military **voting**

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forewords

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In writing this report, we have uncovered the extent to which military personnel are currently disadvantaged in participating in our country's democratic process. Our nation takes great pride in the armed forces who put their lives on the line to protect lives at home. So, quite frankly, it is alarming that these courageous troops have yet to be given the appropriate means to have a say in our nation's policies.

In particular, we were surprised to find out that the government currently does not have any data on the number of military voters abroad who are on the electoral register. This alone demonstrates how the democratic engagement of our military personnel abroad is not given the attention it deserves.

This report also exhibits other flaws in the current electoral system with regards to our armed forcesl, from the difficulties in accessing information about elections to actually casting a secret ballot. In addition, the report examines how the use of digital technology can enhance their inclusion and suggests some other short-term adjustments which should be implemented, such as the surveying voter turnout in the annual Armed Forces Continuous Attitudes Survey.

Online voting can pave the way to a more inclusive democracy - one where everyone is ensured a say. We should look towards examples in the USA, Australia and India that have showcased how online voting can cut down time, effort and expenditure, and increase voter participation. All the positives of online voting emphasise the obligation for all parties to adopt the recommendations set out in this report.

Regular civilians have the ability to vote upon military funding, foreign invasions and diplomatic ventures. However, our military personnel who actually are invested in these kinds of policies and have to live, fight and die for these decisions are currently being restricted from voting.

Rachel Fielden, Georgia Wild,
and Tess Woolfenden
Report co-authors, WebRoots Democracy

Dan Jarvis MP

In a democracy, it is essential that every citizen has the ability to get involved and have a say. Unfortunately, in our existing system, many Armed Forces personnel have limited access to the democracy they defend. The troops who put their safety before our own to bravely fight for our democracy, should never be denied access to it.

Therefore, I am happy to welcome this report by WebRoots Democracy exploring how we can improve access to elections for the armed forces abroad.

As this report highlights, it is concerning that the government does not know how many military voters abroad are on the electoral register. Additionally, it is clear that the ones who are on the register face difficulties in actually casting their ballot, infringing their right to cast an independent, secret ballot. In this digital era, these are issues that can be fixed and do not need persist any longer.

It is time for the Government to explore the recommendations of this report and start dismantling the barriers that members of our Armed Forces face in elections.

Just as the goals, actions and needs of our Armed Forces are regularly reviewed, updated and improved upon, we should similarly adopt this approach for our democratic process to ensure it is kept up to date and representative of the way we live our lives. This report is a step in the right direction and puts forward methods by which we can make our democracy work for everyone.

I know first-hand the high levels of dedication, professionalism and commitment that our service men and women put into defending our democracy overseas; it now time that we make it more accessible to them.

Dan Jarvis MBE MP
Labour Member of Parliament for
Barnsley Central

Lord Lexden

For centuries, technology has enabled us to shrink the world and interact with those overseas with greater ease, from the invention of ships and the telegraph, to the extraordinary advances made possible by airplanes and the internet. Technology has broken down the barriers that once lay between people living in different countries.

It is unacceptable that our courageous troops who have uprooted their lives to defend ours are forgotten by our electoral system. We must explore the possibilities of new technology and learn how best we can harness them for the good of our democratic process in order to include these often forgotten voters.

I therefore commend this report by WebRoots Democracy examining how we can secure the full inclusion of military personnel overseas into our democratic process.

As a politician who has long been an advocate of a much more accessible voting process for British citizens overseas, I am very aware of the

difficulties that they face when trying to get information on candidates, receive a ballot paper, and cast a secret ballot. These same problems apply to the brave men and women of the armed forces who stand ready to fight for our nation across the world. Posted overseas by their country, they continue to be British citizens, and as such they are entitled to participate actively in our democratic life.

The Government should give careful consideration to the recommendations of this report, such as the piloting of online voting. A greater effort is also needed to keep track of the number of overseas military personnel on the electoral register, and to explore the possibilities of an official voter advice application so that we can engage with, and assist, our armed forces abroad more effectively.

