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A Sledgehammer to Crack a Nut
The 2018 Voter ID Trials

Michela Palese
and Chris Terry
September 2018

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Introduction

Jess Garland,
Director of Policy
and Research

On May 3rd 2018, 350 people were denied a vote in their local council elections. Their crime? Not possessing the right ID. The minister hailed these trials of mandatory voter ID as a 'success'. The government must have a strange definition of success.

The scheme disenfranchised far more ordinary voters than potential wrongdoers: in a single day across the five councils, twice as many people didn't vote due to having incorrect ID as have been accused of personation in eight years across the whole of the UK.

Out of 45 million votes last year, there were just 28 allegations of 'personation' (only one was solid enough to result in conviction). And yet the government seems determined to pursue voter ID, a policy we now know could cost up to £20 million per general election. This change to how we vote is a marked departure from the trust-based British way of running elections, and with little evidence to justify it.

It's claimed that mandatory voter ID could boost faith in the democratic process. Yet according to academic research, 99 percent of election staff do not think fraud has occurred in their polling

stations. Eighty-eight percent (88%) of the public say they think our polling stations are safe. And studies show that making elections more accessible – not less accessible – improves electoral integrity.

The policy of mandatory strict ID presents a significant risk to democratic access and equality. Millions of people lack the strictest forms of required documentation. Documentation that is costly to acquire. It's one of the reasons why organisations from the Runnymede Trust to the Salvation Army and Stonewall are concerned about these plans. The Windrush scandal earlier this year highlighted exactly the difficulties some legitimate voters could have in accessing identity documents – through no fault of their own.

If mandatory ID were to be rolled out nationally, it could potentially result in tens of thousands of voters being denied a say. And it would hit the already marginalised hardest: poorer C2DE social grade voters were half as likely to say they were aware of the ID requirements before the trials this May. And despite the costly publicity campaign this time, after election day, an average of around a quarter of residents were not aware of the pilots in four of the council areas – around four in 10 were not aware in Watford.

Imposing ID could have a significant impact on election outcomes, too. Thirteen seats were won at the 2017 Parliamentary election with a majority less than the number of people denied a vote in Bromley alone this May.

Yet still the government insists on running more trials of mandatory ID despite a broader commitment to improve democratic engagement and access. It is clear that much work needs to be done to remove barriers to voting, not to construct new ones. The most widespread problem poll staff have highlighted is voters turning up and not being on the register. Access for voters with disabilities is

also a frequently cited problem.

We've learnt a lot this year, with our election and information regulators and parliamentarians highlighting the shocking state of the unregulated 'wild west' that is online campaigning. From the spread of disinformation, to secret political donations and 'dark ads', the real threats to our democracy are becoming clear.

In the face of these challenges, imposing voter ID is like rearranging the deckchairs of our democracy while we head towards an iceberg. The crucial task for government now is to focus on the real problems – we need to get to work solving them.

POLLING STATION

SIGNET SIGNS
BRISTOL

1

A Solution in Search of a Problem?

1. These stats and those below from: Electoral Commission (2018a). Analysis of cases of alleged electoral fraud in the UK in 2017. electoralcommission. org.uk/__data/assets/pdf_ file/0006/239973/ Fraud-allegations-data- report-2017.pdf

Britain has traditionally used a notably trust-based voting system in which the registration and casting of votes had comparatively few barriers. While such a system creates theoretical room for personation, reports are extremely rare and the system is conducive to high levels of political engagement.

In total, only 336 cases of electoral fraud were alleged in 2017[1]. Across all local, devolved and general elections, there were only eight cautions and one conviction issued related to electoral fraud, of which only the sole conviction related to personation.

