

Analysis of cases of alleged electoral fraud in the UK in 2014

Summary of data recorded by police forces

March 2015

Introduction

1.1 We have worked with the UK's Associations of Chief Police Officers to collect data from police forces about cases of alleged electoral fraud¹ each year since 2008.² We receive monthly returns from all 45 territorial police forces across England, Scotland, Wales and Northern Ireland.

1.2 Each year we have published an analysis of this data. This paper summarises the data relating to elections and referendums in 2014, and is based on data recorded by police forces during 2014 and updated in January 2015. We also intend to publish a spreadsheet detailing the nature and outcome of every case of alleged electoral fraud recorded by police forces in 2014. This spreadsheet will be published on our website later this year, once the current legal challenge to the result of the Mayoral election in Tower Hamlets has concluded.³

1.3 A significant number of electoral events were held across the UK during 2014. On 22 May 2014 elections were held for the UK's 72 members of the European Parliament, for local councillors in approximately one third of English local authority areas and for the 11 new councils in Northern Ireland. There were also elections for directly-elected Mayors in five English local authorities (Hackney, Lewisham, Newham, Tower Hamlets, and Watford), one local referendum on proposals to introduce a directly elected mayoral system in Copeland (Cumbria) and three neighbourhood planning referendums in Much Wenlock (Shropshire), Woburn Sands (Milton Keynes), and Strumpshaw (Norfolk).

1.4 On 21 August 2014 a by-election was held for the position of Police and Crime Commissioner for the West Midlands, and a by-election for the position of Police and Crime Commissioner for South Yorkshire was held on 30 October 2014. A total of five UK Parliamentary by-elections were also held during 2014:

- Wythenshawe and Sale East – 13 February 2014
- Newark – 5 June 2014
- Clacton – 9 October 2014
- Heywood and Middleton – 9 October 2014
- Rochester and Strood – 20 November 2014

1.5 The Scottish independence referendum was held on 18 September 2014.

¹ Defined as an offence under the Representation of the People Act (RPA) 1983. This includes cases reported by Police Scotland in relation to the independence referendum.

² Prior to 2008, there was no formal collection of data on allegations of electoral fraud.

³ The data will be available at: <http://www.electoralcommission.org.uk/cymru/find-information-by-subject/electoral-fraud/electoral-fraud-responsibilities>

1.6 Table 1 below shows the scale of participation at electoral events held during 2014.

Table 1: Participation at electoral events during 2014

Election	Electorate	Number of ballot papers included in the count	Turnout
European Parliamentary Elections (UK)	46.5 million	16.5 million	36%
Local Elections (England)	21.7 million	7.95 million	36%
Local Elections (Northern Ireland)	1.2 million	638,300	51%
Police and Crime Commissioner by-elections	2.9 million	349,851	12% (average)
UK Parliamentary by-elections	148,200	75,400	51% (average)
Scottish independence referendum	4.3 million	3.6 million	85%

