

Page Three of Hillingdon’s 2006 poll card: A question for the Electoral Commission?

In the months running up to the May 2006 local election, the streets and newspapers of Hillingdon accommodated a propaganda campaign to increase voter turnout, under the catching heading

ARE YOU SATISFIED WITH A THIRD?

— the coy “third” being the 33% turnout of the 2002 election. This note is concerned with the reproduction of some of this propaganda on the third page of the Official Poll Card that Hillingdon’s returning officer posted to all electors well before election day. The Representation of the People Act 1983 had prescribed what could and should be printed on the front and back of the “card”. For example, the back was required to inform the elector that:

“This card is for information only. You can vote without it, but it will save time if you take it to the polling station and show it to the clerk.”

For 2006, Hillingdon’s “card” was a four-page leaflet that deviated from the 1983 specification. Page One, as always, had the elector’s name, address and number on the electoral register — but also included a helpful map giving the exact location of the elector’s polling station. Page Two listed the names and parties of the candidates in the electoral ward. Page Three, supposedly designed to enhance the “turnout” of those who were not using a postal ballot form, is reproduced here as Figure 1. When the votes (including the postal ballots) were totted up, it could be seen that aggregate turnout had increased in every ward compared with 2002 — for Hillingdon as a whole it had gone up from 33% to 38%. In the borough magazine *People*, the Returning Officer expressed delight at what he saw as the success of the borough-wide campaign for more people to vote — but the listing of the components of the campaign thought to be responsible for the success made no mention of Page Three.

COUNCIL ELECTIONS 4 MAY 2006

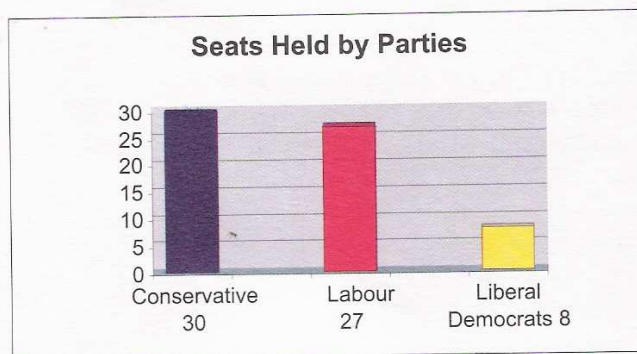
ARE YOU SATISFIED WITH A THIRD?

Hillingdon has just over 180,000 electors.

In the last Council elections in 2002 less than a third voted.

What the Council does affects everybody – every elector has the right to vote.

There are 65 Councillors in 22 Wards. Every Ward has 3 Councillors except Harefield - which is smaller and has 2.



In 2002 the voting in some Wards was extremely close.

WARD	SMALLEST MAJORITY
Manor	4 votes
Cavendish	13 votes
Uxbridge South	13 votes
West Drayton	25 votes
Harefield	33 votes
Yiewsley	42 votes
South Ruislip	53 votes



YOUR VOTES COUNT - PLEASE USE THEM

Figure 1: Hillingdon's Page Three

What influence, if any, did Page Three exercise? With other things to do, most electors will not have given much attention to their poll card. On the other hand we can never know how many of those who did have the time to do so may then have been influenced by either the names on Page Two or the colours and list of wards on Page Three to abstain from voting. Those electors who voted in person may well have been able to do no more than cast an eye lightly over Page Three.

Later on election day, I spent two hours as a “teller” for my councillor wife’s party — which means that I had to sit with another teller at the entrance to a polling station, wear a prominent party rosette and an encouraging smile for voters as they entered, and then try to get their electoral register number as they left. These numbers could have been used to “bring out the vote” had there been any Tammany Hall activity in the ward. Between voters, my fellow-teller and I looked at Page Three and noticed that it was potentially prejudicial to the Lib-Dem cause — a quick glance and a thoughtless response to the vivid yellow might easily lead one to think that a Lib-Dem vote would be wasted in the seven wards listed on the card.

