From: FOI
To: [redacted]
Cc: FOI
Subject: RE: FOI Acknowledgement - Personation 144/17 - Response
Date: 29 September 2017 15:59:59
Attachments: image001.png

Dear [redacted],

Our Ref: FOI 144/17

Thank you for your email to the Electoral Commission dated **19 September 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:

I understand there were 44 arrests for personation in 2016.
Is this correct?

Additionally, how many of these led to an actual conviction?

Our response is as follows:

We have worked with the National Police Chiefs' Council (NPCC – formerly ACPO, the Association of Chief Police Officers) since 2008 to collect data from police forces about cases of alleged electoral fraud and receive monthly returns from all 45 territorial police forces across England, Scotland, Wales and Northern Ireland. Each year we have published an analysis of this data.

You can read our analysis of the data for 2016 on our website here https://www.electoralcommission.org.uk/__data/assets/pdf_file/0020/223184/Fraud-allegations-data-report-2016.pdf , and you can download the data itself here https://www.electoralcommission.org.uk/__data/assets/excel_doc/0005/223187/quality-assurance-spreadsheet-format-for-web-site-final.xlsx.

The data shows that, of the 260 cases of alleged electoral fraud recorded by police forces during 2016, a total of 44 cases related to allegations of personation in polling stations. A further 25 cases related to allegations of personation by postal voting, and five cases related to allegations of personation by proxy voting.

It is not correct, however, to say that there were arrests in each of these cases.

The data from police forces showed that no further action was possible after initial investigations in 25 of cases relating to allegations of personation in polling stations in 2016, because there the activity involved was not in fact an offence, there was no evidence that an offence had been committed, or there was insufficient evidence to identify an offender. A further 10 cases were still under investigation when we published the data, and one was awaiting prosecution advice. Four cases were locally resolved by police forces, with informal advice given either by the police or the Returning Officer, and police cautions were accepted by alleged offenders in three cases.

The data shows that one case of alleged electoral fraud relating to personation in a polling station in 2016 was prosecuted and resulted in a conviction. Our report summarised the case as follows:

EU referendum, East Ayrshire voting area – personation in a polling station
A voter attended at a polling station in East Ayrshire during the EU Referendum claiming to be another voter (his friend) and was accordingly issued with a ballot paper in that name which he then used to cast a vote. The polling staff had no reason to be suspicious as the voter was not otherwise known to them and they had no reason to believe he was not who he said he was.

Later in the day the same voter attended again and sought to vote again, this time in his own name. Due to certain physical characteristics of the voter (he was very tall and wore distinctive clothing) and the vigilance of the Presiding Officer he was suspected of having already voted earlier and formally challenged. In response he answered the prescribed questions - and also produced his driving licence - and so the Presiding Officer had no choice but to issue him with a ballot paper in his own name.

The Presiding Officer remained certain, however, that he had already voted and referred his concerns to the central election office who immediately submitted a formal report to the Police with all relevant details, which enabled them in turn to secure an early admission of guilt.

The individual subsequently pleaded guilty in Court and was given a Community Payback Order of 300 hours. The elector was disqualified from standing for election for a period of five years.

I trust that this information satisfies your request. 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]
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