Lord Lexden OBE

Conservative Member of the House of Lords

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executive summary

Purpose and background

A true democracy is one that is open and accessible to all eligible voters. Our democracy here in the United Kingdom is well defended by those who serve in our armed forces. However, it is clear that there are many members of our armed forces who are denied access to that democracy. The barriers to democratic engagement for our military personnel posted overseas should be dismantled, and technology has a role to play in doing so.

For this report, we have worked with leading armed forces organisations such as the Royal British Legion and the Army Families Federation, as well as election providers and the Electoral Commission. In addition, we have sought the views of more than 30 current and former members of the armed forces. Throughout this report, we build upon discussions held during a policy roundtable we hosted at Newspeak House, East London, as well as existing research, freedom of information requests, written parliamentary questions, and new data.[1]

This report explores barriers not just in the physical act of voting, but in joining the electoral register and accessing information about elections, candidates, and party policies. It also sets out a number of recommendations for how we can change the system to ensure access for military personnel posted overseas.

Recommendations

1. The Government should initiate pilots of online voting with a view to an online voting option being in place for military personnel overseas at the 2022 General Election.

2. The Electoral Commission should develop an official, independent, and accessible voter advice application ahead of the next UK General Election.

3. The Government should explore methods of tracking the number of military personnel overseas that are on the electoral register.

4. The Government should consider the potential of automatic voter registration pilots for members of the armed forces.

5. A question on voter turnout in UK elections and referenda should be included in the Armed Forces Continuous Attitudes Survey.

6. Political parties should make a concerted effort to reach out to military personnel overseas to inform them about constituency candidates and party policies in the run up to elections.

Key findings

It is evident that there is room for improvement when it comes to engaging overseas military personnel with the democratic process. In this digital era, we should not need to use military aircraft to expedite the delivery and return of voter registration applications and ballot papers for elections. Bringing voter registration online has been a significant positive change in this area, and there is support to trial the option of voting itself online, too.

Whilst there has been a marked improvement in the number of overall military personnel being added to the electoral register, the Government appears to have no indication of the number of overseas military personnel that are registered. This makes it difficult to know the extent of access for what is likely to be a marginalised section of the electorate. The annual Armed Forces Continuous Attitudes Survey does not include questions on voter turnout. This is a missed opportunity to ascertain an idea of how many members of the armed forces are engaging in the democratic process.

Despite remaining constituents of MPs, it is clear that many members of the armed forces abroad are not being provided with sufficient information

on party candidates and policies. In an ideal democratic system, all voters in a constituency should be provided access to information about those who seek to represent them. The idea of an official, independent voter advice application received strong support in both our policy roundtable and our survey of current and former members of the armed forces.

It is clear that casting a vote in an election for members of the armed forces abroad can be a lengthy and difficult process. The fact that the Government and the Electoral Commission actively advises overseas military personnel to vote via proxy instead of post "as there may not be enough time for your postal vote to reach you and be sent back before voting closes" is emblematic of this problem. Overseas military personnel are essentially being encouraged to give up their right to a secret ballot due to a flawed system of administering elections. This problem should not need to persist indefinitely whilst there are technologies such as online voting that have been explored by countries including the USA which can relieve this issue.

About this version

This is an archived, second edition version of the Military Voting report. The formatting of this version differs to the previous edition published in 2017, however the content remains the same.

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access to elections

access to elections

voter-registration

A quarter of armed forces personnel are registered to vote as 'service voters' which allows for them to register at a fixed address in the UK for five years even if they are moving around.[2] This means that they only have to register or renew their registration every five years. Additionally, armed forces personnel may choose to register as an overseas voter if they know they will be located at an overseas base on a long-term basis. However, this is a lot less common with only 1% of military voters registering as overseas voters in 2017.

Since military personnel and their families frequently move, a majority of service voters are likely to be registered at a family member's home in the UK rather than at their actual current abode. By doing this, there is no need to re-register after every move and this cuts down the chances that re-registering to vote will go forgotten.

