



The Advertising Association

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RESPONSE TO THE MINISTRY OF JUSTICE CONSULTATION ON THE FUTURE OF THE EDITED REGISTER

The Advertising Association is the only body representing all sides of the advertising and promotional marketing industries, worth £18.6 billion in 2008. Its membership represents advertisers, agencies, media and support services in the UK. Further information about the organisation is available at: <http://www.adassoc.org.uk/>

1. Introduction & Summary

1.1. The Advertising Association responds here to the consultation *Electoral Registers: Proposed Changes to the Electoral Register* being conducted by the Ministry of Justice (MoJ).

1.2. The Advertising Association is pleased that the Government is consulting on this important issue. The impact of abolition would be financially harsh and widespread to direct marketers. Not having information available also has a negative effect upon important areas of research, such as market, social and opinion surveys.

1.3. The Advertising Association supports the submission made by the; Direct Marketing Association (DMA), Market Research Society (MRS), Newspaper Society (NS) and Newspaper Publishers Association (NPA), who are all members.

2. Responses to specific consultation questions

Q5. Is your preference for abolishing or retaining the Edited Register? Please explain

2.1. The Advertising Association understands that the direct marketing industry relies upon the Edited Register for much of its activity. The Register fulfils the following functions for direct marketers:

- i. List Cleaning/Validation: The direct marketing industry uses the Edited Register to validate, correct or remove inaccurate names and addresses held on contact lists, databases and customer lists. It is important, in the case of customer lists, to note that the Edited Register is simply used to validate data which has already been fairly obtained by the organisation under the fair processing provisions of the Data Protection Act 1998, as the customers have already consented to that organisation processing their data.
- ii. A source of names and addresses: The Edited Register is one source amongst others that an organisation might use when planning a direct mail campaign. It is important to note that if the campaign was to be run at a national level, the information from the Edited Register would be overlaid with other relevant information, such as demographic or economic information, to ensure that the

campaign was appropriately targeted. This would not be the case with a local charity who may use the raw information from the Edited Register in a campaign to solicit new donors from the local area. Such a campaign would have to be run in compliance with the legal and self – regulatory protections available to individuals under the The Data Protection Act 1998 and The Mailing Preference Service (MPS).

- iii. Data Tagging or Appending: The addition of information to a customer database, for example demographic or economic information. The addition of such information will ensure that the direct mail campaign is better targeted and consequently there will be less wastage.
- iv. List modelling and statistical analysis: The data obtained from the register is used in an entirely non-personalised way, i.e. without individuals being identifiable by their name or address. The withdrawal of access to the Edited Register would obviously compromise that function.
- v. Environmental responsibility: As an industry, direct marketers are called upon to limit the amount of waste paper they produce. Using appropriate targeting techniques, such as cleansing data and suppression files, is in line with their environmental agenda, including producer responsibility obligations agreed with the Government. Removing access to the Edited Register for data cleaning purposes will make it harder for marketers to target accurately and effectively.

2.2. The preference for market researchers would be to make the full electoral register available.

2.3. The Edited Register is invaluable to the regional media industry, not least for core activities such as verification of distribution in accordance with industry standards, upon which free newspaper titles' and companies' revenues depend and journalism.

2.4. The Advertising Association appreciates the need for the information to be available, and the Data Protection Act 1998 already affords safeguards such as an individual's right to object to the processing of their personal information by direct marketers.

Q6. Which options are your most and least preferred? Please explain

2.5. Option 6 would be the most preferred. The least preferred is Option 1.

Option 6 – Improved guidance for the public

2.6. The public and local authorities need more information on the Edited Register. The legal and self-regulatory codes already protecting individual privacy need to be championed, and understood by the public.

2.7. Option 6 would have no economic impact on the industry, and the provision of more information to the public could better explain the difference between 'opting out' of the Edited Register, and using the Mailing Preference Service. Local authorities often advise use of the former to stop receipt of unsolicited commercial communications via mail, when the latter should be.

Option 1 – Abolish the Edited Register

2.8. In addition to the economic impact upon the industry, simply abolishing the Edited Register would also serve to undermine competition in the market. Only larger organisations would be able to access information of equivalent value, using alternative sources and methods – putting them at a competitive advantage over their smaller rivals.

2.9. Those in favour of abolishing the Edited Register may feel that it will stop commercial organisations from mailing consumers. This is not correct, but there will be a greater amount of misdirected mail. Organisations will simply send out more mail in order to reap the returns they need; generating higher handling costs and a greater volume of mail – with no cogent strategy to address the data protection issues that may arise.

2.10. The Edited Register is of importance to the day-to-day activities of all regional and local media companies'. The NS list the following as dependent upon the distribution verification system; editorial, advertising, marketing, promotions, sales, circulation and distribution. These activities underpin free newspapers and letterbox delivery services.

Q8. 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 detail as you can about you, your organisation, or those you represent and address the following:

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

2.11. Please see the DMA response for a full cost-breakdown of abolishing the Register from a direct marketing perspective, which will be in the region of £2.78m for large organisations and £1.16m for small organisations.

2.12. Please see the NS submission for the full impact upon regional media.

2.13. The net effect of the complete abolition of the Edited Register is estimated to be 'tens of millions' in turnover and hundreds of job losses.

Q9. If the edited register were abolished, how might those you represent adapt to change?

2.14. The industry would adapt, but at a considerable financial cost. Abolishing the Edited Register would disrupt the competitiveness of the market, putting larger organisations at an advantage (see also the response of the Advertising Association to Question 6).

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