Table 1: Allegations of Voter Fraud since 2010[2]

Year	Votes cast that year (covering all elections)	Allegations of voter fraud	Other complaints about elections	Elections
2010	More than 43 million	262	25	UK general election, local elections in much of England, including London
2011	More than 38 million	242	53	AV referendum, devolved elections, largest wave of English local elections, Northern Ireland local elections
2012	Around 18.5 million	362	45	London mayoral election, local elections in England, Scotland and Wales, Police and Crime Commissioner elections
2013	Around 5.7 million	148	31	English county council elections
2014	29.1 million	219	55	Scottish independence referendum, European Parliamentary election, English local elections, Northern Irish local elections
2015	51.6 million	518	167	UK general election, largest wave of English local elections
2016	55.0 million	291	2	EU referendum, devolved elections, local elections in England, London mayoral and Greater London Authority elections, Police and Crime Commissioner elections
2017	44.4 million	336	69	UK general election, local elections in England, Wales, and Scotland, Northern Ireland Assembly election

2.   This table is based on Electoral Commission reports:
electoralcommission.org.uk/find-information-by-subject/electoral-fraud/data-and-analysis

To give some context, in 2017 alone, over 44 million votes were cast in the UK. And of the 518 cases in 2015, 377 saw no further action, and 129 were resolved locally by police forces, with advice being given by the police or the Returning Officer.

It is worth remembering too that 'fraud' covers a wide range of potential crimes, some not even relating to voting per se, but to the processes of nomination, registration and campaigning.

The most recent and well know case is that of Tower Hamlets. During the 2014 borough council elections, stories surfaced about postal voting fraud and scandals in Tower Hamlets, where the

directly-elected mayor, Lutfur Rahman, was charged and convicted of a range of charges of bribery, making false statements about a candidate, and undue influence. Evidence was also found of postal vote offences, false registration and double voting[3].

The election was voided, Rahman banned from standing for election for five years, and Tower Hamlets put under the control of electoral commissioners. This led to the Pickles Review of Electoral Fraud published by Sir Eric Pickles in August 2016[4], which made 50 recommendations for changing elections in the UK. These included the introduction of extra security arrangements, such as, potentially, voter ID[5].

The roll-out of voter ID was taken up by the government. The 2017 Conservative Party manifesto stated that *"The British public deserves to have confidence in our democracy. We will legislate to ensure that a form of identification must be presented before voting"*[6]. Voter ID was hence piloted at the 2018 local elections.

Voter ID only relates to voting fraud known as 'personation', in which a voter casts a ballot based on an identity that is not their own (whether someone else's or fictional). Personation carries a maximum sentence of two years under Section 168 of the Representation of the People Act 1983. In 2017, only 104 alleged cases were related to voting fraud, and of those only 28 were claims of in-person personation. It is worth noting again that this just refers to allegations: only a single allegation of in-person personation resulted in a conviction.

A Clunky Mechanism
Allegations are hence very rare – especially considering the sizeable number of votes cast each year.

3. See Richard Mawrey QC's judgement at: news.bbc.co.uk/1/shared/bsp/hi/pdfs/judgment.pdf

4. The Tower Hamlets case is cited explicitly in the government's press release announcing the Pickles Review: gov.uk/government/news/sir-eric-pickles-to-examine-electoral-fraud

5. Sir Eric Pickles MP (2016). Securing the ballot Report of Sir Eric Pickles' review into electoral fraud. gov.uk/government/publications/securing-the-ballot-review-into-electoral-fraud

It should be noted that the report suggested a much larger range of options than mandatory photo ID, including providing a date of birth, National Insurance numbers and signatures.

6. conservatives.com/manifesto

This is unsurprising because there is little to gain from a single case of personation. A single person casting a second vote is extremely unlikely to change the course of an election result. As Richard Mawrey QC stated in his judgement in the Tower Hamlets case[7]:

"It is very rare indeed to find members of the general public engaging in DIY vote-rigging on behalf of a candidate. Generally speaking, if there is widespread personation or false registration or misuse of postal votes, it will have been organised by the candidate or by someone who is, in law, his agent."

Such a method of stealing an election is slow, clunky and requires a great deal of organisation. One must identify a suitably large number of potential registrations to use. This could be through the related crime of false registrations or through a duplicate. False registration has become much more difficult since the change to Individual Electoral Registration, which links every registration to the Department for Work and Pensions database by using a National Insurance number. The Electoral Reform Society supported this change, viewing it as a much-needed modernisation of voter registration that would both allow for modernisations, like online registration, which has helped to encourage access, and help alleviate problems of fraud.[8]

Personation fraud is frequently conflated with the issue of double voting. Following the 2017 election, rumours of double voting by students became popular on Twitter[9]. A limited number of voters – students for instance – are legally allowed to register in two locations, but only vote in both for local elections, not general elections. However, only one allegation of double voting saw a conviction. Voter ID does not address double voting.