Overview of key data

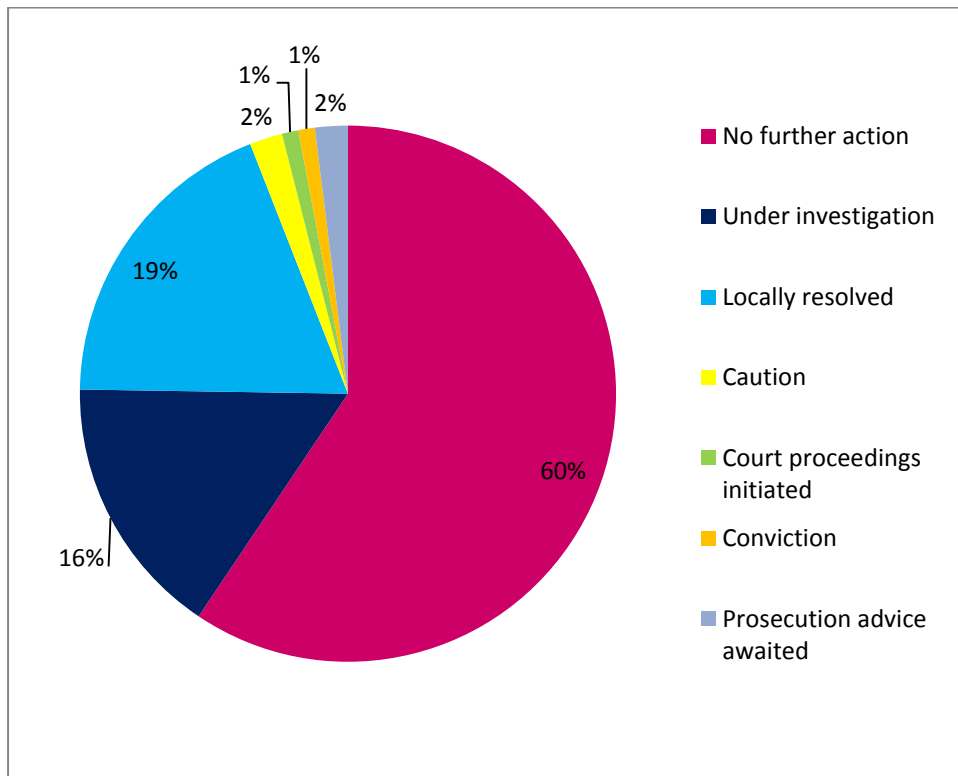
1.7 A total of 272 cases of alleged electoral fraud were recorded by police forces during 2014.

1.8 Because the number and nature of electoral events differs from year to year it is not possible to draw reliable conclusions from a comparison of the number of cases of alleged electoral fraud recorded by police forces. The number of cases has varied from year to year:

- 2010 – 271 cases
- 2011 – 268 cases
- 2012 – 408 cases
- 2013 – 178 cases
- 2014 – 272 cases

1.9 Chart 1 below shows the outcome of cases of alleged electoral fraud recorded by police forces during 2014. At the time of publishing this analysis, 139 cases (representing 51% of the total number of cases reporting during 2014) were found either to involve no offence (110 cases), or to have insufficient evidence that a crime had actually taken place (29 cases). These cases were therefore not investigated further, and have been classified in our data and analysis as *No further action – no offence* and *No further action – no evidence* respectively.

Chart 1: Outcome of cases of alleged electoral fraud reported in 2014 as a percentage of all outcomes.



1.10 In 13 cases (representing just under 5% of the total) it was not possible for the police to investigate the allegation further – for example, where there was some evidence that an offence may have taken place, but insufficient evidence to identify a potential offender – and these cases have been classified as *No further action – undetectable*. In a further 10 cases (representing just under 4% of the total) the allegations did not involve an electoral fraud offence under the Representation of the People Act 1983 (RPA). These cases may have involved offences, but were passed on for appropriate investigation by a relevant officer and have therefore been classified in this analysis as *No further action – not RPA offence*.

1.11 At the time police forces reported data for 2014 cases, one case had been prosecuted, resulting in the conviction of an individual for theft of campaign signs promoting both the Labour and Conservative parties in the Leeds area. We are also aware that since the data was last updated, a Conservative party candidate who stood for election to Enfield Lock ward of Enfield Council in May 2014 has been convicted of failing to declare in his nomination papers a suspended prison sentence for wrongly claiming benefits. He was sentenced on 18 March 2015 to six months in prison.

1.12 In five cases (representing just under 2% of the total), individuals accepted police cautions. A further 52 cases (representing 19% of the total) were resolved locally, with Police Advice given or advice given by the Returning Officer.

1.13 At the time of publication, 43 cases (representing 16% of the total recorded during 2014) remained under investigation, and court proceedings had been initiated in a further three cases. In a further six cases police were awaiting prosecution advice. We will provide an up-date on all these cases in our 2015 analysis.

1.14 In summary; in 22% of cases (61 cases) some potential offence was identified; the majority of these were dealt with through police or returning officer advice or a caution. Of the remainder, two have been prosecuted and three are progressing through the courts at time of publication. Of those that were locally resolved 35 were Campaign cases, seven were voting cases, five were registration cases, four were nomination cases and one was classified as an administration case. Three of the cautions were the result of voting cases and one each resulted from registration and nomination cases. Court proceedings have been initiated in one registration and two nomination cases.

