

**The Market Research Society submission in response to the Ministry of Justice consultation:
*Electoral Registers – Proposed Changes to the Edited Register***

1. About The Market Research Society

With members in more than 70 countries, The Market Research Society (MRS) is the world's largest association serving all those with professional equity in provision or use of market, social and opinion research, and in business intelligence, market analysis, customer insight and consultancy.

Visit the MRS website for more information: www.mrs.org.uk

2. Introduction

MRS welcomes the opportunity offered by the Ministry of Justice to respond to the *Electoral Registers – Proposed Changes to the Edited Register* consultation.

MRS noted the consultation questions and has chosen to address only those questions which are relevant to MRS activities.

MRS confirms that the contents of this paper are not confidential and can be attributed to MRS.

3. MRS Response to the Consultation

Scope of the consultation

MRS was surprised at being excluded from the list of organisations identified as likely to have an interest in the electoral registers consultation, particularly as MRS has responded to numerous consultations on this topic since 1998. However, the exclusion is possibly understandable in light of the focus of this and previous consultations about access to the electoral register. The motivation behind earlier changes is highlighted by the 2002 Working Party Report which stated¹:

The commercial sale of the register provides a comprehensive democratic database which business, particularly the credit reference and direct marketing sectors, have come to consider an integral and vital part of their marketing armoury... In our view although the economic arguments for retaining a commercially available register are strong electors should be given a say in what information should be made available commercially.

This statement underlines the original intention of restricting the commercial use of the register. However, the implementation of the original report made far more sweeping changes which resulted in

¹ The Final Report of the Working Party on Electoral Procedures ("The Howarth Report") – January 2002

market, social and opinion researchers no longer being able to access the full register and as consequence UK voters no longer being able to have an equal chance of participating in research projects which influence decisions that affect all our lives. It is possibly the lack of awareness of this impact of the original changes that resulted in MRS being excluded from the list of organisations to be consulted this time round.

What is market research?

Market research, which includes social and opinion research, is the systematic gathering and interpretation of information about individuals or organisations using the statistical and analytical methods and techniques of the applied social sciences to gain insight or support decision making.

Since the 1950s, market, social and opinion research has been robustly self-regulated by the MRS Code of Conduct which is supported by strong compliance and disciplinary frameworks.

The fundamental principles of research and the MRS Code of Conduct are that:

- ❖ Research does not seek to change or influence opinions or behaviour.
- ❖ Research must be conducted with the voluntary participation of respondents, based on the principle of informed consent.
- ❖ Respondents must not be harmed or disadvantaged as a result of participating in a research project.
- ❖ Personal data collected for research purposes must not be used for other purposes.

These principles mirror the legislative requirements of the Data Protection Act 1998. Unlike direct marketing, advertising or other commercial communications, research does not contain commercial messages nor does it seek to promote the aims or ideals of those who conduct or commission it.

Market research plays a key role in helping businesses and other constituencies better understand consumers, customers and citizens in developing goods and services, and is essential for economic efficiency, innovation and progress. Social and opinion research is widely used by public bodies to understand citizens' preferences and measure key performance indicators, and government studies used for improving educational, healthcare and police services.

Why the full electoral register needs to be available for market research purposes

For market research to have value for government, businesses and the public it must be representative of the views of all UK citizens. The full electoral register is the only UK list of all named individuals who are eligible to vote, and as such it is a unique sampling frame for selecting research respondents.

Alternative databases such as the Postal Address File (PAF) are available but these do not specify the numbers of electors at each address or provide their names. This means that using the PAF for postal research sampling purposes can be problematic as mail addressed to “The Occupier” is less likely to be opened due to connotations with direct marketing; it is more likely to be opened by men, thus skewing the sample; and it cannot be sampled on a ‘pro rata to adult population’ basis. Other databases such as the Council Tax register are not available for research and cannot be used for purposes other than Council Tax collection.

Impact of current restrictions

The following is a list of the kinds of research activities that have been curtailed since the introduction of restrictions to the full electoral register:

- ❖ Surveys on voting: For obvious reasons the Electoral Register is the essential sampling frame for research into voting. It is more often used for post-election research but is also used to validate whether respondents to election studies (sampled by other methods) were registered to vote. The lack of access to the full register has clearly undermined this area of research so crucial to government and political parties. Indeed by restricting access damage has been done to the original aim of the Working Party, “...consider recommendations for changes to electoral practice which will contribute to democratic renewal in the United Kingdom...”²
- ❖ Population research: Summary statistics, such as number of electors per household, used to be obtained from the full electoral register for each unit postcode. These population statistics are employed for population estimation purposes or are used in measures such as area classification systems. No other source can provide these measures on an up-to-date basis and at the required geographical level. As such population research statistics are no longer useful when based on the edited electoral register.
- ❖ Sample frame for survey research: Quantitative survey research techniques are applied widely by national and local government to undertake research on the specification and delivery of social benefits and services. Since the introduction of restrictions to the full electoral register UK citizens have no longer had an equal chance of being selected for such research and to contribute their views.

Moreover by introducing the restrictions the efficiency and effectiveness of research has deteriorated and adherence to legal requirements such as keeping data accurate and up to date³ have been severely affected due to the lack of any other available and accurate source.

