibility. It would require legislation. There is already some ineffective legislation in place. There is however a major problem as voter registration is presently a "head of household" function. There are other problems about imposing and then enforcing compulsion. It should only be a last resort. It will probably upset, offend and alienate more potential voters, and they have not only to be on the Register but they have to vote to take part in democracy. **I do not find any evidence to support compulsory and enforced registration as a viable option at present. In the long term this should be reviewed if registration figures remain low.**
- 9.3 **Lift voter registration from the Census every 5 years.**
This would give a potentially accurate Register every 5 years. On the face of it with the Census and mini Census occurring in alternate General Election years it could be the ideal solution. There are serious problems with this solution to my mind. Most people have confidence in the Census and its confidentiality. They may not have that degree of confidence in the Electoral Register, used as it is for sale to credit reference agencies. Nothing must be done to endanger the public confidence in the Census and the fact it is sealed.
- 9.4 For that reason I do not recommend that the Electoral Register is updated from Census information. Similarly I do not recommend that the same staff, at the same time should distribute, canvass and collect Census and electoral

registration forms. Anything which might cause members of the public to think there might be a cross contamination is to be avoided.

9.5 The Isle of Man has an enviable record of Census returns being at a high level, the information gathered being accurate and the forms being treated with absolute confidentiality. This has to be maintained. **I do not recommend any link between the Census and the Electoral Register either as a method of collecting data or of canvassing the data using the same staff at the same time.**

9.6 **Use door knock canvassers.**

The Registers were clearly more accurate in the past. One of the things that helped was the system of collectors knocking on doors. I have not been able to ascertain when this was discontinued, but it is within the last 25 years. It is not going to be the panacea it was thought by some. It will not eliminate over registration of those who leave, for instance. It may not prove very effective in flat land where it may be difficult to gain access, but it has to be better than forms addressed to occupier being left in communal hall ways. There may be linguistic problems with residents whose primary language is not English. The collectors could have explanatory leaflets in a number of languages. I would not see collectors as being a permanent long term solution. I would hope other solutions can be found. However for stubborn areas of non registration a push every 5 years in election year would not go amiss. **I recommend the re introduction of collectors to go around collecting forms on the door step.**

9.7 Care would have to be taken in Census years that confusion did not arise.

9.8 **Individual Registration.**

Involvement in the political process is an individual, not a Victorian patriarchal exercise. I fully understand the ease of using one form per household in a paper based hand collected system. I fully expect the system to remain paper based for some time to come. However there is no reason why the responsibility should not be placed on the shoulders of everyone. **I recommend that there should be introduced an individual obligation to register, without penalty, initially for failure.**

9.9 However I do also recommend that there should be penalties for providing false information or obstructing a collector or other official collecting voter information to be used in compiling a register. If a head of household (or in 2007 more possibly person representing co residents) fills out a form for more than him or herself they should also vouch for its accuracy with a penalty again for providing false information.

9.10 I can see it being suggested that such penalties will make heads of household even more unlikely to fill in forms. If that is the case then I suggest that whilst they be introduced and publicised they are not actually enforced for a substantial period to allow other changes proposed, if implemented, to bed in. The idea is to

have more voluntary participation in the democratic process, not to frighten people off.

9.11 **Better information.**

As long as the initial and any follow up canvass is done by post or by door step collection it is necessary to have eye catching, informative, punchy leaflets accompanying the registration forms. They must explain in simple plain English what the form is for, why it must be sent back, the problems some one might face by not filling the form in, ie not on Register, not listed for credit agency, no credit. It may go further, no tax rebate, no benefits etc if linkages with other Government data bases are introduced. The same publicity needs to be in the press. **I recommend a redesign of the forms and literature to make them less cluttered, simpler to understand and to the point.**

9.12 **Web site and on line registration**

At present the web site for electoral registration is on the Government web site. It should be separate, with links. It should have all the legislation available, explanatory down loads and forms. It should be smart and eye catching and attractive to visit. It should high light the benefits of registration and voting and the downsides of not being on the register and not voting. As registration is to be an individual responsibility, if my recommendations are adopted, it should allow electronic registration, change or update of registration details (on moving, change of name etc. and de registration on emigration. It should be linked to the Government Website where there is a place for notifying all Government Departments of a change of address. I do not see it as a problem that there will be no signature. With current head of household registration most voters on the list do not sign any way. **I recommend a separate website and the introduction of on line registration.**

9.13 It will be necessary to keep a check that this facility is not used for fraudulent purposes. I hope that with time this will obviate the need for an annual paper canvass and door step knockers or collectors. However if that is to work it will also require my next category to be adopted.

9.14 **Collation and exchange of information within Government**

One frequent complaint was that Government already had the information on other files. There clearly has to be something in this. There are also sources of information in Government which should remain sacrosanct. I specifically think of census and tax information in this latter category. In the former categories might be the names and addresses of pension claimants and recipients, of benefit claimants and recipients, of rate payers, of house vendors and purchasers. Perhaps any one who applies for a work permit or is issued with an NI number could also be targeted. These sources of information would enable the Electoral Register to be kept up to date. If people want public benefits they should expect that there are responsibilities attached. There is no reason why one such responsibility is being on the Electoral Register, if not then registering and allowing the passing on of information when there is any change. Every claimant for a pension or benefit should be checked to see if they are on the Electoral

Register. There could be a short electoral registration form added to all of the DHSS forms.

Anyone selling a house could be required to fill out a short form stating if they were leaving the IOM, permanently, or if they were moving on Island their new address and full electoral registration details for the household. On house purchases an electoral registration form could be required to be lodged with the title registration or transfer of title registration or deed registration. This information could then be forwarded to Treasury for use in income tax, electoral registration and rates. The same could apply to applications for driving licences and passports and changes of detail. This would be an interim step pending the introduction of residency controls. I presume at that stage these details will be on the Register of residents which will gain information, or cross check it in such a manner as well as by direct registration. Apart from under 16's the Residents Register and the Electoral Register should be identical. It may well be that there will be restrictions on drawing benefit or pensions or having a driving licence if not on the Residency Register, that could apply to the Electoral Register as well. **I recommend a more active programme of information exchange within Government to be implemented to make cross checking and sharing of information from non sensitive areas a more practical consideration. Legislation might be necessary.**

9.15 To help, and assuming we are going to end up with a Residents Register, it should be possible for everyone to have a unique residents Register number which could be used alongside their passport, NI, tax and driving licence numbers. This could be their entrée into the electronic Electoral Register. If safeguards are needed for on line registration then the giving of the resident's number plus any one of date of birth, passport, driving licence, NI or tax number should be a safeguard. This could be a solution to identity problems at the poll, or for absent voters, in addition to poll clerks being allowed to ask the person in front of them if they are X whose name appears on the Register, they could also ask to see a passport, driving licence or Residents cards.

