From: FOI
To: [redacted]
Cc: FOI
Subject: RE: June 2017 GE - Students Voting Twice - 139/17 Response
Date: 27 September 2017 16:06:16
Attachments: image001.png

Dear [redacted],

Our Ref: FOI 139/17

Thank you for your email to the Electoral Commission dated **30 August 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:

1) Did the Electoral Commission investigate accusations that a number of students voted twice at the General Election in June 2017? This was publicly admitted by students studying at university.

2) If so, has any action been taken against these people?

3) Have any measures been put in place to avoid this taking place again?

Our response is as follows:

We hold some of the information you have requested.

The Commission does not investigate accusations about students (and others) potentially voting twice. This is a matter for the police.

However, the Electoral Commission takes the risk of electoral fraud, and the perception of fraud, seriously. Electoral fraud undermines democracy and weakens the United Kingdom's strong tradition of free and fair elections. It can take away from individuals the right to vote as they wish, distort the results of elections, weaken the legitimacy of elected bodies and cause mistrust between communities.

Where allegations involve potential criminal offences such as those outlined above, it is 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.

We maintain that anyone who has evidence that someone may have voted twice 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/.

The 8 June General Election

We received a public enquiry in relation to the general election on 8 June where someone phone to say that they had had inadvertently voted by post in one constituency and in person in a polling station in another constituency, and wanted to know what to do about it. At the time, we advised that in fact they had broken the law, and that there was nothing they could do to resolve it.

We referred this matter to the relevant police force to consider what investigatory and enforcement action is appropriate, and is exempt under s.31 (1)(a), prejudice to the prevention or detection or crime, and s.31(1)(b), prejudice to the apprehension or prosecution of offenders. The Commission is satisfied that maintaining the exemption outweighs the public interest in disclosure to allow Police Services to pursue active investigations.

In addition, the information contains personal data, some of which will be sensitive personal data, in view of the fact that it has been sought or provided in relation to potential criminal offences. The Commission considers that this information is exempt under s40(2) as its release would be in breach of the first data protection principle, which states that the information must be processed fairly and lawfully. Given the nature of the data and the potential for unjustified adverse effects on the individuals concerned it would not be fair to release this information. Additionally, the conditions set out in Schedule 3 DPA do not apply and this information may not be released.

I trust that this information satisfies your request. The Commission strives to be an open, transparent authority, **but in some circumstances we cannot responsibly release requested information, and we ask for your understanding in this regard.**

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: https://ico.org.uk/

Yours sincerely,

[redacted]

Information Management Adviser

The Electoral Commission
3 Bunhill Row
London EC1Y 8YZ

www.electoralcommission.org.uk

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