7. news.bbc.co.uk/1/shared/bsp/hi/pdfs/judgment.pdf

8. See our briefing on IER from September 2011: electoral-reform.org.uk/wp-content/uploads/2018/06/Electoral-Reform-Society-Individual-Electoral-Registration-Evidence-Submission.pdf

9. Electoral Commission (2018a).

Once again, double voting has little to offer a prospective voter because the opportunity to meaningfully impact the result through one vote, in what is almost certainly a different constituency, is minimal.

Only a well-organised campaign is likely to produce such problems. In its handbook for Electoral Observers, the Organisation for Security and Cooperation in Europe cites several such methods like bussing, in which numerous voters are literally bussed from polling station to polling station as ways of achieving personation fraud[10].

This level of organised conspiracy makes such fraud easier to detect. Hence figures are low.

Fighting Public Perception?

The low levels of personation fraud are acknowledged by the Electoral Commission, amongst others, who cite public confidence in the voting system — rather than the existence of fraud — as one of the main reasons for changing the system[11].

But the Electoral Commission's own tracker survey found only eight percent saying that voting in a polling station was unsafe in 2018, against 88 percent who say it is safe[12]. More sizeable numbers (19%) describe voting by post as unsafe. Yet this method of voting will not be affected by voter ID, which will only be applied at polling stations.

While 36 percent of respondents say that electoral fraud is a problem in this country, it is worth remembering that the question design of the survey, which asks explicitly if electoral fraud is a problem, may exaggerate the scale of concern among respondents[13].

Even so, in this survey, respondents place electoral fraud below media bias (66%), low turnout (66%), inadequate regulation of party spending (51%), inadequate regulation of social

10. Available at: osce.org/odihr/elections/68439

11. For instance in their 2014 review of Electoral Fraud electoralcommission.org.uk/__data/assets/pdf_file/0008/164609/Electoral-fraud-review-final-report.pdf

12. Results of the winter tracker available at: electoralcommission.org.uk/__data/assets/pdf_file/0005/244787/Winter-Tracker-Topline-findings-2018.pdf

13. For more on this effect see YouGov's Anthony Wells on agree/disagree statements ukpollingreport.co.uk/blog/archives/4741

media activity (43%), and foreign influence in UK elections (38%) in a list of concerns about integrity of elections in that survey.

When asked what would be the most effective method for preventing fraud, only 37 percent agree that showing ID would do this, notably down from 52 percent in December 2016.

Similarly, when the Electoral Reform Society commissioned BMG Research to survey respondents on priorities for elections, only four percent viewed voter ID at polling stations as their top priority[14]. The 'need' for voter ID ranks the second lowest democratic priority for voters – with only "constituency boundaries are free from political influence" ranking lower among people's concerns about electoral integrity in Britain.

14. Representative sample 1,500 GB citizens aged 18+ conducted from the 1st to the 4th of May 2018.

These figures thus put major question marks over the notion that confidence in voting at polling stations is at a high enough threat level to justify changes.

The underlying features of public opinion, therefore, do not seem to imply that voter ID is necessary. Nor is there strong evidence of personation in public life.

While it should of course be the case that public policy can sometimes benefit from additional protections even if there is not necessarily evidence of wrongdoing or fear of wrongdoing, it should also be acknowledged that these measures need to be balanced against concerns, such as accessibility and cost.

As this report highlights, voter ID carries many of its own dangers. Attempts to deal with fraud must not disproportionately harm access to democracy.

The Electoral Commission's own survey found only 8 percent saying that voting in a polling station was unsafe in 2018, against 88 percent who say it is safe

2

A Barrier to Democracy

Rather than restoring public confidence in elections by tackling alleged personation, requiring voter ID at the polling station may lead to the exclusion of legitimate voters from the democratic process.

Photographic ID is, in fact, not universal in the UK. Research by the Electoral Commission shows that around 3.5 million citizens (7.5% of the electorate) do not have access to photo ID. If voter identification requirements were restricted to passports or driving licenses, around 11 million citizens (24% of the electorate) could potentially be disenfranchised[15].

