From: FOI
To: [redacted]
Subject: FOI 98/17 Preventative Processes for Multiple Votes Response
Date: 13 July 2017 15:55:58

Dear [redacted],

Our Ref: FOI 98/17

Thank you for your email to the Electoral Commission dated **17 June 2017**.

The Commission aims to respond to requests for information promptly and has done so within the statutory timeframe of twenty working days.
Your request is in bold below followed by our response.

You have requested:

Under the Freedom of Information Act 2000 I would like to request information regarding the systems in place to prevent double voting in elections (specifically general elections). Please could you endeavour to provide an answer to the question in the following paragraph.

I would like to know what processes/systems are in place to prevent a person registered to vote in multiple constituencies from casting a vote in each during a UK General Election? I am especially interested in how a person registered in both places is prevented from casting a postal vote and subsequently voting in person in a different area.

Our response is as follows:

Entitlement to be registered to vote in more than one area

In certain circumstances, it is possible for someone to be lawfully registered to vote in more than one place.

In order to do so, the applicant must be resident at each address, as defined in Section 5 of the Representation of the People Act 1983 (the RPA 1983). Residence in the constituency or electoral area is central to the entitlement for any elector to be registered there, and the local Electoral Registration Officer (ERO) must be satisfied that the applicant is resident before determining their application.

There are several groups of people who may be entitled to be registered to vote in more than one place, including students who live at different addresses during term time; people required to work away from their normal home address and have a second residence for that purpose; and people who own a second home.

Our guidance for EROs (which is published on our website at www.electoralcommission.org.uk/i-am-a/electoral-administrator/running-electoral-registration) explains that each registration application must be considered on its own merits and that EROs will need to consider the following when determining whether or not someone is eligible to be registered at more than one address:

- a person may have more than one home, but property ownership is not sufficient to establish that someone is resident at an address;
- the purpose for which the second home is used will affect whether or not someone may be considered to be resident at an address, i.e. whether this is where the 'main business of life' is being conducted;
- temporary presence at an address does not make a person resident there;
- temporary absence does not deprive a person of their residence.

Electoral registration application forms (including the online electoral registration service at www.gov.uk/register-to-vote) specifically ask whether the applicant also lives at another address. If the ERO is not satisfied that an applicant or elector is resident at a particular address, they can ask the applicant or elector to provide further information to help them determine whether they are resident for the purposes of registration. If such information is not provided, the registration application may be put on hold, and if the person is already registered, a formal review of the elector's registration may be undertaken.

Voting in more than one area

People who are registered in at two addresses are entitled to vote in local government elections at each of those addresses, provided they are not in the same local government area.

It is, however, an offence under Section 61(2)(a) of the RPA 1983, for an elector to cast more than one vote on their own behalf in a UK Parliamentary general election or at a referendum. This offence carries a penalty of an unlimited fine in England and Wales, or a fine not exceeding £5,000 in Scotland.

Investigating allegations of voting twice

Where allegations involve potential criminal offences such as those outlined above, it would be for the relevant local police force to consider and take appropriate steps to investigate any allegations. We work with the National Police Chiefs' Council to provide guidance to police forces, including developing the *Authorised Professional Practice on policing elections,* which has been published by the College of Policing on their website at www.app.college.police.uk/app-content/policing-elections/. The Electoral Commission does not, however, have any direct role in investigating allegations of electoral fraud under the RPA 1983. We have also provided further advice to UK police forces about how to investigate allegations that an individual may have voted twice, including obtaining from the relevant Returning Officers the marked copy of the register. The marked register records those electors who have been issued with and returned a postal ballot pack and those who have been issued with a ballot paper in a polling station. This information can be used by the police to investigate whether someone may have committed the offence of voting twice. Electoral registers are held at the local level by Electoral Registration Officers appointed by each local authority in Great Britain, and by the Chief Electoral Officer in Northern Ireland. There is currently no centrally compiled database of local electoral registers, which means that there is no system in place to automatically identify those electors who are included in more than one register.

Anyone who has evidence that someone may have voted twice or committed postal vote fraud in the recent UK Parliamentary general election should report it

to the police force covering either voting area. They should use the normal approach for reporting non-emergency crime, which includes phoning 101 or contacting Crimestoppers, the anonymous reporting charity, on 0800 555 111 or at https://crimestoppers-uk.org/give-information/give-information-online/

I trust that this information satisfies your request. The Commission strives to be an open, transparent authority.

If you are not satisfied with this response, please note that the Commission operates a review procedure, details of which can be found on the Commission website at: http://www.electoralcommission.org.uk/about-us/freedom-of-information-requests/how-do-I-make-an-foi-request

Please also note that if you have exhausted all internal Commission review procedures and you are still not satisfied you have the right to appeal to the Information Commissioner. Details of this procedure can be found on the ICO website: http://www.ico.gov.uk

Yours sincerely,

[redacted]

[redacted]

Senior Information and Knowledge Adviser
The Electoral Commission
3 Bunhill Row
London EC1Y 8YZ
FOI@electoralcommission.org.uk
electoralcommission.org.uk
yourvotematters.co.uk

Twitter | **Facebook** | **Blog**