From: FOI
To: [redacted]
Subject: FOI 1607/17 City of Leicester Response
Date: 24 July 2017 18:05:33

Dear [redacted],

Our Ref: FOI 106/17

Thank you for your email to the Electoral Commission dated **27 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:

General Elections 2017 - City of Leicester - individual constituencies –

I request numerical and factual (not personal) Information relating to Postal Votes:-
The number of postal votes applied for, issued, and used?
The number deposited at each polling station on polling day?
The number of multiple (more than one) deposition of postal votes at each polling station on polling day. In what multiples did each and all arrive?
What action, if any, that was taken to identify the courier, ascertain the reason for that courier acting as a courier, and to ascertain if the courier was a member of any political party?
What action, if any, is planned or has already taken place to ascertain that the relevant electors freely, willingly and privately cast their vote and gave their consent to have it conveyed by the relevant courier to the polling station on polling day?

I request factual (not personal) information relating to possible Multiple voting:-
What action, if any, is planned or has been taken to verify that registered voters in Leicester City are not, registered to vote elsewhere in the UK.?
What action, if any, is planned or has been taken to verify that registered voters who voted in Leicester City have not voted elsewhere in the UK?

I request numerical and factual (not personal) information relating to Complaints:-
The number of complaints received of possible electoral malpractice during this election, and the nature of each complaint? eg. impersonation, multiple voting, intimidation, misrepresentation etc?
The number of referrals to the police of suspected electoral offences in each constituency together with the nature of each complaint?

Other issues:-

What actions, if any, have been undertaken or are planned to ascertain that electors who returned a postal vote were alive on the date of issue of the the first postal ballots and on polling day?
What actions, if any, have been undertaken or are planned to ascertain that electors who were unable to understand the wording on the ballots and/or on the accompanying official literature, were assisted to cast their ballots in a climate of impartiality?

What actions, if any, have been undertaken or are planned to ascertain that electors were eligible and registered to vote in elections in other countries during the election period?

Our response is as follows:

Please note your original requests are shown in bold below for ease of reference.

The Electoral Commission is not responsible for the running of elections in the United Kingdom. Our role is to provide guidance and support to the Returning Officers within individual local authorities responsible for the conduct of the polls. The Commission does collect data on the administration of each set of scheduled elections and is in the process of collecting this data for the 2017 UK parliamentary general election.

This data will be available on our website in September. In relation to postal votes it will include (at a constituency level):

- **the number of postal votes applied for, issued, and used**
- **The number deposited at polling stations on polling day**

This data will not include:

- **The number of multiple (more than one) deposition of postal votes at each polling station on polling day. In what multiples did each and all arrive**
- **What action, if any, that was taken to identify the courier, ascertain the reason for that courier acting as a courier, and to ascertain if the courier was a member of any political party**

- **What action, if any, is planned or has already taken place to ascertain that the relevant electors freely, willingly and privately cast their vote and gave their consent to have it conveyed by the relevant courier to the polling station on polling day**

Queries on these issues should be directed to the Returning Officer for the relevant constituencies.

In relation to multiple voting you requested:

- **what action, if any, is planned or has been taken to verify that registered voters in Leicester City are not, registered to vote elsewhere in the UK.?**

- **What action, if any, is planned or has been taken to verify that registered voters who voted in Leicester City have not voted**

elsewhere in the UK?

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/

You have also requested

- **The number of complaints received of possible electoral malpractice during this election, and the nature of each complaint? eg. impersonation, multiple voting, intimidation, misrepresentation etc?**

- **The number of referrals to the police of suspected electoral offences in each constituency together with the nature of each complaint?**

The Commission collates and publishes annual data on the number of cases of possible electoral fraud reported to the police. This is published in spring and is broken down by police force area. Data relating to cases during the general election will be available in spring 2018.

You have also asked:

- **What actions, if any, have been undertaken or are planned to ascertain that electors who returned a postal vote were alive on the date of issue of the the first postal ballots and on polling day?**

- **What actions, if any, have been undertaken or are planned to ascertain that electors were eligible and registered to vote in elections in other countries during the election period?**

Queries on the detailed conduct of the poll should be directed to the Returning Officer for the relevant constituencies.

You have also asked:

- **What actions, if any, have been undertaken or are planned to ascertain that electors who were unable to understand the wording on the ballots and/or on the accompanying official literature, were assisted to cast their ballots in a climate of impartiality?**

The Commission has previously carried out user testing of ballot papers and other materials in order to identify good practice in design and to ensure voters are able to understand how to cast their vote properly. The Commission also carries out public opinion research after each set of polls in order to monitor any issues including understanding of how to cast a vote at the election.

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,

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