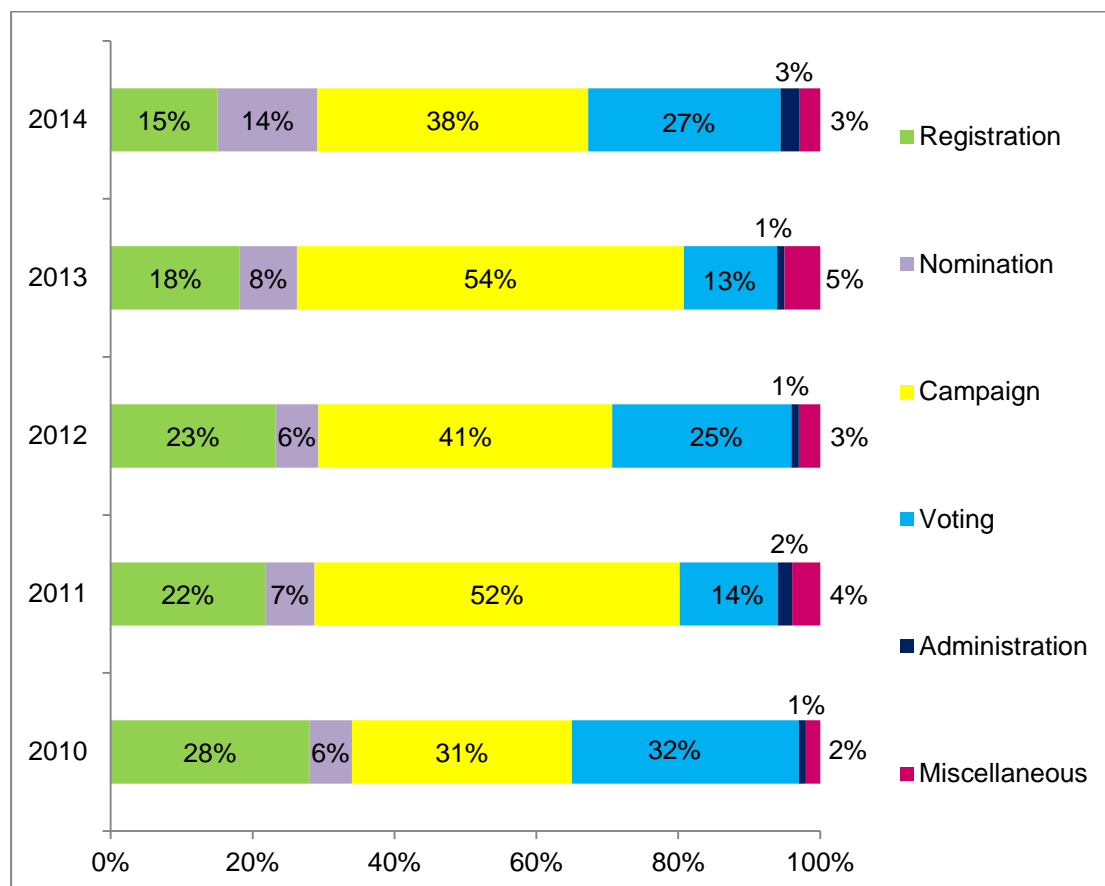
1.15 Our analysis uses the number of cases as the basic measurement for our reporting of electoral fraud. A case corresponds to an incident reported to a given police force. Most cases involve a single allegation (for example, where a candidate may have provided false information on their nomination form). However, some cases may include multiple allegations – for example, where a candidate has made false statements about another candidate and has also failed to submit their expenses. Alternatively, all the allegations grouped within a single case could be of the same nature – for example if a number of postal vote ballot packs were received by the RO and found to contain personal identifiers that did not match those supplied at the time of application. The vast majority of cases recorded by police in 2014 involved fewer than 10 allegations (265 cases, representing 97% of the total); 236 of these cases involved single allegations.