Statistical calculations

Table 3 presents some statistics (Don’t look now!) of ward turnouts and of the changes between 2002 and 2006 in the numbers of votes for the three main parties: Conservative (C), Labour (L) and Liberal Democrat (LD). The numbers of votes for individual candidates in each election are beautifully documented in links from two public web-pages at

www.hillingdon.gov.uk/central/democracy/elections2002 (ditto for 2006).

Page Three informs or reminds Hillingdon’s electors that three councillors have to be elected in 21 of the 22 wards and just two councillors in one of the wards. Page Three’s “smallest majority” statistic is, more precisely, the number of votes in the gap between the successful third (or, in one ward, 2nd) place in the 2002 election and the unsuccessful fourth (or 3rd) place.

The first step was to calculate, separately for 2002 and 2006, the total number (call it “Votes”) of votes for each party in each ward where the party was fully represented by three candidates. For any ward where there were only two candidates, their total was scaled up to a partly putative estimate of Votes for three candidates (one of them a necessarily hypothetical candidate) by multiplication by 1.5 — and by multiplication by 3 when the party was putting up only one candidates. (In two wards, there was no Labour candidate and so no estimate of L Votes was possible.) The justification for such scaling is that people tend strongly to vote the “party ticket” i.e. the numbers of individual candidates’ votes in pairs and triples are typically not far from equality. (See Table 1 for an example of that.) The capital letter in “Votes” serves as a reminder that there may have been some scaling.

A reasonable index of the change in the vote for any party in any ward — one that might well reveal any Page Three effect — is the ratio

$$\text{Index} = (\text{Votes in 2006}) / (\text{Votes in 2002}).$$

There are three possible indices, for the parties C, L and LD. These indices can in turn be compared by taking their ratios — two parties at a time. Two such ratios are sufficient — the third is *their* ratio which is therefore redundant. To compare LD with C or L with C in each ward, we can use ratios again

$$\text{Ratio(LD/C)} = (\text{Index for LD}) / (\text{Index for C})$$

$$\text{Ratio(L/C)} = (\text{Index for L}) / (\text{Index for C}).$$

A value of Ratio(LD/C) greater than one means that, on a *per capita* basis for each election, the change in Votes is more favourable to LD than to C — and *vice versa* if the ratio is less than one. Ditto for Ratio(L/C) . If two parties have the same percentage change in Votes, their Ratio is one.

Tables 1 and 2 help the interpretation and understanding of the ratios in Table 3, by showing precisely how the first two ratios, 0.76 and 0.30, were calculated.

Table 1: Individual candidates' votes in Cavendish ward.

<i>In 2002</i>		<i>In 2006</i>	
<i>No. votes</i>	<i>Party</i>	<i>No. votes</i>	<i>Party</i>
1602	LD	1863	C
1517	LD	1833	C
1470	C	1782	C
1457	LD	1491	LD
1457	C	1455	LD
1456	C	1418	LD
421	L	150	L
394	L	146	L
382	L		

From Table 2, we get the total Votes for each party in each year and derive the change indices:

Table 2: Calculation of change indices for Cavendish.

<i>Party</i>	<i>Votes in 2002</i>	<i>Votes in 2006</i>	<i>Index</i>
C	4383	5478	1.250
L	1197	444*	0.371
LD	4576	4364	0.954

*Only two L candidates, so $444 = 1.5 \times (150 + 146)$.

From Table 2 we get, as promised,

$$\text{Ratio(LD/C)} = 0.954/1.250 = 0.76 \text{ and } \text{Ratio(L/C)} = 0.371/1.250 = 0.30.$$

The interpretation of these ratios (which does not call for knowledge of the actual voting numbers) is that, in the Cavendish ward, the changes in Votes between 2002 and 2006 must have been unfavourable to the Liberal Democrats and, without question, poor for Labour (compared with Conservatives, in both cases).

For all three political groups, the following table provides food for thought — and idle speculation.