As of 2014, the registration process can be done by post or online. Prior to online registration, the number of military personnel registered to vote was 69% in 2013. According to Louise Simpson, representing both the Army Families Federation and the Naval Families Federation, this was because they had a lack of information as to how the election would affect them and there were difficulties in actually registering to vote as military personnel. In addition, because they move so often, re-registering to vote at a new address was more hassle and time-consuming via the old method. During our roundtable at Newspeak House, Louise told us that re-registering at a new address often gets forgotten in the upheaval of moving.

In 2015, Anna Soubry, the then Minister for Defence Personnel, Welfare and Veterans, said "being in the armed forces can sometimes make it difficult to remain on the electoral register, particularly if personnel move around regularly or are posted overseas."[3]

The move from household, paper registration towards online and individual electoral registration in 2014 has reduced these previous barriers to registration and may have made a significant contribution to the positive shift in the numbers of military personnel registering to vote. The Armed Forces Continuous Attitudes survey found that in 2017, 84% of British armed forces personnel were registered to vote. This is an increase of 15 percentage points compared to the previous method of paper registration.

At the roundtable, it was apparent that the reduction in bureaucracy that came with online registration can help explain why there was such a significant increase in the registration of armed forces personnel. In addition, in 2015 the Government allocated £500,000 to efforts to encourage members of the armed forces' to register to vote via roadshows to ensure that they are not "disadvantaged by their service."[4] This is likely to have had a positive effect.

Those that were not registered to vote were mostly from the younger generations reflecting the trend in wider society of young people more generally.

In response to written parliamentary questions by Lord Lexden on 10 July 2017, Earl Howe from the Ministry of Defence stated that the Government "does not hold information to indicate the numbers or percentage of [overseas] personnel who were registered to vote or who actually voted."[5]

barriers in elections

As with regular voters, the armed forces abroad need a way in which they can access information about the election taking place, the candidates running and their policies. Most military personnel can access the internet and news outlets in the run up to an election unless they are in particularly high-risk environments. Therefore, in practice, they have access to information about political parties in up and coming elections.

However, according to a survey we conducted of current and former members of the armed forces, 64% said that they do not have sufficient information about candidates.[6] Andy Pike, who represented the Royal British Legion at our roundtable, echoed this sentiment by highlighting that there is little exposure regarding local candidates.

The circumstances of living abroad can explain why military personnel feel they have insufficient information about candidates. Firstly, the potentially large degree of separation from the lives of personnel and their constituency can mean that some military personnel may be unsure as to how an election would affect them. As a result, they may become uninterested and fail to seek out information themselves. Secondly, the current system does little to counteract the proximity of 'information'. For example, during each general election, every party is given a budget for sending out printed information to households in the UK with free delivery.

This budget is set at £8,700 and can vary depending upon the number of candidates standing for the party.[78] However, it is unclear whether campaign material always reaches military personnel deployed overseas. In addition, the Ministry of Defence and the DFPO (military postal service) are dedicated to remaining apolitical and impartial. Therefore, they will only send out information to personnel on how to vote but not about the local candidates or parties. Lastly, each base has staff for whom one responsibility is to politically engage those within their base/regimen/squad by talking about politics, general elections and encouraging personnel to stay informed and involved. However, as James Clark, former Infantry Officer, mentioned in our roundtable, this rarely, if ever, occurs and routinely gets neglected.

In our roundtable we discussed ideas to overcome these barriers to information. Participants were supportive of the idea to have an official voter advice application, to provide details on local candidates and party policies in a single place. This enthusiasm was reflected in our survey of current and former members of the armed forces in which 94% of participants said

they would find an official voter advice application useful.

barriers in voting

For members of the armed forces abroad, the act of casting a vote can be a difficult and lengthy process. Whilst the Ministry of Defence does not currently hold statistics for how many members of the armed forces abroad voted in the last general election, a survey carried out by the Army Families Federation, titled the Overseas Voting Survey, found that only 64% of those registered cast their vote.[9]

As set out in their command brief for the survey, the AFF outline how despite local authorities being instructed to prioritise overseas voters when dispatching ballot papers, registration to vote closes only a few days before an election. The AFF state that "this can result in an overseas voter being eligible to vote, but insufficient time left for them to receive their ballot papers."