1.16 The case involving the highest number of allegations was reported by West Yorkshire police. It resulted from analysis of 184 postal voting statements where the signature given did not appear to match the one provided at the time of application. Following further investigations involving interviews with individual electors who confirmed they had voted in the manner indicated, no offences were found to have been committed.

Types of cases of alleged electoral fraud

1.17 Chart 2 below shows the proportion of different types of cases of alleged electoral fraud recorded by police forces during the last five years. Cases of alleged electoral fraud relating to campaigning offences continue to be the most commonly recorded type of case, accounting for 38% of all cases in 2014 (a total of 104 cases); 27% (73 cases) related to alleged voting offences; 15% (40 cases) related to alleged electoral registration offences; and 14% (39 cases) related to alleged nomination offences.

Chart 2: Breakdown by category of offence – percentage of all alleged cases reported 2010-15



1.18 The remaining 6% (16 cases) involved allegations relating either to administration offences (eight cases), or miscellaneous offences (eight cases) which do not fall within any of the above categories.

Campaign cases

1.19 The 104 cases of alleged electoral fraud relating to campaigning offences recorded by police in 2014 were split between those that related to legally required details about the printer, promoter and/or publisher which were absent from election material (imprint cases); those relating to false statements made about the personal character or conduct of a candidate (false statement about candidates); those relating to election expenses (return of expenses); and those categorised as ‘other’:

- Imprint: 39 cases (38% of all cases relating to alleged campaign offences)
- False statement about candidate: 21 cases (20% of all campaign cases)
- Return of campaign expenses: 7 cases (7% of all campaign cases)
- Other: 37 cases (36% of all campaign cases)

1.20 Cases recorded as ‘Other’ included four cases where campaigners were alleged to have intimidated voters – but either at a time or location that meant

a classification of undue influence (normally considered a voting offence) would be inappropriate; damage to election material or to property connected to elections, including election signs, party offices etc; white powder incidents (where a suspicious substance was sent to a local authority or a candidate in order to create disorder or panic) and allegations of abuse on social media

1.21 The majority of cases of alleged electoral fraud relating to campaigning offences in 2014 were resolved with no further action required (58 cases, representing 56% of the total), or were locally resolved (34 cases, representing 33% of the total). One case involving an allegation of false statements made about the personal character or conduct of a candidate resulted in a caution, and another case involving the theft of a campaign sign resulted in a conviction. Prosecution advice is awaited in one case, and seven cases remain under investigation.

Voting cases

1.22 The 73 cases of alleged electoral fraud relating to voting offences recorded by police in 2014 were split between cases of alleged personation (voting as someone else), alleged breaches of the secrecy requirements, alleged tampering with ballot papers, alleged bribery or treating (providing food or drink to influence a voter) and alleged undue influence. Chart 3 overleaf shows the proportion of different types of cases which involved allegations relating to voting offences in 2014.

1.23 A similar number of cases related to allegations of personation in a polling station (21 cases, representing 29% of the total number of voting cases recorded in 2014) or involving postal voting (19 cases, representing 26% of the total). A further two cases (representing 3% of the total number of voting cases) related to personation involving proxy voting.

