Electoral Fraud

April 2012

A number of allegations have been made about electoral fraud and malpractice in Tower Hamlets. These have included fraudulent registration, personation and intimidation at polling stations.

Wider concerns have been raised about the safety of postal voting ahead of elections taking place in London on 3 May.

The law and the key players

The law
The Representation of the People Act 1983 specifies a number of criminal offences relating to electoral malpractice.

The Metropolitan Police
Any allegations in London would be investigated by the Metropolitan Police. Anyone who suspects an offence may have been committed should report this to the police.

The Electoral Commission
The Electoral Commission sets clear standards and provides guidance and training for Returning Officers, Electoral Registration Officers, political parties, Royal Mail, the police and prosecutors to prevent and detect electoral fraud. The Commission carries out a variety of checks to ensure that its standards are being met, and will provide extra support if not.

Greater London Returning Officer
The Greater London Returning Officer is responsible for the administration and coordination of the Mayor of London and London Assembly elections.

Returning Officers
Returning Officers are responsible for administering the poll in their specific area.

Electoral Registration Officers
Electoral Registration Officers are responsible for maintaining accurate and complete electoral registers.
Allegations about electoral fraud made in February 2012:

- In February 2012 an Evening Standard investigation alleged electoral fraud.
- The Electoral Commission contacted the Tower Hamlets Electoral Registration Officer (ERO) and the Metropolitan Police as soon as those concerns were raised to make sure action was taken. We found that it was.
- The Electoral Commission visited Tower Hamlets to carry out a thorough review of their electoral registration processes with their staff. We were satisfied that they had robust measures in place.
- We found that the ERO was taking the right steps to identify patterns of activity that might indicate electoral malpractice; and that he was taking appropriate follow-up action, including in particular, making door-to-door checks of properties where large numbers of electors are registered.
- The Electoral Commission is satisfied that the Tower Hamlets ERO is working with the police to ensure that all allegations that are referred to him are being investigated.

Recent allegations about electoral fraud in a Tower Hamlets council by-election:

- Six Labour councillors at Tower Hamlets wrote to the Electoral Commission on Monday 23 April with allegations about postal voting at a recent by-election.
- On Tuesday 24 April the Electoral Commission referred the letter to the Metropolitan Police.
- We are asking that anyone, including politicians and members of the public, take any evidence to the police. Electoral fraud is a serious offence.

Intimidation

- The polling station must be a place where electors can quietly and privately cast their vote free of any intimidation (whether real or perceived) and where the secrecy of the ballot will be respected. Voters should be able to enter and leave the surrounding area in the same manner.
- The Tower Hamlets Returning Officer and the Metropolitan Police have assured the Commission that measures are in place for polling day to ensure that this will happen.

Concerns over postal voting:

- Richard Mawrey QC has recently claimed that there have only been limited improvements in the security of postal voting since his election court judgement in 2005.
• The Electoral Administration Act 2006 has tightened up the procedures of applying for a postal vote. From 2007, electors have had to provide their signature and date of birth when applying for a vote, and also when casting their postal vote.
• Both records are checked. If they don’t match, the ballot paper is rejected.
• Since these provisions were introduced, there have been no large-scale cases of proven fraud. A report we issued earlier this year found that no allegations of electoral fraud affected any election outcome in 2011.

More still needs to be done:

• We have been calling for a system of individual electoral registration (IER) since 2003. We welcome the fact that this change is now planned to be made by 2015.
• IER will provide a secure foundation and increase the integrity of not just postal voting, but all methods of voting. It will secure the ‘entry point’ into the electoral process.

We are urging anyone with evidence that their vote has been interfered with in the run-up to the polls to go straight to the police.

For further information:
Please contact press team press@electoralcommission.org.uk or 0207 271 0512.