Our survey of current and former service personnel found that many respondents were unable to, or faced difficulties in voting due to the nature of postings. One respondent stated in relation to the 2017 general election that they were "posted at short notice close to the election, therefore missing my chance to vote."

Another informed us that days prior to the EU referendum, they were sent on a six-week multi-national exercise, adding additional difficulties to the voting process and causing many to miss the opportunity to cast their vote and engage with the democratic process.

When asked questions relating to improvements to the voting process, nearly all the respondents (91%) said that they believe online voting should be an option in elections and referenda. One respondent stated that this option would "undoubtedly increase the ability of soldiers, sailors and airmen to engage with the democratic process."

At our roundtable, the methods through which a ballot could be cast was raised as a key barrier for overseas military personnel. In the 2017 General Election, 3,090 ballots were sent out by post, but only 34.7% were returned as recorded by the

Forces Post Offices. According to Louise Simpson representing the Army Families Federation and the Naval Families Federation, one explanation for the low return rate in postal ballots is the difficulty armed forces abroad face in returning them.

Chris Theilacker, National Guard Major in the US military notes that returning ballots by post is both a lengthy and time consuming process. He also states that "mail may or may not ever get to you when you are in an overseas environment."[10]

Tom Hawthorn from the Electoral Commission told us that often, postal ballots get sent out very close to polling day. As an outcome, members of the armed forces abroad may not receive their ballot paper or be able to return it in time to be counted. This is supported by a House of Commons Library paper on Armed Forces Voting[11] in which it states:

"There was often insufficient time for postal ballots to be sent out to forces serving abroad and for these to be returned by polling day, so voting by proxy was a safer option."

The Electoral Commission website[12] also states:

"If you are living abroad, it may be better to appoint a proxy to vote on your behalf as there may not be enough time for your postal vote to reach you and be sent back before voting closes."

A number of overseas military personnel also gave similar accounts as a part of the AFF's Overseas Voting Survey. One respondent stated in reference to the 2017 General Election that:

"This election was announced and it was already too late for us in Cyprus to get postal votes sent out to us, fill them in and send them back…. Very annoying and frustrating, making us feel like we don't count while we are abroad working for the UK government!"

Another respondent stated:

""I feel like I HAVE to proxy vote because I don't trust the BFPO system to deliver my postal vote on time."

However, those who choose to vote by proxy also face barriers in casting a vote. In our roundtable,

it was noted by the participants that a proxy vote requires friends or family to physically cast a vote on their behalf. In some cases, friends and family have moved away and are unable to provide this assistance. This was also reported in the Overseas Voting Survey, with respondents reporting that:

"We don't have relatives who live in the same county as us so could not proxy vote."

"Why should I trust someone else to vote the way I want to by proxy? This is a personal and private matter, so I do not want others to know how I vote."

This method of voting also requires a high degree of trust in the individual who is casting your ballot on your behalf. Louise Simpson stressed that this trust cannot always be guaranteed as some friends or family members choose to cast the vote in favour of their own preferences rather than that of the legitimate voter.

The existing system

Following a freedom of information request we made, the Ministry of Defence provided us with a breakdown of the postings of military personnel. As of April 2017, there are 9,220 armed forces personnel and 5,350 Ministry of Defence civilian personnel currently permanently based abroad.[13] However, it is important to note that this figure does not include those temporarily based abroad and so the number of personnel deployed at the time of an election or referendum could be much higher.

There are two voting options available to overseas military personnel in UK general elections and referenda:

Postal voting

All members of the armed forces abroad voters can apply to vote by post. If the voter has registered to vote by post, they will be sent the ballot paper in the post. An overseas military voter can then mark the ballot paper and post it back to the UK.