² The Final Report of the Working Party on Electoral Procedures (“The Howarth Report”) – January 2002

³ Fourth principle of the Data Protection Act 1998

Questionnaire Responses

1. Were you aware that an edited version of the full electoral register existed?

MRS was aware and responded to the original Home Office (Elections Section) consultation in August 1998 which first raised the possibility of introducing an edited version of the full electoral register.

2. Were you aware of your ability to 'opt out' of inclusion on the Edited Register?

MRS was aware of the ability to 'opt out' and when this was originally mooted raised objections about the impact on market, social and opinion research if researchers were not given access to the full electoral register. We argued that the lack of access to the full electoral register would reduce the efficiency and effectiveness of research, adding to the cost of research and adversely affecting clients, consumers and agencies. We argued that any use of an 'opt out' should be clearly related to the specific activities of concern (e.g. direct marketing) rather than be too wide-ranging. This was ignored but the desired result for the change has not been obtained, whilst all the identified negatives for research have been realised.

3. Do you have any concerns about how your electoral registration data is used and why?

4. Does the existence of the Edited Register deter you from registering to vote?

5. Is your preference for abolishing or retaining the Edited Register? Please give reasons for your answer.

MRS's preference is that the full electoral register is made available for market, social and opinion research purposes. The edited register has very limited use for research purposes due to its unrepresentative nature.

6. Which options are your most and least preferred? Please give reasons.

Option 3: abolish the edited register as soon as practicable, but extend access to the full electoral register for other purposes is preferred **provided that** one of the extended purposes is using the register for market, social and opinion research purposes.

7. Do you have any comments and/or suggestions about how any of the opinions would work in practice, particularly taking into account the issues and questions raised in this consultation paper?

Full access to the electoral register should be allowed for market, social and opinion research. However, recognising the broader societal concerns about how data is used, MRS suggests that an approach similar to that suggested by Richard Thomas and Mark Walport⁴ in their data sharing review is adopted. Within this report they recommended that 'safe havens' are developed as an environment for population based research and that a system of 'approving or accrediting researchers' is established.

MRS already robustly regulates the research sector. All MRS Members and MRS Company Partners must adhere to the MRS Code of Conduct and associated disciplinary procedures. If access to the full register were to be extended to market, social and opinion research it should be done so only to those researchers and research organisations that are regulated and accredited i.e. MRS Members and MRS Company Partners. This would provide the kind of control and protection which should appease public concerns about the broader use of the full register.

8. Do you consider that the abolition of the Edited Register would affect you, your organisation, or those you represent positively or negatively? Please give as much details as you can about you, your organisation, or those you represent and address the following:

- **Exactly how you or your organisation could be affected.**
- **What the cost (monetary or otherwise) to you, your organisation, or those you represent would be, explaining how this has been quantified where possible?**
- **Would others be affected and who, in what ways and what would the cost be?**

The greatest impact for MRS Members and Company Partners would be if the full register were to be made available for research purposes. This would have the following **positive** impact:

- ❖ Improve accuracy of market, social and opinion research sample selection.
- ❖ Improve adherence to the fourth data protection principle⁵ which requires that data shall be accurate and, where necessary, kept up to date.
- ❖ Improving response rates and reducing wastage by ensuring the mailed research documentation reaches intended potential respondents rather than only household addresses.
- ❖ Ensure UK citizens have an equal chance of being selected to participate in research projects and influence issues which impact on their lives.

⁴ Data Sharing Review Report, Richard Thomas and Mark Walport – July 2008

⁵ Data Protection Act 1998

9. If the Edited Register were abolished, how might you, your organisation, or those you represent adapt to the change?

The impact on MRS Members and Company Partners if the edited register were to be abolished would be fairly minimal although some activities such as data accuracy checking would be affected if the edited register were no longer available.

4. About our organisation

Please use this section to tell us about yourself Full name: Debrah Harding	
Job title or capacity in which you are responding to this consultation exercise (e.g. member of the public etc.): Deputy Director General	
Date: 22nd February 2010	
Company name/organisation (if applicable): The Market Research Society (MRS)	
Address: 15 Northburgh Street, London	
Postcode: EC1V 0JR	
If you would like us to acknowledge receipt of your response, please tick this box	(please tick box) <input checked="" type="checkbox"/>
Address to which the acknowledgement should be sent, if different from above	

If you are a representative of a group, please tell us the name of the group and give a summary of the people or organisations that you represent.

With members in more than 70 countries, The Market Research Society (MRS) is the world's largest association serving all those with professional equity in provision or use of market, social and opinion research, and in business intelligence, market analysis, customer insight and consultancy.

MRS has a diverse membership of individuals at all levels of experience and seniority within agencies, consultancies, support services, client-side organisations, the public sector and the academic community.

It also serves MRS Company Partners agencies, suppliers of support services, buyers and end-users – of all types and scale who are committed throughout their organisations to supporting the core MRS values of professionalism, research excellence and business effectiveness.

In consultation with its individual members and Company Partners, MRS supports best practice by setting and enforcing industry standards.

Visit the MRS website for more information: www.mrs.org.uk