9.16 **Increased publicity and the ability to register in more places.** Registration is now a year round rolling process with frequent updates. Every library, Government Office including Departmental Offices, Police Station, School, College, Local Authority Offices should have posters on display and forms to fill out, every day that they are open, not just at registration or revision time. As many as possible should have public computer access to allow immediate registration. Schools should be visited by staff of the Registration Unit annually. All classes containing 14 year old plus should be visited to allow pre registration. Parents of children under 16 should however be given the opportunity to opt out of having their children registered at school. **I recommend wider availability of registration, if possible electronically, in public offices, also school registration drives.**

9.17 **Break the link between Jury lists and Electoral Registers**

I see no need for this. It is true that a lot of the disaffected gave “not wishing to do jury duty” as the reason for not returning the electoral forms. In fact the chances of getting called for jury duty are very small. Less than 500 jurors are called every year and the majority of them (about 75%) do not serve as they are not selected on the start of the trial. Given jury duty ceases at 65 there are about 40,000 potential jurors, but after the exclusions probably about 25,000. You are unlikely to be called more than once in a life time. These objectors will be moved onto the Voters Register slowly by other measures. **I do not recommend the breaking of the link between the Jurors List and the Electoral Register. Jury duty is another longstanding civic responsibility. It should not be weakened.**

9.18 **Human Rights compliance**

I see no problem with HR compliance in making voter registration individual, compulsory, with a significant break, say 10 years before the compulsion is actively pursued. In that time if all my other recommendations are acted upon the Register should be up to date, full and accurate. The need to have up to date and accurate Voting Registers in a democracy and the responsibility of helping compile them make possible financial penalties for non compliance proportionate in my view.

9.19 **Manpower and financial consequences**

There are clearly man power and financial consequences in my proposals for a return to door knocking collectors. I am unable to estimate them. The need may be greater in election years than others. There is clearly going to be less need as time passes if my information sharing proposal is adopted. If a Residents Register is introduced the starting point will no doubt be the Electoral Registers and the two offices should either be integrated or work closely together. To start resolving the Electoral Register problems now will ease the introduction of population controls and registers.

9.20 **Identity cards**

The fact I identify the possible close link between electoral and resident registration does not mean I am in favour of compulsory identity cards. However if we are to have a residents number its use upon all Government correspondence, pass ports and driving licences, medical cards etc, alongside the existing numbers can be no bad thing and the availability of identity cards to those who want them, for age identification or travel or even simple ordering over the internet or internet banking (as happens in some countries) to provide safe guards cannot hurt.

9.21 **Absent voters and Proxy voters**

It has to be fair to say we have a confusing situation if you don't read the acts, the forms are out of date, and the regulations are also out of date. I suspect if one were designing a system from scratch the ones we have would not be them. The purpose of absent votes was originally to allow those unable to vote through sickness, ill health or because they were off Island or performing election duties

to vote from home or temporary home. Proxy votes were to allow person with longer off Island stay to vote also through the medium of a friend or relative. Proxy votes do not apply to on Island sick.

9.22 We must not allow ourselves to forget the reason they were introduced. It was to allow those who wanted to vote to do so and to increase turn out. It was not for the convenience of politicians or even returning officers. Any system has to be easy to apply for, easy to understand and easy to operate. I have referred to the remarks of Mrs Christian MLC above. **I recommend that the legislation be examined and the need for a proxy to be resident included, I suggest the regulations are examined and the question poll staff are able to put to a proxy is set out. It is "are you X on the Proxy voting list, the named proxy for Y of Z with electoral number 123456". This needs training.**

9.23 **Postal votes and proxy votes to be available on demand for all.**

I see no reason to keep the current separate qualifications for absent, sick or proxy votes. Nothing is gained by it. The experience of Guernsey with anyone allowed a postal vote has been an increase in turnout. Of course we must safe guard against fraud by use of multi registration of voters who then grant proxies from one address. I am in favour of any voter who wishes being able to register a proxy with the Registration Officer up to close of business on the Friday before Election Day (assuming Election Day is a Thursday). I see no need to give a reason. Proxy registration could be done as part of annual registration and last for maximum one year without renewal.

9.24 I see no reason why all voters should not be entitled to a postal vote to be marked on or off Island on application. No reasons need to be given. Assuming that this will result in more applications to have a postal vote I suggest that the period between nomination day and polling day, in 2006 35 days be extended by 7 days. **I recommend that postal and proxy votes be made available to all voters with out any qualification criteria, ie on demand.** It is a corollary of that that the timetable is extended by 7 days to allow them to be processed.

9.25 I still favour the retention of certifying officers and post as an option for marking the ballot papers in the IOM. I would allow the appointment of a postal deputy returning officer who can start the opening of envelopes and checking of contents in the morning of polling day rather than at the end of the poll. There is no reason why postal votes cannot be applied for annually in advance. Registers and supplements would have to be marked P for proxy, A for postal and J for Jury along with D for deceased or M for moved.