Vote by proxy

Any voter who is serving overseas can appoint someone they trust to go to the polling station to

vote on their behalf. This is called voting by proxy. The overseas military voter is to return their application for a proxy vote to their electoral registration office 6 working days before an election or referendum if they are applying for a new proxy vote, or 11 working days if they are applying to change or cancel an existing one.

While the proxy vote is the option favoured by the Ministry of Defence and the Electoral Commission due to the unreliability of the postal vote, Louise Simpson told us that the postal vote is the preferred method by members of the armed forces abroad as they are able to keep a secret ballot. This is reflected in the Overseas Voting Survey in which only 29% of respondents reporting voting by proxy in the 2017 General Election, and 30% stating they would prefer to use this option in future elections and referendums.

Online voting

The introduction of an online voting platform would improve access to voting for armed forces personnel deployed outside of the UK, as it would create an option to vote in secret while guaranteeing their votes are cast. Details of this are set out in our 2016 report, Secure Voting.[14] Currently the only option to vote in secret is to vote by post. Postal voting cannot guarantee an overseas military voter's ballot will be cast, as the postal votes may not returned in time, as they cannot be sent out until the close of nominations. An online voting platform would create a method for personnel to independently vote in secret from the countries they're stationed in.

In the lead up to the 2010 General Election, the Government made arrangements to use couriers and space on military aircraft to expedite the delivery and return of electoral registration applications and ballot papers for military personnel stationed in Afghanistan.[15][16] Although such measures are commendable for ensuring personnel are able to vote, they are also inefficient and expensive. When Baroness Taylor of Bolton, the Minister for International Defence at the time, was explaining the measures in a response to a Parliamentary Question on 6 April 2010, she also said the Government had encouraged personnel to vote by proxy, which in

itself has barriers to voting for many people.[17] An online voting platform, in contrast, would create a manageable way to allow all those serving abroad to vote in secret, including those in difficult military circumstances.

The Electoral Registration and Administration Act 2013 made provision to change the system for voter registration in the UK, and as a result individuals can register to vote online.[18] This made the system more accessible for overseas service personnel, as it minimised the barriers to registering to vote, which no longer required the delivery and return of papers. According to the Armed Forces Continuous Attitudes Survey, the number of armed forces personnel who stated they were registered to vote has increased from below 70% before the introduction of online voter registration, to around 84% in 2017. Similar changes to the voting system may have an equally positive effect.

Examples can be taken from around the world of how online voting can increase accessibility of voting to military voters deployed abroad. Many states in the US allow certain voters, including military voters, to submit their ballots electronically. For example, Missouri[19] offers electronic ballot return via a web-based portal for members of the military who are serving in "hostile zones" overseas, and both North Dakota[20] and Montana[21] permit military members deployed overseas to vote online via digital marking. Many other states allow ballots of overseas military members to be returned via email or fax.[22]

During our roundtable, Ian Brook from Scytl described case studies from 2008 and 2010 from Florida and West Virginia in which remote online voting was provided for overseas and military voters. In Okaloosa County Florida, there were 18,000 potential voters, and in West Virginia, there were 1,500 voters. In Okaloosa County, online votes were cast for the 2008 US Presidential election from the United Kingdom, Germany, and Japan over a 10-day period.

Turnout was 15%, three times higher than the average for absentee voters. In 2010, online voting was piloted in the State of West Virginia in

Jackson, Kanawha, Marshall, Mason, Monongalia, Monroe, Putnam, and Wood Counties.

Another example can be seen in India, where part of the process can now be done online. The system allows service voters, including those in the armed forces, to cast their vote from anywhere outside their constituency using an electronically transmitted postal ballot.

The voter must, however, send the ballot back to the returning officer of their respective assembly constituency via post.[23] Goa's Chief Electoral Office explained the benefits of the system: "The process of sending ballots via post, which would have taken an enormous amount of time and effort, has been cut down with electronic transmission."[24]

Australia trialled online voting with their overseas military voters in 2007. In addition to the technical success of the trial, it demonstrated that a high turnout could be achieved where awareness about voting opportunities was well publicised.[25] The trial was therefore a success and significantly increased accessibility to voting for military members deployed overseas.

