

# Analysis of allegations of electoral malpractice at the May 2008 elections

Association of Chief Police Officers and Electoral Commission analysis

Table 2: ACPO PNICC recorded cases by RPA 1983 offence and outcome for May 2008 elections in England and Wales (updated 2009 and 2010). Final.

All cases reported during the 2008 election period have now been resolved.

This table updates Table 7 in the 2009 report, which updated Table 2 in the original 2008 report, and shows the outcomes for all cases. There are no unresolved cases.

No scheduled cyclical elections were held in Scotland in May 2008.

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Summary title of offence	RPA 1983 section	Cases	Allegations	Outcomes – cases			
				No further action	Caution – which may lead to a criminal record	Unresolved	Convicted Penalty
A	B	C	D	E	F	G	H
<b>Registration</b>							
False information for a registration application	13D(1)	23	74	21	2	0	0
False information for a postal/proxy voting application <sup>1</sup>	13D(1A)	12	143	12	0	0	1 convicted on 1 charge (fined £1,015)
Other registration offences	4, 12, 49	7	14	7	0	0	0
<b>Registration subtotal</b>		<b>42</b>	<b>231</b>	<b>40</b>	<b>2</b>	<b>0</b>	<b>1</b>
<b>Nomination</b>							
False statement in nomination paper	65(A)1	11	13	10	1	0	0
Corrupt withdrawal of candidate	107	1	1	1	0	0	0
<b>Nomination subtotal</b>		<b>12</b>	<b>14</b>	<b>11</b>	<b>1</b>	<b>0</b>	<b>0</b>

<sup>1</sup> One registration case (s13D(1A) in Hampshire) involved eight allegations of making a false application to vote by proxy. One person was found guilty on one charge and there was no further action on the other seven allegations. So when outcomes are added together (columns E to H) there is apparently one more case than the total number of cases shown in column C in both the s13D(1A) row and the registration subtotal.

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<b>Campaign</b>							
Printer's name and address on election publications (imprint) <sup>2</sup>	110	21	30	21	1	0	0
False statements as to candidates	106(1)	4	4	4	0	0	0
Return of expenses	75–85	5	5	4	1	0	0
<b>Campaign subtotal</b>		<b>30</b>	<b>39</b>	<b>29</b>	<b>2</b>	<b>0</b>	<b>0</b>

<sup>2</sup> One imprint case (s110 in Avon and Somerset) has two outcomes, where two allegations resulted in no further action and one allegation resulted in a caution, so when outcomes are added together (columns E to H) there is apparently one more case than the total number of cases shown in column C in both the s110 row and the campaign subtotal.

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A	B	C	D	E	F	G	H
<b>Voting</b>							
Personation/ legal incapacity to vote/ multiple voting <sup>3</sup>	60–62A	13	178	9	4	0	1 person pleaded guilty to 2 charges, sentenced to 6 weeks in prison on each charge to run concurrently. 2 people pleaded guilty, both sentenced to 300 hours of Community Service Orders. 1 person found guilty of 2 charges, sentenced to 6 months in prison on each charge suspended for 12 months.
Tampering with ballot papers	65(1)(b–f)	1	1	1	0	0	0
Bribery, treating, undue influence <sup>4</sup>	113–115	4	12	4	1	0	0
<b>Voting subtotal</b>		<b>18</b>	<b>191</b>	<b>14</b>	<b>5</b>	<b>0</b>	<b>3</b>

<sup>3</sup> Two personation cases have two outcomes and another has three outcomes (see footnote 4). Therefore, in the voting subtotal, when outcomes are added together (columns E to H) there are apparently four more cases than the total number of cases shown in column C.

<sup>4</sup> One case in West Yorkshire originally shown as personation (s60–62A) also involved an allegation of treating (s114) against the same person for which a caution was given. The caution was shown in the original and in the 2009 revision as being for personation. It is shown here as a treating (s114) offence.

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A	B	C	D	E	F	G	H
<b>Miscellaneous</b>							
Broadcasting	93	1	1	1	0	0	0
<b>Miscellaneous subtotal</b>		<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>
Registration subtotal		42	231	40	2	0	1
Nomination subtotal		12	14	11	1	0	0
Campaign subtotal		30	39	29	2	0	0
Voting subtotal		18	191	14	5	0	3
Miscellaneous subtotal		1	1	1	0	0	0
<b>Total<sup>5</sup></b>		<b>103</b>	<b>476<sup>6</sup></b>	<b>95</b>	<b>10</b>	<b>0</b>	<b>4</b>

**Table 2 shows 103 cases with 109 outcomes because four cases have two outcomes and one has three outcomes.**

To improve accuracy, reporting forms were modified after 2008 to allow each case to be tracked more clearly, and, rather than classify the case by RPA 1983 section alone, a free text box was added to encourage a description to be given for each case to allow a check to be made regarding the reported RPA section.

<sup>5</sup> In the final total, one registration case, one imprint case and two personation cases each had two outcomes, and one personation case had two outcomes and included a treating allegation against the same person. This means that there are apparently six more cases (in columns E to H) than the total number of cases shown in column C.

<sup>6</sup> Since the original report on electoral malpractice at the May 2008 elections was published, the number of cases has not changed at 103 but the number of allegations has increased from 472 to 476. This is due to one false application to vote by proxy case in West Yorkshire increasing from one allegation to five.