Possession of photo ID is furthermore unequal across demographic groups and geographical locations. As Dr Omar Khan, Director of the Runnymede Trust, has noted:

"We know from the Windrush scandal that it can be difficult for minority groups to provide documents proving their identity, through no fault of their own."

The prohibitive financial and time costs involved in procuring photo ID make it particularly less likely that marginalised groups hold photo identification. Older voters are less likely to have a

15. Electoral Commission (2015). Delivering and costing a proof of identity scheme for polling station voters in Great Britain. electoralcommission.org. uk/__data/assets/pdf_ file/0004/194719/ Proof-of-identity-scheme-updated-March-2016.pdf

passport, as are those living in Wales, where 80 percent of electors hold this form of ID compared with 94 percent in London. Women, those living in urban areas, the under 20s and over 65s are less likely to hold a driving license. Since the 1990s, possession of a driving license has dropped by 40 percent among under 20s. The high costs of motoring, especially insurance costs, and changing values and attitudes towards driving are among the main reasons given for this decline[16].

To mitigate potential disenfranchising effects of restrictive ID requirements, some support the use of non-photographic ID. But this could do more harm than good, making it harder to vote for honest voters, while failing to tackle the alleged problems. As the Electoral Commission said:

"Non-photographic identity documents, such as a debit card, utility bill or poll card, would not offer the same level of proof of identity, and would enable personation to be committed more easily, since there would be no face-to-face authentication of identity required."

Prior to the 2018 pilots, significant concerns were raised about the disproportionate impact of voter ID requirements on electoral participation among specific groups. A leaked letter from the Equality and Human Rights Commission to the Cabinet Office set out these concerns[17]:

"The Commission is concerned that the requirement to produce identification at the given local elections […] will have a disproportionate impact on voters with protected characteristics, particularly older people, transgender people, people with disabilities and/or those from ethnic minority communities. In essence, there is a concern that some voters will be disenfranchised as a result of restrictive identification requirements."

16. Chatterjee, Kiron et al. (2018). Young People's Travel – What's Changed and Why? Review and Analysis: Report to Department for Transport. assets.publishing.service. gov.uk/government/ uploads/system/uploads/ attachment_data/ file/673176/young-peoples-travel-whats-changed.pdf

17. theguardian.com/ world/2018/apr/21/ identity-checks-election-disenfranchise-ethnic-minorities

A coalition of over 40 leading charities and academics, led by the ERS, urged the government to reconsider running the pilots, highlighting the unequal impact the pilots would have on already disadvantaged and excluded groups, and raising concerns about the participating Local Authorities' failure to carry out adequate Equality Impact Assessments. Jo Hobbs, Chief Executive of the British Youth Council (one of the coalition partners), said after the pilots:

"Assumptions that all young people have photo ID ignores the financial and other barriers in place to getting such forms of ID. We heard from young people in one of the trial areas that they were left feeling that the move would mean that only 'smart educated people' would be the ones left voting."

Given that certain groups of voters are less likely to hold certain forms of ID, identification requirements undermine the principles of fair and equal participation that have been at the heart of British democracy since the adoption of universal, equal suffrage in 1928.

International Red Herrings

The government and proponents of voter ID often refer to the EU or Northern Ireland to defend the roll-out of mandatory voter ID in Great Britain. Yet both comparisons are misleading.

First, they frequently fail to mention that all EU member states, with the exception of Denmark and Ireland, have universal ID card schemes that are either free or low-cost[18]. Given that in 21 EU states some form of ID is mandatory, all voters have them and thus no groups are discriminated against.

Second, in Northern Ireland, a free and easy to obtain Electoral Identity Card has been offered

18. statewatch.org/news/2010/jun/eu-council-ID-cards-9949-10.pdf

19. Electoral Commission (2015).

20. Wilks-Heeg, Stuart (2018). Voter ID at British Polling Stations – Learning the Right Lessons from Northern Ireland. Manchester Policy Blog, 1 March. blog.policy. manchester.ac.uk/ posts/2018/03/voter-id-at-british-polling-stations-learning-the-right-lessons-from-northern-ireland/

21. publicintegrity. org/2016/08/21/20078/ review-key-states-voter-id-laws-found-no-voter-impersonation-fraud

22. aclu.org/other/ oppose-voter-id-legislation-fact-sheet

23. Hajnal, Zoltan et al. (2017). Voter Identification Laws and the Suppression of Minority Votes. The Journal of Politics, 79(2), pp. 363–79.