Andrew Colver, Head of Democratic Services at Rushmoor Borough Council, in the UK, provided us with information on the pilots undertaken there in 2003 and 2007. Rushmoor contains the Aldershot Military Town which at the time had around 8,000 military and civilian personnel. The results of the scheme showed that the principle of online voting was one "which is supported by electors and those involved in the elections process." Their findings also identified a local "desire to see further work" undertaken with service voters.

It was suggested in both our roundtable and in responses to our survey that the Joint Personnel Administration (JPA) system, the intranet system for the armed forces, could be used for an online voting system. The JPA carries out over 40 previously paper-based functions such as payslips and checking postings. One of our survey respondents said that JPA "would be ideal" suggesting that personnel could log on to the JPA and cast their vote "similar to signing for your

appraisal." Another respondent proposed integrating an online voting platform with the DII, the Defence Information Infrastructure, which is a secure military network owned by the MoD, supporting 300,000 user accounts.

International and UK law on voter accessibility

In the Human Rights Act 1998, Protocol 1, Article 3: 'Right to free elections' reads as follows:

> "The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature."

According to the Equalities and Human Rights Commission, this right is 'absolute' and 'must never be restricted in any way.'[26]

The failure to provide an accessible, secret method of voting for overseas military personnel could therefore be a breach of the Human Rights Act.

This has similarly been argued in Australia with regards to vision impaired voters, when in 2011, Vision Australia argued that the Government 'has an obligation to enact the necessary legislation and provide sufficient resources to facilitate the development and continuation of equitable voting practices.'[27]

One of the methods they said would enable their service-users 'to cast an independent, secret ballot' was the introduction of an online voting option 'in which votes are cast using an accessible website.'

International laws

The right to a secret ballot is cemented in numerous international laws and obligations. These include the UN Universal Declaration of Human Rights and various commitments made through the Organisation for Security and Co-operation in Europe.

references

references

[1] A policy roundtable for this report was held at Newspeak House, London, on Friday 7th July 2017. The attendees are as follows: Areeq Chowdhury (WebRoots Democracy); Rachel Fielden (WebRoots Democracy); Tess Woolfenden (WebRoots Democracy); Maya Fryer (WebRoots Democracy); Louise Simpson (Army Families Federation and Naval Families Federation); Andy Pike (Royal British Legion); James Clark (Former Infantry Officer, 2nd Battalion the Mercian Regiment); Tom Hawthorn (Electoral Commission); Luke Ashby (Electoral Reform Services); and Ian Brook (Scytl).

[2] Armed Forces Continuous Attitudes Survey, Ministry of Defence, May 2017.

[3] Campaign launched to boost Armed Forces' voter registration, Ministry of Defence, February 2015.

[4] Ibid.

[5] Written question HL631: Lord Lexden, UK Parliament, July 2017.

[6] WebRoots Democracy survey on Military Voting. 33 current and ex-UK armed forces personnel participated, from 8 July 2017 to 28 July 2017. Results are in the appendix.

[7] Guidance for candidates – UK Parliamentary General Election 2017, Electoral Commission, May 2017.

[8] Situations and procedures – UK Parliamentary General Election 2017, Electoral Commission, May 2017.

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[12] Armed Forces, Your Vote Matters, July 2017.

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[18] Ibid.

[19] Electronic Transmission of Ballots, National Conference of State Legislatures, January 2017

[20] The Absentee Voting Process in North Dakota, North Dakota State Government, July 2015

[21] Frequently Asked Questions about the Electronic Absentee System, Office of the Montana Secretary of State, March 2017

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[23] 'Centre amends election rules, armed forces to now get e-postal ballots', The Times of India, October 2017

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[25] Report on the 2007 Federal Election Electronic Voting Trials, Parliament of Australia, March 2009

[26] Article 3 of the First Protocol: Right to free elections, Equality and Human Rights Commission, May 2017.

[27] Access to voting, Vision Australia, July 2011 (Word doc)

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