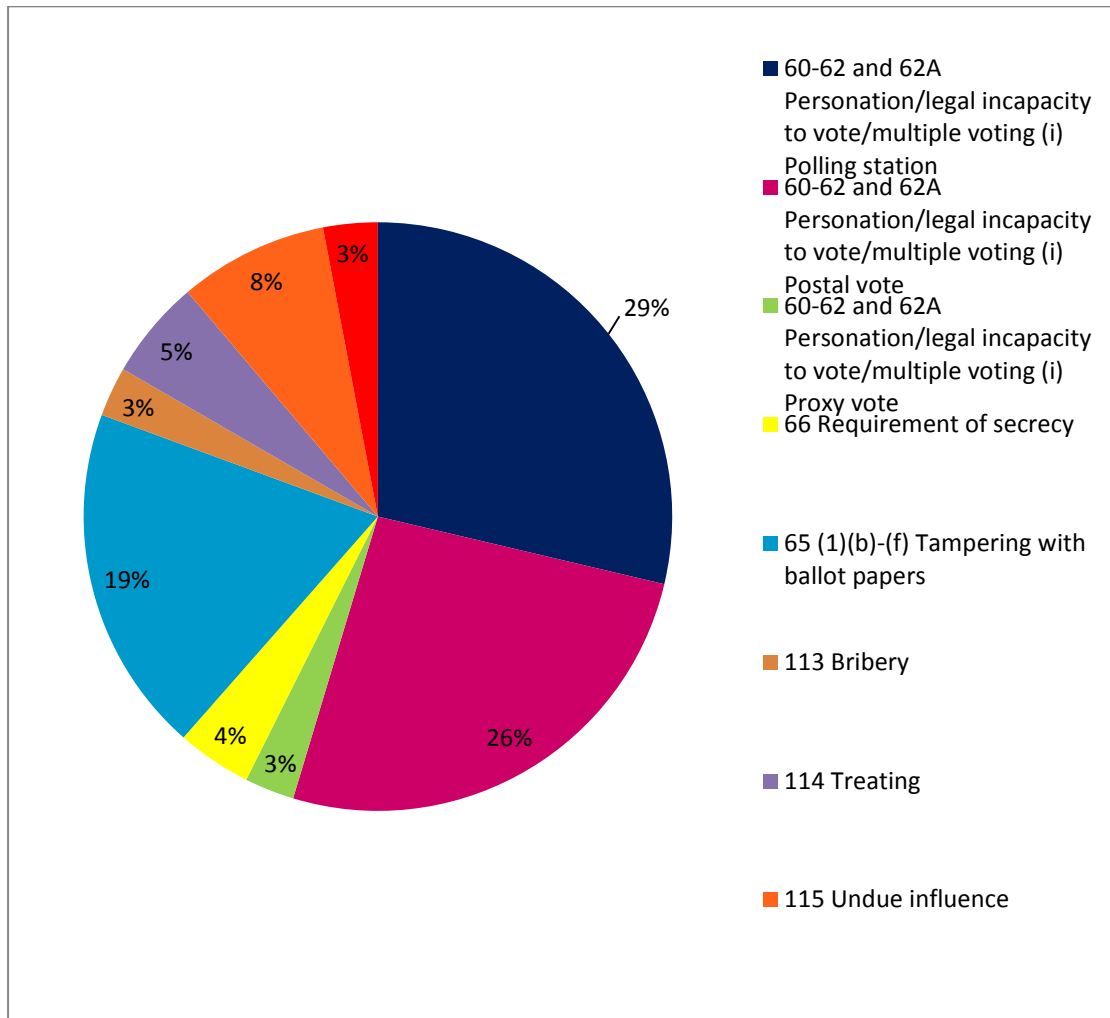
1.24 A total of 14 cases (representing 19% of the total number of voting cases) related to allegations of tampering with ballot papers, while a further three cases (4% of the total) related to allegations that the requirement to keep information about votes given on ballot papers secret had been broken.

1.25 Four cases (representing 5% of the total number of voting cases) related to allegations of treating offences, when a candidate or party offers food, drink or other treats to induce people to vote for them. Two cases related to allegations of bribery, and a further six cases (8% of the total) related to allegations of undue influence. Finally, two voting cases were recorded by police forces as *Other*: one related to an allegation of postal vote fraud; the other related to the collection of polling cards.

1.26 At the time of publishing this analysis, 15 voting cases (representing 21% of the total recorded in 2014) remained under investigation, while two cases were awaiting prosecution advice. Three voting cases had resulted in individuals accepting a police caution. The majority of cases of alleged voting offences required no further action: 26 cases (36% of the total) were resolved as *No further action – no offence*; 10 cases (14% of the total) were resolved as *No further action – no evidence*; 10 cases (14% of the total) were resolved

as *No further action – undetectable*. Seven cases (representing 10% of the total) were locally resolved by the police or Returning Officer.