24. Alvarez, R. Michael et al. (2008). The effect of voter identification laws on turnout. VTP Working Paper #57, Version, 2 Oct 2007.

since 2002 as an alternative to other, less inclusive forms of ID. This is the system the Electoral Commission had in mind when it recommended the roll-out of voter ID in Great Britain[19].

A final reason why Northern Ireland is not a valid comparison is that – prior to the introduction of mandatory voter ID – it experienced extremely high levels of documented, in-person electoral fraud. At the 1983 general election, for example, 949 people arrived at polling stations in Northern Ireland only to be told a vote had already been cast in their name, and the police made 149 arrests for personation, resulting in 104 prosecutions[20]. In this polity, mandatory ID was thus a proportionate response to the significant problem of personation – unlike the rest of the UK, where only 28 allegations of personation were made in 2017, of which only one resulted in a conviction.

The US Experience

Voter ID laws have been introduced in a number of US states in recent years – 32 states now require some form of identification in order to vote. There has been substantial public debate about their impact, particularly since the US, like the UK, does not have universal ID and has similarly experienced extremely low levels of personation[21]. Furthermore, as in the UK, certain factors, such as age, race, and income, significantly impact the likelihood of having appropriate identification[22].

The US case highlights the potential negative consequences of introducing voter ID. Studies have found that the introduction of voter ID requirements has reduced voter participation, and suggested that this was disproportionately high amongst racial and ethnic minority groups[23]. The impact has also been shown to disproportionately affect those with lower educational qualifications and lower income[24].

25. theguardian.com/us-news/2017/sep/13/america-history-voter-suppression-donald-trump-election-fraud

26. See for example Crawford v. Marion County Election Board, 553 U.S. 181 (2008) and theatlantic.com/politics/archive/2017/05/north-carolinas-voter-id-law-supreme-court-cert/526713/

Legal challenges have been brought against some of these laws on the grounds that they are specifically designed as a voter suppression mechanism[25], and the US Supreme Court has intervened on a number of occasions, highlighting how controversial such mandatory voter ID can be[26].

WELCOME
TO YOUR
POLLING STATION

Please follow the signs and
report to the desk, then follow
the instructions given to you.

Kindly note that there are various
penalties for misconduct at elections
and referendums.

In particular, be aware that it is a
serious offence to vote when you are
not entitled to do so or to pretend to
be another person.

THANK YOU FOR VOTING

LIVE IN BROMLEY?

BRING
ID

TO
VOTE
ON 3
MAY

How to vote at this election

1 Go to the desk and give your ID to the staff.

2 Tell the staff your name and address, and if your ID is acceptable, they will issue you with a ballot paper

3 Take your ballot paper to a voting booth

4 Read the instructions in the booth and mark your ballot paper

5 When you have marked your ballot paper, fold it so that nobody can see how you have voted.

6 Put your folded ballot paper into the ballot box.

(!) Voting is secret. Do not let anyone see how you have voted. If you make a mistake or need some help, just ask the staff.

3   Flawed Pilots

Despite clear warnings of potential
discrimination and disenfranchisement, the
government piloted mandatory voter ID at the
English local elections that took place on 3 May
2018. Though all local authorities were given the
opportunity to test voter ID, only five councils
participated in the trials: Bromley, Gosport,
Swindon, Watford and Woking[27].

As the councils had volunteered to take part in
the government's scheme, they were not a
representative sample of the diversity of British
society. All were suburban areas and most were in
the South East. None were university towns or
areas where the unemployment rate is
substantively above the national average.
Compared to the national rate (4.2%), all local
authorities have below-average unemployment
rates: 4.1% in Swindon and Watford, 4% in
Gosport, 3.8% in Bromley, and 2.4% in Woking.