9.26 I now address a number of minor matters. I do not see any need to make a person who arrives on the Island wait for a year before they can vote. They pay tax and N.I. from day one. Subject to a short period to see if the residence is permanent I see no reason for a qualifying residential period at all. I am sure that there will be those who will fear we will be flooded by "come overs" registering for the election only before going back. I doubt that scenario is

realistic. **I recommend the removal of the one year residence qualification.**

9.27 Arising out of the 2006 General Election there have been meetings between senior officials, returning officers and the like. I have been allowed to see a late draft report. I have the following comments

- New form for absent, postal and proxy votes is a good improvement but needs to make it plain that the voter cannot have a proxy vote if he is to be on Island.
- That tellers be excluded from Polling Stations. This is apparently an initiative by returning officers. I have to say I am disappointed at their apparent lack of knowledge of the law and practical electioneering. First the tellers are not allowed in the room where voting takes place I always tried to find a room with a hall way. I am conscious how important information from tellers is to the well oiled political machine in allowing extra voters to be picked up and brought to the poll. I always made it clear to candidates and tellers that there is no questioning or obstruction on way in, that on way out they can ask for the number or poll card but must not obstruct and make a nuisance. I always suggested information be shared and finally I impressed upon them that any breach and they would be outside. Exclusion of tellers would be a retrograde step.
- Restrict the roll of the certifying person. I feel the certifying person is very useful and should be the standard way of collecting postal votes to be marked on Island, but that two things need to be done. First Absent votes need to be available by post on the Island and second each returning officer should have in his office a sealed ballot box for persons who will be absent on polling day, but who do not want to appoint a proxy, to cast their ballot there in advance of election day.
- Call absent votes Postal votes. I agree.

Chapter 10

Summary

- 10.1 I have set out the terms of reference above. I think it is helpful to set them out again and to list my findings, recommendations and comments by their side.

“That Tynwald views with concern the number of people disenfranchised in the General Election due to the state of the Electoral Register, and calls upon the Council of Ministers to appoint a person to hold an Inquiry into:”

- 10.2 There were indeed a large number of people disenfranchised in the 2006 General Election. That disenfranchisement was directly attributable to the state of the Electoral Register.

The reasons for that situation;

- 10.3 The reasons were many and varied. They relate as much to changes in demography of the Island population, its mobility and origin as the change of starting the Register afresh, the new computer system or the mechanics of collection. In particular the biggest reason is the failure oversight reluctance or downright refusal by a large part of the population as a whole to return forms properly sent out and reminders sent out again. There is little or no evidence of any breakdown (massive or otherwise) in the Registration Unit, of it being overwhelmed, of papers going missing. There was an enthusiasm for the job and for the updating. Maybe mistakes were made in uploading such a large amount of information from scratch, that would be understandable and acceptable. Perhaps neither the administrators or their political master really took into account that experience elsewhere had shown contradictory results to start afresh, with some parts of the UK suffering a huge shortfall in expected registration levels. I find it made no difference that it was census year or election year.

Whether the resources allocated to the preparation of the Register were sufficient;

- 10.4 The answer to this part of the terms of reference has to be a qualified yes. The only thing that could have been done better was the publicity and accompanying explanatory paperwork and perhaps the use of door step follow up. It is perhaps worth suggesting that leaving the legislation so late in the legislative programme may have caused some minor hiccups, but I believe they were small and over come.

Whether those responsible for compiling and distributing the Register failed to discharge their responsibilities;

- 10.5 I am of the opinion that the evidence shows that everyone from the civil servants making recommendations to Council of Ministers in early 2005, through Council

of Ministers itself, and through Tynwald in passing the legislation, and back to the civil servants implementing the legislation and compiling and distributing the Registers discharged their duties to the best of their abilities. Again the answer is a qualified yes. The qualification being that it is always possible to do better.

Whether the procedures relating to proxy and absentee voting were correctly adhered to and need review; and

10.6 There was no evidence of a failure of either system. There is good reason for overhauling both.

Any other matter which comes to the attention of the Inquiry in connection with the conduct of the election;

10.7 There was evidence of a profound lack of respect for and trust in the Manx political system amongst some quarters. There is dismay that many thorny issues were not grasped by the last administration. These included the MEA, Mount Murray, Local Government reform and failure to reform the Legislative Council. The resignation of the last Chief Minister and the trial of his wife did not help. The new administration had the chance to rectify this. Dismay is already arising about a number of issues. These include the MEA and the settlement of the Auditor litigation. A matter of presentation, perhaps, but perceived by many as a whitewash. The failure to resolve Local Government reform, the inability to reform the Legislative Council, the time wasted in electing two new members to the Legislative Council. This appears to have led to a substantial number of disaffected residents who no longer wish to play a part in the Island's democratic life.

10.8 This should become a major target for Council of Ministers and Tynwald and its branches. It appears to me to require a steady hand on the helm, consolidation and a remarkable amount of openness over the coming months and years. It may even require a substantial rethink about how Tynwald politics is operated. Parties or policy groupings have come and gone in the past, perhaps the time is now ripe for a Manx form of joint platform amongst candidates at election time. There is a need to resolve some long time outstanding domestic constitutional matters such as Local Government reform, Legislative Council Reform, Boundary and constituency reform etc.

Conclusions

10.9 My major recommendations are divided into immediate, ie over next 12 to 18 months, before 2011 election and beyond for action. I also make suggestions for some items requiring legislation which may help resolve some of the image problem Government appears to presently have amongst voters.

Immediate

- I recommend the re introduction of collectors to go around collecting forms on the door step (at least in the short term).
- Increased publicity and the ability to register in more places. I recommend wider availability of registration, if possible electronically, in public offices, also school registration drives.
- Checking the Register on line. Ability to register on line even if register is not downloadable.
- Simple forms with explanatory leaflets. Leaflets to be available in English and Manx plus other languages which are significant to the IOM.
- On Election Day the Registration Unit should be staffed from 08.00 to 20.00 with a direct line available to returning officers who need to ask any questions about their Registers.
- A form to go to both appointor and proxy immediately on appointment to act as receipt and confirm finishing date.
- Modernise the regulations and forms.

Before 2011

- Individual Registration. I recommend that there should be introduced an individual obligation to register, initially without penalty for failure.
- Better information. I recommend a redesign of the forms and literature to make them less cluttered, simpler to understand and to the point.
- Web site and on line registration. I recommend a separate website and the introduction of on line registration
- Collation and exchange of information within Government. I recommend a more active programme of information exchange within Government to be implemented to make cross checking and sharing of information from non sensitive areas a more practical consideration. Legislation might be necessary.
- Postal votes and proxy votes be available on demand for all. I recommend that postal and proxy votes be made available to all voters with out any qualification criteria, ie on demand.
- I recommend the removal of the one year residence qualification
- New Election Commission responsible for overseeing registration, boundaries, constituency size and the running of free and fair elections. Targets to be set by Tynwald.