Chart 3: Breakdown of voting offences cases by type of allegation



Electoral registration cases

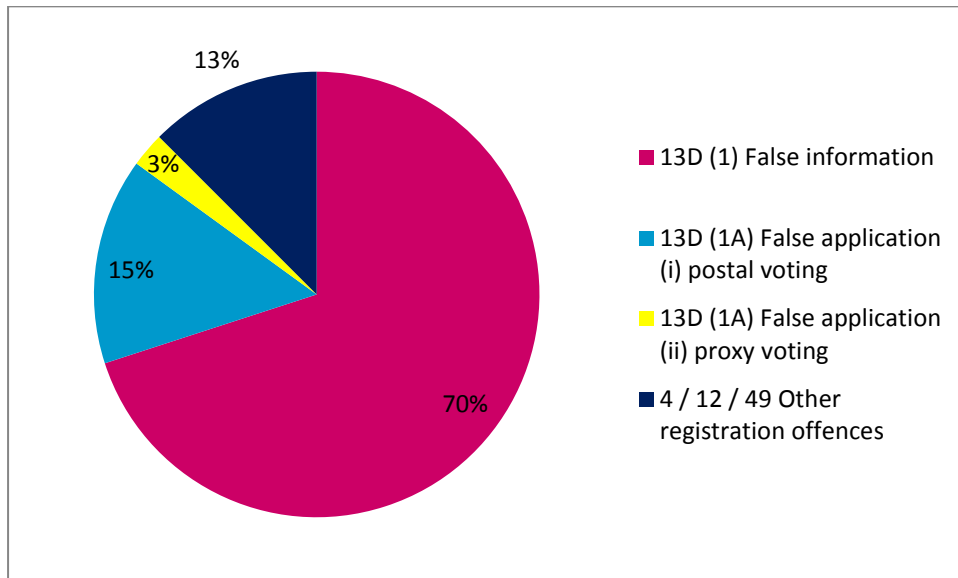
1.27 A total of 40 cases (representing 15% of all cases of electoral fraud recorded by police forces in 2014) related to alleged electoral registration offences. Chart 4 overleaf shows the proportion of different types of cases which involved allegations relating to registration offences in 2014.

1.28 Of these, the majority (28 cases, representing 70% of all registration cases) related to allegations of providing false information on a registration application form. A further six cases (15% of all registration cases) related to providing false information in an application for a postal vote, and one case related to an application for a proxy vote.

1.29 The remaining five cases were recorded by police forces as *Other registration offences*. These included allegations relating to a candidate who hand delivered a significant number of 21 registration, proxy and postal vote applications to the Electoral Registration Officer. In this case the investigation found no offence had been committed, but the candidate and local party was

advised to avoid similar activity in future, and the case was classified as locally resolved.

Chart 4: Breakdown of registration offences cases by type of allegation



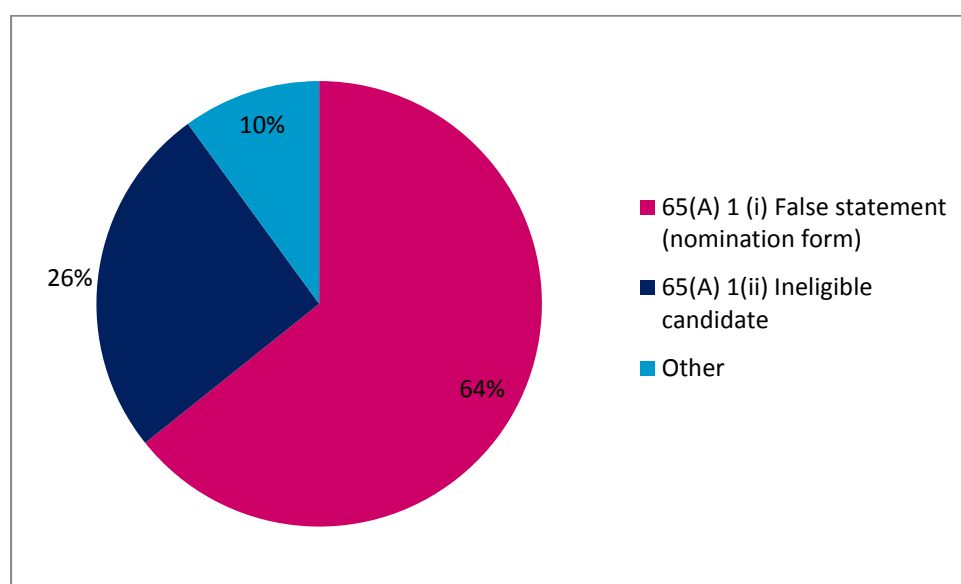
Nomination cases

1.30 A total of 39 cases (representing 14% of the total recorded by police forces in 2014) related to alleged nomination offences.

