

Briefing

The Electoral Commission

Adjournment debate on the Metropolitan Police Special Enquiry Team investigation into electoral fraud in Tower Hamlets

Monday 18 April

Introduction

This briefing sets out the Electoral Commission's views ahead of the adjournment debate on the Metropolitan Police Special Enquiry Team investigation into electoral fraud in Tower Hamlets called by Jim Fitzpatrick MP (Poplar and Limehouse).

Electoral fraud

The Electoral Commission has takes the risk of electoral fraud extremely seriously. Although cases of proven electoral fraud are relatively rare in the UK, any fraud has the potential not only to affect individual voters but also to damage wider public confidence in elections.

This briefing sets out the work that the Commission and others are undertaking to tackle electoral fraud ahead of the May 2016 polls and the referendum on the UK's membership of the European Union, including a national public engagement campaign that we are delivering in partnership with the national anonymous crime reporting charity Crimestoppers.

This briefing also highlights our position on the recent announcement by the Metropolitan Police Service that no charges would be brought in relation to allegations of electoral fraud following the May 2014 elections in Tower Hamlets.

The Tower Hamlets election petition

The judgment following the election petition trial, which resulted in the former Mayor of Tower Hamlets and one councillor being found guilty by an election court of

corrupt and illegal practices and their elections declared void, was published in April 2015. The Commission issued a [statement](#) following the judgement, in which we made clear that when electoral fraud is attempted or committed, it is candidates and their supporters who make those attempts or commit those offences and that it is voters who are the victims. We welcomed that Mr Justice Mawrey also made this clear in his judgement.

However, while the election petition trial was a civil process in the High Court, it is the police who are responsible for investigating any allegations of criminal offences under electoral law, and any decision to prosecute ultimately rests with the police and the Crown Prosecution Service (CPS).

On 16 March 2016 the Metropolitan Police Service (MPS) issued a [statement](#) explaining that, following assessment of information arising from the election petition trial and the April 2015 judgment of the election court in relation to the Tower Hamlets election petition, and in consultation with the Crown Prosecution Service, “a decision has been made that there is insufficient evidence that criminal offences had been committed”.

We will continue to encourage the MPS to make publicly available as much information as possible to help explain how the decision announced last month was reached. We believe that there is significant public interest in explaining as fully and clearly as possible the basis for the decision which has been made in this case.

Following [our review of the delays at the count](#) at the 2014 elections in Tower Hamlets, we also made urgent recommendations for immediate and sustained action to reassure voters, candidates and campaigners that future counts in the borough would be well managed and efficiently delivered. We have been working closely with the Returning Officer and the police ahead of all recent polls in Tower Hamlets to ensure that this work continues.

Our work ahead of upcoming polls

We continue to work proactively with Electoral Registration Officers (EROs), Returning Officers (ROs), political parties, Royal Mail, police forces and the National Police Chiefs’ Council (NPCC), the CPS, the Crown Office & Procurator Fiscal Service and the Public Prosecution Service in Northern Ireland to offer practical advice and assistance in preventing and detecting fraud.

We focus our support and monitoring work in areas where there has been a history of allegations of electoral fraud and where the risk of further allegations arising is higher.¹ Police forces, EROs and ROs in these areas have significant experience of preventing and detecting electoral fraud, and they work harder to minimise the risk of

¹ These areas currently include: Birmingham, Bradford, Blackburn with Darwen, Burnley, Calderdale, Coventry, Derby, Hyndburn, Kirklees, Oldham, Pendle, Peterborough, Slough, Tower Hamlets, Walsall, Woking, Luton, Bristol

allegations arising. We are also making sure that similar plans are in place across the rest of the UK.

We have worked with the College of Policing to develop Authorised Professional Practice on policing elections for police forces in England and Wales. We have also produced guidance in collaboration with Police Scotland and the Police Service of Northern Ireland (PSNI). We have produced and distributed a pocket guide which can be issued to police officers on duty at election time to help them understand and enforce the law relating to elections.

Every territorial police force in the UK has an identified Single Point of Contact (SPOC) officer for election related crime. The Commission, together with the National Police Chiefs' Council, jointly hosted an annual training seminar for these specialist police officers in February 2016, which was also attended by ROs, electoral administrators and officers from political parties.

We take the risk of electoral fraud extremely seriously and will continue to support the police and local electoral administrators across the country as they put in place plans to combat fraud in advance of the important elections this May and the referendum in June.

Helping voters to recognise and report fraud – Crimestoppers *Don't stand for electoral fraud* campaign

We encourage anyone who has concerns that electoral fraud may have been committed to report these to the police in the first instance. However, we also know that some people may not feel comfortable reporting this type of crime to the police.

We want anyone with concerns about electoral fraud to be able to report them with confidence, which is why we are again working with Crimestoppers, the national anonymous crime reporting charity, to deliver [a national public engagement campaign](#) ahead of the upcoming polls. The campaign will provide information for voters about what electoral fraud is and how they can report any allegations anonymously.

The campaign will see activity online and across social media nationally as well as targeted offline activity in areas where there is a higher risk of allegations of electoral fraud.

Anyone who is concerned about revealing their identity can contact Crimestoppers on **0800 555 111** to report electoral fraud anonymously. A translation service is available for those whose first language is not English. Information can also be reported online via the [Crimestoppers](#) website.

Questions for your local Returning Officer and/or police authority

To help with plans to tackle electoral fraud in your constituency, you could ask your local Returning Officer and/or your local SPOC to find out what is happening in your area and what you could do to help.

Find out how activity is being targeted in your area

- What plans do you have in place to detect and prevent fraud, including personation on polling day?
- How are you working together with the police/local authority locally to ensure that cases are properly identified and, if needed, investigated?

Other ways you can help

As well as working with your local SPOC and Returning Officer there are further things you could do.

- **Sign up to the Commission's Code of Conduct for Campaigners** – our voluntary code helps campaigners to understand acceptable campaigning practices.
- **Support the Law Commission's review of electoral law and ask the UK Government to give the next stage of this work its approval now** – the Law Commissions' review of electoral law is at a crucial stage and will provide a solid foundation for future modernisation of our electoral system. It is currently awaiting the Government's approval to move to the next stage, drafting the new law. We have been urging the Government to give this approval swiftly so that electoral law can be updated. The Law Commissions' proposals include the recommendation to update and simplify several electoral offences and improved ways to deal with complaints when things go wrong. Ultimately this will help to maintain confidence in the electoral process.

For further information, please contact **Megan Phillips** in our public affairs team on 020 7271 0714 or mphillips@electoralcommission.org.uk.