Beyond

- **Registration to become compulsory with penalties if my suggestions, if adopted do not achieve 95% registration rate**
- **Examine and arrange pilot for electronic voting at polling stations**
- **Examine and arrange pilot for remote electronic voting**

Miscellaneous

- **Legislative Council to be popularly elected**
 - **Boundaries for constituencies for Keys and Council to be identical**
 - **Local Government reform to be achieved with boundaries tying in to Keys/council boundaries**
 - **Move to one voter equal number of votes and representatives (either 24 single seats, 12 two seat , 8 three seat or 6 four seat constituencies)**
 - **Stability. Once new scheme adopted no changes for a long period to allow identification with new local authority, constituency boundaries and also voting arrangements.**
 - **Integration of voter and residency registration, also Jury registration**
 - **Use of one identifier for all Government contact**
- 10.10 Every person qualifying to vote, Manx born or educated or not, and every immigrant arriving here to stay for more than 3 months (and in due course being registered on the residents register) should have a compulsory short induction course to IOM, history, economy, current politics, political history, law, constitution, Government and matters of concern. It should cover the Manx language as well. In brief, it should set them up to be citizens and not "idiots". It is far beyond my terms to fill out more details but it might help bring response and voting rates up. It may be that 10 yearly refreshers for all will help even more.
- 10.11 I specifically find that the following changes are not necessary
- **Make voter registration compulsory and enforce the law. I do not find any evidence to support compulsory and enforced registration as a viable option at present. In the long term this should be reviewed if registration figures remain low.**
 - **Lift voter registration from the Census every 5 years. I do not recommend any link between the Census and the electoral Register either as a method of collecting data or of canvassing the data using the same staff at the same time**
 - **Break the link between Jury lists and electoral Registers. I do not recommend the breaking of the link between the Jurors list and the electoral Register**

10.12 I commend my findings to Tynwald. I hope that they are acceptable, if they are and they need any legislative changes bringing forward swiftly and not left to 2011. I notice we again have a situation revolving around the IOM Board of Education Election 2007. Until Royal Assent is announced plans for a 2007 election have to go ahead. If October Tynwald is missed there will have to be dissolution and the issue of writs and a meaningless election!

10.13 If I did not issue a word of final warning I would be falling into the same trap I suspect the Registration Unit and Council of Ministers and Honourable Members fell into over the "start from scratch" position. If Registration is increased to 95%, a target I would recommend as practical and achievable, then based on the 2006 general election figures turn out would reduce overall turnout to an average of less than 50%. In a constituency like East Douglas the figure would be below 30%. My suggestions are not a panacea. If adopted then much more needs to be done to ensure that voters once registered actually exercise their right to vote.

Signed

Date

Appendix 1

Persons making Submissions or giving evidence

Evidence

Stephen Carse Chief Registration Officer Treasury and his staff

Peter Corkhill Chief Registrar General Registry and his staff

Written Submissions

The Public

Tony Dowling
Andy Colgan
Robert Kinrade
Mr J Duffy
Linda Cottier
Mr H Killip
Mrs C Gates
Anonymous

Members of the Legislature

Eddie Teare MHK
S Roddan MHK
Juan Watterson MHK
Juan Turner MLC
R W Henderson MHK
Phil Gawne MHK
David Cannan MHK
Mrs B Cannel MHK
P Braidwood MHK

Returning Officers

Larry Keenan

Website forum posters

Lisner
Old Git
Grianane
Mission
Albert Tatlock

the bees
John Barber
When Skies are Grey
3v0
ans
Lonan3
Vinnie K
MissTake
Slim
Amadeus
Rednut
Chinahand
Albert
Tarne
Millman
Bluemonday
Motivator
Nipper
P.K.
Manxy
day trip to bangor
stopover
homarus
gayboyiom
manin
elleanvannin
playmate puzzle
The Original Munchkin

Members of the Legislature who spoke in the 12 December 2006 Tynwald debate

P Karran MHK
Mrs A Craine MHK
D Cretney MHK
Mrs C Christian MLC
M Quayle MHK
S Rodan MHK
J Houghton MHK
E Lowey MLC
W Malarkey MHK
Mrs P Crowe MLC
A Bell MHK
D Anderson MHK
Mrs B Cannell MHK

Appendix 2

Countries whose systems I examined

UK

England

Wales

Scotland

Northern Ireland

Jersey

Guernsey

Republic of Ireland

Australia

New Zealand

Canada

United States

Appendix 3

Legislation and Regulations

3.1 The Registration of Electors Act 2005 provides

- 1 *Franchise*
[1984/3/1(1) and (3)(b)] (1) Any person who is registered in the register of electors Franchise for an electoral area shall be entitled to vote in an election in that area, unless that person is subject to any legal incapacity to vote.
(2) No person shall vote more than once in the same election.
- 2 *Register of electors*
[1984/3/1(4)] (1) Registers of electors shall be made of all persons entitled Registers to vote at elections in accordance with this Act and regulations of electors under this Act.
(2) The registers of electors under the Registration of Electors Act 1984, as it had effect immediately before the date on which this Act comes into operation, shall, on that date, have effect as the registers of electors under this Act until revised in accordance with this Act.
- 3 *Entitlement to registration*
[1984/3/1(2) and (3)(a)] (1) Any qualifying person shall be entitled to be registered in the register of electors for an electoral area.
(2) A person is a qualifying person if-
 - (a) on the relevant registration date that person-
 - (i) has his or her usual place of abode in that electoral area, and has, during the whole of the preceding 12 months, had his or her usual place of abode in the Island, and
 - (ii) is not subject to any legal incapacity to vote; and
 - (b) at any time between the relevant revision of the register under Part 2 and the subsequent revision, that person shall have attained the age of 16 years; and
 - (c) no enactment disqualifies that person for registration in the register of electors for the electoral area.
(3) No person shall be registered in more than one polling district.
- 4 *Registration*
[1984/3/2 and 15(1) and (2)](1) A registration officer shall be appointed for the purposes officer of this Act.
(2) The functions of the registration officer are-
 - (a) to prepare, maintain and revise the registers of electors for each polling district of all persons who are entitled to be registered in the register of electors for each constituency in accordance with this Act and regulations; and
 - (b) to undertake the other functions conferred by this Act and regulations.
(3) If the registration officer, or the clerk of any local authority, refuses or knowingly fails to carry out any duty imposed by this Act and regulations, he or she shall for each such refusal or failure be liable on summary conviction to a fine not exceeding £1,000.
(4) A prosecution for an offence under this section may be brought only by or with the consent of the Attorney General.