1.31 The majority of nomination cases (25 cases, representing 64% of the total) involved allegations that false statements had been made on nomination forms, including instances where it was claimed that the signature of a candidate's supporter on the nomination paper was not made by that person. Ten cases (26% of the total) involved allegations that a candidate was illegible or disqualified from standing for election. A further four cases (10% of the total) were recorded by police forces as *Other*, such as allegations that a candidate was attempting to mislead the electorate as to their real party allegiance allegation, or that a voter was tricked into signing a nomination form for a candidate under false pretences.

1.32 Chart 5 overleaf shows the proportion of different types of cases which involved allegations relating to nomination offences in 2014.

Chart 5. Breakdown of nomination offences cases by type of allegation



Geographical distribution of cases

Cases by Police force area

1.33 Table 2 below shows the number of cases of alleged fraud recorded by each force during 2014. The Metropolitan Police Service (MPS) recorded the largest number of cases of alleged electoral fraud (102), followed by West Yorkshire Police (32). Together, these two forces accounted for nearly half of all cases recorded during 2014, and a brief summary of those cases is provided below.⁴

Table 2: All UK forces which recorded cases of alleged electoral fraud in 2014

Police Force	Number of cases
Metropolitan Police Service	102
West Yorkshire Police	32
Northumbria Police	18
Police Scotland	14
West Midlands Police	14
Lancashire Constabulary	13
Essex Police	12
Greater Manchester Police	9
Avon and Somerset Constabulary	8

⁴ A detailed breakdown by police force (of the number of cases and allegations in 2014, with details of the RPA offence and their outcomes) will be published alongside this report on our website.

Police Force	Number of cases
Lincolnshire Police	8
North Yorkshire Police	6
Hampshire Constabulary	4
South Yorkshire Police	3
Thames Valley Police	3
Warwickshire Police	3
West Mercia Police	3
Derbyshire Constabulary	2
Devon and Cornwall Constabulary	2
Dorset Police	2
Dyfed-Powys Police	2
Hertfordshire Constabulary	2
Humberside Police	2
Surrey Police	2
City of London Police	1
Cumbria Constabulary	1
Norfolk Constabulary	1
Northamptonshire Police	1
South Wales Police	1
Staffordshire Police	1

1.34 Sixteen forces recorded no allegations of electoral fraud during 2014. These forces were: Bedfordshire, Cambridgeshire, Cheshire, Cleveland, Durham, Gloucestershire, Gwent, Kent, Leicestershire, Merseyside, North Wales, Nottinghamshire, Police Service of Northern Ireland, Suffolk, Sussex and Wiltshire

1.35 The total number of cases recorded by individual police forces should be considered in the context of the number of elections taking place and the size of the police force area. For example, Cumbria Constabulary is responsible for a population of half a million people, while the MPS is responsible for a population of over 8 million people, some 16 times larger.

Summary of cases recorded by the Metropolitan Police Service

1.36 The MPS reported 102 cases from across London:

- **Thirty-three campaign cases:** 12 imprint; 9 false statement about a candidate, 4 return of expenses and 5 classified other⁵.
- **Twenty-one nomination cases:** 17 involving false statement on a nomination paper; 2 an ineligible candidate; 2 classified other⁶.

⁵ One of these was related to destruction of campaign material and one related to publication of details of exit poll results.

- **Ten registration cases:** both false information on a registration form.
- **Thirty-five voting cases:** 6 personation using a postal vote; 5 personation at a polling station; 3 tampering with a ballot paper; 1 bribery; 1 treating.
- **Three administration cases:** 1 breach of official duty, and two classified as other – one relating to an allegation that an Electoral Services Manager made an error when supplying the register to a candidate, and on where a voter alleged they had not been provided with all the relevant ballot papers at a polling station.