Table 3: Statistics for each ward. The seven wards on the card are in bold font.

Ward	<i>In the fight for 3rd place</i>	<i>Ratio</i>		<i>Turnout</i>		
		(LD/C)	(L/C)	2002 %	2006 %	Δ^a (%)
Cavendish	LD lost to C by 13	0.76	0.30	41	49	13
Manor	4	0.81	0.45	41	52	18
Harefield	33	1.01	0.39	38	42	5
Eastcote and ...	1679	0.93	0.67	40	48	15
Northwood	952	1.06	— ^b	30	39	12
West Ruislip	930	1.50	0.58	33	44	15
Ickenham	1595	1.72	— ^b	42	48	10
Uxbridge S.	L lost to C by 13	0.95	0.48	30	33	3
West Drayton	25	1.59	0.51	33	35	3
S. Ruislip	53	3.49	0.38	34	43	13
Northwood Hills	970	0.80	0.68	30	37	11
Brunel	117	0.99	0.61	26	33	9
Uxbridge N.	986	1.10	0.75	32	39	11
Yiewsley	C lost to L by 42	0.73	0.63	27	30	4
Pinkwell	913	0.74	0.66	28	34	8
Yeading	832	0.96	0.61	26	32	8
Heathrow Villages	179	0.97	0.73	29	34	7
Barnhill	1049	1.00	0.66	29	32	5
Botwell	932	1.22	0.71	28	32	5
Townfield	943	1.39	0.55	28	30	3
Charville	210	1.82	0.74	35	38	5
Hillingdon East	L lost to LD by 114	0.72	0.43	36	37	1

^a Δ is the percentage for the ratio of the achieved improvement, 2006 %-turnout – 2002 %-turnout, to the maximum possible, 100 – 2002 %-turnout. ^b No Labour candidate in this ward.

What Table 3 shows

Turnouts.

When polling station ballot forms are counted, the forms are tipped out of the ballot boxes for each ward and then put into manageable bundles from which “spoilt ballots” are weeded out. (Some spoilt forms may later be judged “unspoilt”.) The ward turnout is the total of the number of unspoilt forms and the number of postal ballot forms already judged acceptable. The turnout percentage is for the ratio of this total to the number of names on the electoral register for that ward. The last three columns of Table 3 give the turnout percentages and the derived measure Δ of the improvement in turnout. The measure can be used to compare different wards and might, but in the event did not, have revealed a difference between the seven wards listed on the poll card and the other 15 wards. The Δ measure is preferable to the ratio of the 2006 to the 2002 percentage: Δ measures the improvement in turnout percentage as the percentage for the proportion of achieved improvement out of the maximum possible improvement. (A ward going from 20% to 30% gets a Δ of only $12.5 = 100(30 - 20)/(100 - 20)$ compared with a Δ of 16.7 for a ward that goes from 40% to 50%.) If you prefer the measure given by the ratio of the two percentages, please use that. The choice depends on how you model the response of the electorate to the borough campaign. Is there a kernel of always-voters to which the campaign can add by reducing the apathy of the 2002 non-voters, or is there only one sort of voter whose random decision to vote can be influenced by propaganda?

Ratio(LD/C) and Ratio(L/C).

Comparison of the value of either of these two ratios in different wards can be more easily made and may be easier to interpret when, as in Table 3, wards are jointly categorised by the character of the 2002 fight for 3rd place and by whether or not the ward was listed on the card. Within six of the joint categories, Table 3 lists wards by the value of Ratio(LD/C) . It can be seen that, except for the “L loses to C” category for Ratio(LD/C), the listed wards have or tend to have lower Ratios.

Idle speculations?