- 5 *Provision of assistance to registration officer*
[1984/3/4(1) and (2) and 3(6) and (7) (1) The registrar of each registration district appointed for the purpose of registering births and deaths pursuant to the Civil Registration Act 1984 shall supply to the registration officer on the prescribed dates in each year lists of all the persons of full age whose deaths have been registered in the registration district since the previous list was supplied.
(2) Every local authority shall assist the registration officer in the preparation of the register of electors for any polling district which falls wholly or partly within the district of the authority.
(3) The registration officer may require any householder or person owning or occupying any premises, or the agent of any such person, to give information required for the purpose of the registration officer's functions under this Act.
(4) Any person who without reasonable excuse fails to comply with a requirement under subsection (3), or gives false information in pursuance of such a requirement, shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000.

3.2 The Representation of the People Act 1995 provides

- 27 *Proxy votes*
[P1983/50/8] (1) A person who is or will be entitled to vote at an election (an 'elector') may apply to the registration officer for the appointment of a person named in the application as a proxy to vote for him at that election.
[Subs (1) amended by Representation of the People (Amendment) Act 2006 s 3.]
(2) A person may not be appointed proxy to vote on behalf of an elector in any constituency if that person-
(a) has not attained the age of 16 years, or
[Para (a) amended by Representation of the People (Amendment) Act 2006 s 4.]
(b) is subject to any incapacity to vote at an election.
(3) A person may not be appointed proxy to vote on behalf of more than 2 electors in any constituency unless that person is the husband, wife, parent, grandparent, brother, sister, child or grandchild of each of those electors.
(4) An application under subsection (1) shall be allowed by the registration officer if he is satisfied, by such evidence as may be prescribed-
(a) that the elector is likely to be absent from the Island on the date of the poll in any election within the period specified in the application, and
(b) that the person to be appointed proxy-
(i) is not disqualified under subsection (2) or (3), and
(ii) is capable of and willing to be appointed.
(5) Not more than one person may be appointed as proxy to vote for any elector at an election.
(6) An appointment of a person as a proxy to vote for an elector at an election shall be revoked-
(a) by notice by the elector to the registration officer;
(b) on the appointment of another person as a proxy to vote for the elector.
(7) Regulations may make provision with respect to any matters incidental to this Act so far as it relates to proxy votes.

3.3 The Rating and Valuation Act 1953 s 59 A provides

69A Notification of change in occupier

Any person who without reasonable excuse fails, within 28 days of the day on which he begins to be the occupier of a rated property, to notify the rating authority in writing of-

(a) his name and address, and

(b) the description of the property in question,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding £500.

3.4 The Election Rules provide

3 Application to be treated as absent voter

(1) An application to be treated as an absent voter shall be made to the returning officer so as to reach him-

(a) where the absent voter's ballot paper is to be marked in the Island, at least 7 clear days before the day fixed for the poll; or

(b) where the absent voter's ballot paper is to be marked outside the Island at least 14 clear days before the day fixed for the poll.

(2) Such application shall be in writing in Form 1, and shall state the category of absent voter (that is, the category in section 26(2) of the Act) within which the applicant claims to fall.

(3) The returning officer shall cause a supply of forms of application to be available at every police station within the constituency on and after the day following the day fixed for the delivery of nomination papers.

(4) The returning officer or police officer in charge of a police station shall, on and after the day following the day fixed for the delivery of nomination papers supply a candidate or the agent of a candidate or any elector with such reasonable number of forms of application as may be required, but it is not necessary for an application to be on a form supplied by the returning officer.

4 Determination of applications

(1) The returning officer shall not entertain an application which reaches him later than the relevant time prescribed in regulation 3(1).

(2) If the returning officer is satisfied on the reasons disclosed in the application that the applicant is entitled to be treated as an absent voter, he shall enter the applicant's number and name on a list (the 'absent voters' list') and shall rule out and initial the number, name and particulars of the applicant in the register of electors to be used at the polling station.

(3) If the returning officer rejects an application, he shall inform the applicant in writing that his application has been rejected and of the reason for the rejection.

5 Issue of absent voters' ballot papers

(1) The ballot papers to be sent to absent voters shall be in the same form as, and except as to the official mark referred to in regulation 6(1), indistinguishable from, the ballot papers delivered to other voters.

(2) The declaration of identity sent with the ballot paper to an absent voter shall incorporate a certificate as to the execution of the declaration and the marking of the ballot paper and shall be in Form 2.

(3) Subject to paragraph (4), the returning officer shall issue a ballot paper-

(a) where it is to be marked in the Island, at least 2 clear days before the day fixed for the poll; or

(b) where the ballot paper is to be marked elsewhere than in the Island, at least 9 clear days before the day fixed for the poll,

if he is satisfied that the applicant is entitled to be treated as an absent voter.

The ballot paper shall be sent to the absent voter by post or delivered to him by such other method as the returning officer may think suitable.

(4) Where the absent voter's ballot paper is to be marked in the Island, the ballot paper may be delivered at any time before the close of the poll.

6 Marking of absent voters' ballot papers

(1) The official mark on an absent voter's ballot paper shall be different from the official mark to be used in that constituency on the day of the poll.

(2) The number of the elector shall be marked on the counterfoil, and a mark shall be placed on the absent voters' list against the number of the elector to denote that a ballot paper has been issued to the elector but without showing the particular ballot paper issued.

(3) The returning officer shall note in column 1 of an account in Form 3 (the 'absent voters' ballot paper account') the total number of ballot papers issued to absent voters.

(4) The number of an absent voter's ballot paper shall be marked on the declaration of identity sent with that paper.