1.37 In total the MPS resolved 78 cases as requiring no further action. In 51 of these cases, no evidence was provided or available on which to proceed with further investigation; in 16 cases police were unable to identify that any offence had taken place; and in three cases the offences involved were not electoral fraud offences under the RPA. Eight cases were recorded as undetectable.

Summary of cases recorded by West Yorkshire Police

1.38 In total West Yorkshire reported 32 cases:

- **Fourteen campaign cases:** including three cases involving alleged false statements; one relating to imprint offences; one relating to the return of candidate expenses and nine classified as “other”. These cases included; an accusation of abuse on social media, a white powder incident and allegations of assault or intimidation of a candidate. There were four allegations of theft or vandalism of election signage or election material
- **One nomination case:** false statement on a nomination paper.
- **Nine registration cases:** eight cases related to allegations that false information was provided on electoral registration forms; one involved an allegation that false information was provided on a postal vote application form.
- **Eight voting offences:** five cases relating to alleged personation in a polling station; two tampering with ballot papers, and one treating.

1.39 Two cases from West Yorkshire were resolved with a caution. One case resulted in a conviction – the only one reported within the 2014 reporting period (see earlier analysis of the outcome of cases recorded in 2014). Court proceedings have been initiated and are underway in one case. Seven cases have been locally resolved. Fifteen cases were resolved as requiring no further action because there was no evidence or no offence. Two cases were judge to be not covered by RPA. Four cases were resolved as no further action because they were undetectable.

⁶ One related to an accusation that a candidate was misleading electorate as to their party allegiance and the other to an accusation that a candidate had false filled in a registration form to support their nomination.

Election petitions in 2014

1.40 A total of three electoral petitions were initiated following elections in 2014, relating to local government elections in Plymouth, the London Borough of Hackney and the London Borough of Tower Hamlets. At the time of writing two have been concluded and one remains on-going.

1.41 The Plymouth petition challenged the local election result in Compton Ward on the grounds of undue influence being placed on voters. It was not heard, following non-payment of fees by the petitioner.

1.42 The Hackney petition related to an allegation that the Returning Officer had failed to begin the count for the local government election in Kings Park ward within four hours of the close of poll. It was resolved in November 2014, on the first day of the petition, when it was established that the four hour time limit only applied to UK Parliamentary General Elections, and that the regulations governing local elections only mandated that the count begin within a reasonable time after the close of poll. The Commissioner ruled that the election and count had been held in accordance with the law and the petition was not successful.

1.43 The Tower Hamlets petition related to a number of allegations regarding the Returning Officer and the successful mayoral candidate, Lutfur Rahman. At the beginning of the petition trial the allegations regarding the Returning Officer were withdrawn by the petitioners after reaching an agreement regarding costs with the second respondent. These remaining allegations against the successful candidate, which include allegations of false statement as to candidates, undue influence, personation and false registration of voters, proceeded to trial. At time of publishing this analysis the petition against the successful candidate is on-going, and the Commissioner is expected to report his judgment in April 2015.

Update on outstanding 2013 cases

- **Devon and Cornwall:** One case involving multiple allegations of failure to include imprint on election material, theft of election materials and failure to return expenses was resolved in June 2014. The individual (political affiliation unknown) pleaded guilty to the imprint offence and criminal damage. They received a 6 months conditional discharge, and were ordered to pay compensation of £24 and costs. The allegation of failure to submit expenses returns was resolved no further action – no evidence
- **Lincolnshire:** Four cases that were under investigation have been subsequently resolved:
 - Two imprint offences have been locally resolved following advice given to the candidates in question.
 - One case of S106 False statement as to candidate, has been resolved no further action – no offence.

- One case involving an allegation that a candidate was ineligible has been resolved no further action – no evidence after consideration by the Crown Prosecution Service.
- **Surrey:** A case of an allegation of failure to return expenses was resolved no further action – no offence. On investigation all appropriate expenses reports and receipts were found to have been supplied.