It remains to be seen whether the latter findings will exacerbate the feelings of any party that got the 3rd or 4th place in 2002 and then got the lower values of the Ratio in 2006. I am told that the Liberal

Democrats, who saw their representation on the council go down from eight seats to two, find Page Three thoroughly objectionable. One can only wonder what the Conservative group might now be saying about Page Three if their 2006 results had not given them 45 out of the 65 seats: Conservatives were the defenders of the 3rd (or 2nd) place in six out of the seven wards listed on the card. For all I know, Labour may want to claim that Page Three was responsible for some part of their poor showing in which they lost nine of their 27 seats: potential Labour supporters in the 15 wards not listed on the card may have misread the Page Three histogram to mean that voting would not influence the outcome in their own ward (with no “smallest majority”).

If not idle, such speculations are probably unprovable. So does that exonerate Page Three? Not if it is maintained that the absence of evidence (of any Page Three influence on the political outcomes) is not the same as evidence of absence. The onus of proof is on those in central government who wish to introduce such novelties. With such proof probably unobtainable (who would want to pay for the necessary experimentation in future elections?), we will be left with conflicting opinions about a quite artefactual state of affairs — unless it is decisively constrained.

Legal constraint or carte blanche?

Well before election day (but after the poll cards had been distributed and the inclusion of page three could not be undone) I asked the Electoral Commission to make a ruling against such abuse of the poll card in future elections. Given that the Commission is already busily engaged in quite different electoral irregularities, I am grateful for their courteous reply, which was both helpful and of general interest. It suggested that the Commission does not have legal authority to intervene:

“... the information on poll cards issued for elections is prescribed in law. However many Returning Officers choose to add additional information which they feel may be helpful to the electorate. ... whilst we are able to offer advice on the legislation, it is the Returning Officer who is fully responsible for the conduct of the election, including the design of the poll card.”

I was advised to raise my concerns directly with the returning officer, and was given the following URL to Harriet Harman’s Electoral Administration Bill:

<http://www.dca.gov.uk/legist/electadmin.htm>.

At the time of writing, the Harman bill is about to become law.

Paragraph 66 of the bill's "Schedule 1 Amendments Part 5 Conduct of elections" adds two extraordinarily general categories of information to what the 1983 Representation of the People Act prescribed for the poll card:

"(d) such other information as is prescribed;
(e) such other information as the returning officer thinks appropriate,
and different information may be provided in pursuance of subparagraph (d) and (e) to
different electors or descriptions of elector."

What effective or legal constraint does this paragraph place on the Secretary of State in further prescribing or on the thoughts of the returning officer? Clause 46 of the Bill permits the correction of any procedural errors he may make, as follows:

"(1) A returning officer . . . may take such steps as he thinks appropriate to remedy any act or omission on his part . . . which . . . is not in accordance with the rules or any other requirements applicable to the election.

and becomes even more permissive when it inserts the following amendment into section 63 of the 1983 Act:

"Where (a) a returning officer . . . is guilty of an act or omission in breach of his official duty, but (b) he remedies that act or omission in full by taking steps, he shall not be guilty of an offence . . ."

I have looked in the Act and elsewhere for any rules or other requirements that would prevent a returning officer putting whatever he likes on Page Three and then, if there is an objection from any party, thinking to remedy the injury by a statement of regret that it may have caused offence.

Sampling the general view

Readers of this piece can judge Page Three for themselves and it may therefore be prejudicial to report that, in the mixed responses I have had from independent outsiders to whom I have shown Page Three, there is a clear majority that, without any prompting, sees its content as an abuse of our democratic processes. A visiting Greek academic, who grew up under the dictatorship of “The Generals”, expressed an amazement that did not subside when told that, in this second home of democracy, it had never been necessary even to provide a signature to get onto the electoral register or to provide documentary evidence of identity if one goes to vote without one’s poll card.

Another outsider saw the colourful histogram as completely irrelevant to the question of low turnout and the listing of “smallest majority” wards as only marginally relevant. There might have been a case for naming (and shaming?) the seven wards with the lowest turnout in 2002, she thought. In that connection, it is notable that only one of the seven listed wards had a turnout under 30%, compared with 10 out of the other 15 (Northwood and Northwood Hills were just *under* 30!)

Mervyn Stone

July 2006.