7 Delivery of absent voters ballot papers

(1) All envelopes addressed to absent voters shall be counted and such of them as are sent by post shall be delivered by the returning officer to a post office; and where any envelope is sent to an absent voter by any other means the returning officer shall make a note of the name of the person entrusted with its delivery.

(2) The postage of all such envelopes shall be prepaid by the returning officer.

(3) The envelope for the return of the declaration of identity and the ballot paper shall be marked 'Absent Voter's Ballot Paper' and shall be addressed to the returning officer at such place as the returning officer thinks most convenient and expeditious.

8 Sealing up of absent voter lists and counterfoils

The returning officer, as soon as practicable after the completion of the issue of the absent voters' ballot papers, shall seal up in separate packets-

(a) the counterfoils of those ballot papers which were issued; and

(b) the marked absent voters list.

9 Certifying persons

(1) Subject to paragraph (2), the following persons may act as a certifying person under regulation 11, namely-

(a) where the absent voter's ballot paper is marked in the Island-

(i) the returning officer for the constituency in which the absent voter is entitled to vote; or

(ii) an advocate; or

(iii) a person appointed for the purpose under paragraph (3):

(b) where the absent voter's ballot paper is marked outside the Island, any of the following persons, namely a consular official, justice of the peace, minister of religion authorised to solemnise marriages, advocate, barrister, solicitor, notary public, physician, surgeon, dental surgeon, chartered accountant, commissioned officer in Her Majesty's armed forces, master of a British ship, manager of a commercial bank or of any branch of such a bank, member of the academic staff of a university, university college or other institution of further or higher education, civil servant of the grade of Executive Officer or above or a police officer, or the manager of a hospital, nursing home or residential care home where the absent voter is confined.

(c) in the case of an absent voter who is a presiding officer, poll clerk or counting clerk appointed by a returning officer, the returning officer by whom he was so appointed.

(2) Although he may be otherwise qualified to act as a certifying person, no person shall act as such if he is-

(a) a candidate or the spouse of a candidate, or

(b) a polling agent or counting agent appointed by a candidate.

(3) One or more appointed certifying persons shall be appointed by the Governor in respect of each constituency after consultation with the returning officer.

(4) An appointed certifying person shall not act in respect of any constituency other than the one for which he has been appointed.

(5) The returning officer shall from time to time inform each of the appointed certifying persons of the names and addresses of those absent voters upon whom the returning officer requires him to attend for the purposes of this Part.

10 Secrecy

(1) Every appointed certifying person shall, before entering upon his duties as such, make before the returning officer a declaration in the following form-

'I solemnly promise and declare that I will not do anything forbidden by regulation 10(2) of the Representation of the People Regulations 1995 which has been read to me.'

(2) A certifying person shall maintain and aid in maintaining the secrecy of voting and shall not, except for some purpose authorised by law, communicate to any person any information as to-

(a) the name or the number on the register of electors of any person who has or has not applied for an absent voter's ballot paper, or

(b) the candidate to whom any absent voter has given his vote.

11 Voting by absent voters

(1) Before marking the ballot paper, the absent voter must produce to a certifying person-

(a) the ballot paper showing the number thereon and marked in the manner prescribed under rule 18(1); and

(b) the declaration of identity and form of instructions in Form 2.

(2) The absent voter must sign the declaration of identity before the certifying person; but if the absent voter is unable to sign the declaration of identity the certifying person, on satisfying himself as to the identity of the absent voter, shall write the name of the absent voter thereon and add the words 'Absent voter unable to sign'.

(3) After signing the declaration of identity or, in a case where the absent voter is unable to sign, after it has been completed by the certifying person, the absent voter must vote secretly by marking the ballot paper IN THE PRESENCE, BUT NOT IN THE SIGHT, OF the certifying person, and insert it in an envelope addressed as mentioned in regulation 7(3) and seal the envelope.

(4) If the absent voter is unable to mark the ballot paper personally, the certifying officer shall, on request, mark the ballot paper as the absent voter directs.

(5) Subject as aforesaid, the absent voter shall not allow any person to see how he voted.

12 *Receipt of absent voters' ballot papers*

(1) Where an absent voter's ballot paper is marked in the Island the covering envelope shall as soon as practicable thereafter be handed unopened to the returning officer by the certifying person.

(2) Where the absent voter's ballot paper is marked elsewhere than in the Island the covering envelope shall, as soon as practicable after receipt at the place to which it is addressed, be handed unopened to the returning officer by a responsible person designated by the returning officer to attend there for that purpose.

13 *Opening of covering envelopes*

(1) The returning officer shall enter in column 2 of the absent voters' ballot paper account the number of covering envelopes returned, shall open each covering envelope separately, but shall not look at the front of the ballot papers.

(2) Where-

(a) a covering envelope-

(i) is not marked as mentioned in regulation 7(3), or

(ii) does not contain both a declaration of identity and a ballot paper, or

(b) the number on the declaration of identity does not agree with the number on the back of the ballot paper,

the returning officer shall fasten the contents of the covering envelope to the covering envelope and endorse thereon 'rejected' together with the reason for rejection. He shall enter the numbers so rejected in column 3 (a) of the absent voters' ballot paper account.

(3) If the returning officer is not satisfied that the declaration of identity has been duly signed or the certificate incorporated therewith duly completed, he shall fasten it to the covering envelope, together with the ballot paper and endorse thereon 'declaration rejected'. Before doing so, he shall show the declaration to such candidates or counting agents as may be present; and, if objection is made to his decision, he shall add the words 'rejection objected to'. He shall enter the number of declarations rejected in column 3 (b) of the absent voters' ballot papers account.

(4) The ballot papers which have not been rejected under paragraph (2) or (3) shall be placed face down in a receptacle.

(5) The declarations of identity which the returning officer is satisfied have been duly signed and the certificates incorporated therewith duly completed, and the documents rejected under paragraphs (2) and (3), shall be placed in 2 separate packets and sealed by the returning officer.

(6) The returning officer shall make a note of the number of the ballot papers in the receptacle and shall at the time when the contents of all the ballot boxes are mixed together, cause such ballot papers to be mixed with such contents. He shall enter the number so mixed in column 4 of the absent voters' ballot paper account.

15 Application for appointment of proxy

(1) An application for the appointment of a proxy by an elector shall be made to the registration officer in writing in Form 4 and-

(a) if it is signed only by the applicant, shall contain a statement by him that he has consulted the person so named and that that person is capable of being and willing to be appointed to vote as his proxy;

(b) if it is also signed by the person to be appointed, shall contain a statement by that person that he is not disqualified under section 27(2) or (3) of the Act and that he is capable of being and willing to be appointed to vote as the applicant's proxy.

(2) An application for the appointment of a proxy shall be disregarded for the purposes of any particular election unless it is received by the registration officer at least 14 clear days before the day fixed for the poll.

16 Determination of applications

(1) Where the registration officer allows an application for the appointment of a proxy, he shall appoint the proxy by issuing a proxy paper in Form 5.

(2) The registration officer shall keep a list of the electors in respect of whom appointments of proxies have been made, together with the names and addresses and periods of appointment of their proxies (the 'list of proxies').

(3) Where the registration officer disallows an application he shall notify the applicant of his decision and of the reasons for it.

17 Revocation of the appointment of a proxy

Where the appointment of a proxy is revoked by notice given to the registration officer under section 27(6)(a) of the Act or on the appointment of another person as a proxy to vote for the elector the registration officer shall-

(a) notify the person whose appointment as proxy has been revoked, unless the registration officer has previously been notified by that person that he no longer wishes to act as proxy, and

(b) remove his name from the list of proxies.

18 Issue of list of proxies

The registration officer shall, at least 7 clear days before the day fixed for the poll, issue a copy of the list of proxies for that election to the returning officer of every constituency where there is to be a contested election.

19 Voting by proxy

(1) A person entitled to vote as proxy may do so in person at the polling station allotted to the elector on production to the presiding officer of the proxy paper issued to him by the registration officer.

(2) The procedure to be followed shall be that laid down in rule 35 of the Election Rules except that the presiding officer shall also delete the proxy from the list of proxies on the issue to him of a ballot paper.

Appendix 4

Statistical tables

Constituency	Polling District	Registered Electors as at 05/02/07	at	2006 Census Population - All individuals over 15 yrs (ESTIMATED to unit postcode level)	% of Census Population on Electoral Register	% Turnout (of registered voters) 2006 General Election
AYRE CONSTITUENCY	ANDREAS POLLING DISTRICT	997		1,101	90.55	
AYRE CONSTITUENCY	BRIDE POLLING DISTRICT	302		339	89.09	
AYRE CONSTITUENCY	EAST LEZAYRE POLLING DISTRICT	329		372	88.44	
AYRE CONSTITUENCY	WEST LEZAYRE POLLING DISTRICT	560		627	89.31	
AYRE CONSTITUENCY		2,188		2,439	89.71	n/a
CASTLETOWN CONSTITUENCY	CASTLETOWN POLLING DISTRICT	1	1,396	1,666	83.79	
CASTLETOWN CONSTITUENCY	CASTLETOWN POLLING DISTRICT	2	623	784	79.46	
CASTLETOWN CONSTITUENCY		2,019		2,450	82.41	62.17
DOUGLAS EAST CONSTITUENCY	CRESCENT POLLING DISTRICT	954		1,696	56.25	
DOUGLAS EAST CONSTITUENCY	DERBY POLLING DISTRICT	977		1,500	65.13	
DOUGLAS EAST CONSTITUENCY	STRAND POLLING DISTRICT	163		345	47.25	
DOUGLAS EAST CONSTITUENCY	TYNWALD POLLING DISTRICT	475		850	55.88	

DOUGLAS EAST CONSTITUENCY	DISTRICT WINDSOR POLLING DISTRICT		478	777	61.52
DOUGLAS EAST CONSTITUENCY			3,047	5,168	58.96
DOUGLAS NORTH CONSTITUENCY	GLENCRUTCHERY POLLING DISTRICT		899	1,040	86.44
DOUGLAS NORTH CONSTITUENCY	ST NINIANS POLLING DISTRICT		881	1,159	76.01
DOUGLAS NORTH CONSTITUENCY	WILLASTON POLLING DISTRICT		2,347	3,446	68.11
DOUGLAS NORTH CONSTITUENCY			4,127	5,645	73.11
DOUGLAS SOUTH CONSTITUENCY	ANAGH COAR POLLING DISTRICT		737	942	78.24
DOUGLAS SOUTH CONSTITUENCY	BALLAUGHTON POLLING DISTRICT		2,333	2,918	79.95
DOUGLAS SOUTH CONSTITUENCY	PULROSE POLLING DISTRICT		669	956	69.98
DOUGLAS SOUTH CONSTITUENCY	QUAY POLLING DISTRICT		267	341	78.30
DOUGLAS SOUTH CONSTITUENCY	ST GEORGES POLLING DISTRICT		365	546	66.85
DOUGLAS SOUTH CONSTITUENCY			4,371	5,703	76.64
DOUGLAS WEST CONSTITUENCY	ALBANY POLLING DISTRICT		727	951	76.45
DOUGLAS WEST CONSTITUENCY	BALLABROOIE POLLING DISTRICT		778	966	80.54
DOUGLAS WEST CONSTITUENCY	EASTFIELD POLLING DISTRICT		611	855	71.46
DOUGLAS WEST CONSTITUENCY	GARDEN CITY POLLING DISTRICT		901	1,093	82.43

DOUGLAS WEST CONSTITUENCY	SOMERSET POLLING DISTRICT	439	599	73.29	
DOUGLAS WEST CONSTITUENCY		3,456	4,464	77.42	56.80
GARFF CONSTITUENCY	LAXEY POLLING DISTRICT	1,250	1,421	87.97	
GARFF CONSTITUENCY	LONAN NORTH POLLING DISTRICT	625	766	81.59	
GARFF CONSTITUENCY	LONAN SOUTH POLLING DISTRICT	447	524	85.31	
GARFF CONSTITUENCY	MAUGHOLD NORTH POLLING DISTRICT	433	483	89.65	
GARFF CONSTITUENCY	MAUGHOLD SOUTH POLLING DISTRICT	251	295	85.08	
GARFF CONSTITUENCY		3,006	3,489	86.16	64.19
GLENFABA CONSTITUENCY	GERMAN POLLING DISTRICT	758	808	93.81	
GLENFABA CONSTITUENCY	NORTH PATRICK POLLING DISTRICT	209	217	96.31	
GLENFABA CONSTITUENCY	NORTHEAST PATRICK POLLING DISTRICT	459	472	97.25	
GLENFABA CONSTITUENCY	SOUTHWEST PATRICK POLLING DISTRICT	300	297	101.01	
GLENFABA CONSTITUENCY		1,726	1,794	96.21	75.13
MALEW SANTON CONSTITUENCY	& NORTH MALEW POLLING DISTRICT	338	344	98.26	
MALEW SANTON CONSTITUENCY	& SANTON POLLING DISTRICT	449	566	79.33	
MALEW CONSTITUENCY	& SOUTH MALEW	1,325	1,527	86.77	

SANTON CONSTITUENCY	POLLING DISTRICT				
MALEW & SANTON CONSTITUENCY		2,112	2,437	86.66	60.77
MICHAEL CONSTITUENCY	BALLAUGH POLLING DISTRICT	736	856	85.98	
MICHAEL CONSTITUENCY	JURBY POLLING DISTRICT	339	496	68.35	
MICHAEL CONSTITUENCY	MICHAEL POLLING DISTRICT	1,111	1,337	83.10	
MICHAEL CONSTITUENCY		2,186	2,689	81.29	64.27
MIDDLE CONSTITUENCY	MAROWN POLLING DISTRICT	1,464	1,664	87.98	
MIDDLE CONSTITUENCY	NORTH BRADDAN POLLING DISTRICT	1,513	2,004	75.50	
MIDDLE CONSTITUENCY	SOUTH BRADDAN POLLING DISTRICT	371	435	85.29	
MIDDLE CONSTITUENCY		3,348	4,103	81.60	57.73
ONCHAN CONSTITUENCY	BALLACHURRY POLLING DISTRICT	940	1,208	77.81	
ONCHAN CONSTITUENCY	BIRCH HILL POLLING DISTRICT	2,037	2,516	80.96	
ONCHAN CONSTITUENCY	HAGUE POLLING DISTRICT	680	829	82.03	
ONCHAN CONSTITUENCY	HOWSTRAKE POLLING DISTRICT	2,169	2,587	83.84	
ONCHAN CONSTITUENCY	ONCHAN PARISH POLLING DISTRICT	300	362	82.87	

ONCHAN CONSTITUENCY		6,126	7,502	81.66	61.71
PEEL CONSTITUENCY	PEEL 1 POLLING DISTRICT	1,644	1,993	82.49	
PEEL CONSTITUENCY	PEEL 2 POLLING DISTRICT	1,318	1,503	87.69	
PEEL CONSTITUENCY		2,962	3,496	84.73	63.43
RAMSEY CONSTITUENCY	RAMSEY NORTH POLLING DISTRICT	2,763	3,262	84.70	
RAMSEY CONSTITUENCY	RAMSEY SOUTH POLLING DISTRICT	2,376	2,714	87.55	
RAMSEY CONSTITUENCY		5,139	5,976	85.99	66.63
RUSHEN CONSTITUENCY	EAST ARBORY POLLING DISTRICT	513	590	86.95	
RUSHEN CONSTITUENCY	EAST RUSHEN POLLING DISTRICT	515	592	86.99	
RUSHEN CONSTITUENCY	PORT ERIN POLLING DISTRICT	2,389	3,041	78.56	
RUSHEN CONSTITUENCY	PORT ST MARY POLLING DISTRICT	1,374	1,557	88.25	
RUSHEN CONSTITUENCY	WEST ARBORY POLLING DISTRICT	754	833	90.52	
RUSHEN CONSTITUENCY	WEST RUSHEN POLLING DISTRICT	644	737	87.38	
RUSHEN CONSTITUENCY		6,189	7,350	84.20	64.80
Census Population unmatchable to Unit Postcode			675		
TOTAL ISLAND	IN	52,002	65,380	79.54	

Appendix 5

2006 Election timetable

TIMETABLE FOR HOUSE OF KEYS GENERAL ELECTION 2006

In accordance with the Representation of the People (Amendment) Act 2006

TABLE	DAY	DATE	TIME LIMITS
	Fri	1st Sept	Updated voters list will be available from General Registry
0	Thur	19th October	Dissolution of Keys / Issue & delivery of Writ to Returning Officers
1	Fri	20th October	R. O's. advise Chief Sec- Place & time of del of Nomination papers
2	Sat	21st October	
3	Sun	22nd October	
4	Mon	23rd October	publish notice of election in press and in constituencies (Examiner)
5	Tues	24th October	
6	Wed	25th October	
7	Thur	26th October	publish notice of election in press (Courier)
8	Fri	27th October	
9	Sat	28th October	
10	Sun	29th October	
11	Mon	30th October	Nomination Day - 10am to 12 noon (objections 1/2 hour thereafter)
12	Tues	31st October	
13	Wed	1st Nov	
14	Thur	2nd Nov	
15	Fri	3rd Nov	
16	Sat	4th Nov	
17	Sun	5th Nov	
18	Mon	6th Nov	
19	Tues	7th Nov	
20	Wed	8th Nov	
21	Thur	9th Nov	
22	Fri	10th Nov	
23	Sat	11th Nov	
24	Sun	12th Nov	
25	Mon	13th Nov	Last day for receipt of absent voter applications for outside IOM (taking into account excluded days)

26	Tues	14th Nov	
27	Wed	15th Nov	
28	Thur	16th Nov	
29	Fri	17th Nov	Last day for receipt of absent voter applications within Isle of Man Last day for issue of absent voter ballot papers to voters outside IOM (taking into account excluded days)
30	Sat	18th Nov	Last day for receipt of proxy applications Registration Officer to issue a copy of the list of proxies to R.O.'s (taking into account excluded days)
31	Sun	19th Nov	
32	Mon	20th Nov	Last day for issue of absent voters ballot papers to voters within IOM
33	Tues	21st Nov	
34	Wed	22nd Nov	
35	Thur	23rd Nov	ELECTION - Polling day - 8.00am to 8.00pm