Given the homogeneity of the sample, the pilot
areas could thus not offer evidence on the extent
to which different demographics would be affected
by the introduction of voter ID. The Electoral
Commission recognised this and recommended
that a wider range of councils should pilot the

scheme in 2019, including *"a mixture of rural areas and large urban areas, and areas with different demographic profiles."*

The five areas chose to trial different types of identification requirements (summarised in Table 2, see the Appendix for the full list of requirements[28]). Swindon and Watford required citizens to take along a scannable poll card to vote. In Bromley and Gosport, electors could bring one form of photo ID or two pieces of non-photo ID to the polling station. Woking trialled the most restrictive requirement, with only one piece of photo ID allowed.

28. Electoral Commission (2018b). May 2018 voter identification pilot schemes: Findings and recommendations. July 2018. electoralcommission. org.uk/__data/assets/pdf_ file/0006/244950/ May-2018-voter-identification-pilots-evaluation-report.pdf

Table 2: ID Requirements in the Five Pilot Areas

	One form of photo ID	One form of non-photo ID	Two forms of non-photo ID, one of which must show registered address	Local ID card/ letter	Poll card	Attestation
Bromley	✓	✗	✓	✓	✗	✗
Gosport	✓	✗	✓	✓	✗	✗
Swindon	✓	✗	✗	✓	✓	✓
Watford	✓	✓	✗	✗	✓	✗
Woking	✓	✗	✗	✓	✗	✗

But the pilots failed to trial a larger range of options, which would be universal and free, and therefore less discriminatory, such as a signature and a NI number or date of birth, as had been recommended by both the Pickles report and the Electoral Commission. Following the trials, The Salvation Army stressed the importance of inclusivity in the types of ID permitted:

"In the pilot area of Swindon, The Salvation Army was able to support people to vote using their polling card. [...] However, this level of support was only feasible due to the 'light touch' approach of the pilot in Swindon. Had we been working in an area where additional and multiple forms of

photo ID were required, the impact on staff time and resources would have become untenable. This simply would not be viable on a large, national scale."

Most councils offered free identity cards, but post-pilot research found that very few people applied for these. Returning Officers said that those citizens who contacted them about this alternative option found that they already possessed one of the acceptable forms of ID.

But rather than showing that everyone had access to some form of ID, failure to apply for the free local card might indicate that people were not aware of the possibility of free ID, or found it too burdensome to request. In Bromley, for example, applications for the local certificate of identity required the attestation of a "person of good standing in the community", and could only be presented in person at the council office[29]. This process represented a barrier in itself.

Small Figures, Big Impact

Immediately after the elections, the Cabinet Office declared the pilots a "great success", as the "overwhelming majority" of voters were able to cast their ballot, and soon announced that it would push ahead with further pilots in 2019[30].

But the pilots were far from a success. Full Fact, the UK's leading fact-checking organisation, disputed the government's claim of success and said that *"In a single day across five councils, twice as many people didn't vote due to having incorrect ID, as have been accused of personation in eight years in the whole of the UK."*[31]

Indeed, more than 1,000 voters across all pilot areas were turned away for not having the correct form of ID – in Woking[32], there was no ward where 100 percent of people turned up with the correct

29. bromley.gov.uk/download/downloads/id/3383/certificate_of_identity_application.pdf

30. gov.uk/government/news/government-commits-to-new-round-of-voter-id-pilots-at-next-local-elections

31. fullfact.org/crime/voter-id-scheme/

32. getsurrey.co.uk/news/surrey-news/woking-voter-id-trial-hailed-14687908

ID. Around 350 voters, more than one third of those turned away, did not return to vote (Table 3[33]). In areas with no or very few historic allegations of fraudulent voting, the effects of voter ID were disproportionately high.

	Voters without right ID	Voters turned away who did not return to vote	Proportion of voters without correct ID who did not return to vote
Bromley	569	154	27%
Gosport	120	54	45%
Swindon	64	25	39%
Watford	194	42–66	22%–34%
Woking	89	51	57%
Total	1,036	326–350	31%–34%

Across all pilot councils, an average of 0.23 percent of all polling station voters did not return with the required form of identification. If mandatory ID were to be rolled out nationally, this could potentially result in tens of thousands of voters being denied a say at a general election[34].

Furthermore, the 'small' number of people unable to vote could easily change the outcome of an election. Indeed, eleven constituencies were won at the 2017 general election by 100 votes or fewer (Table 4[35]). The number of people who did not return with ID in Gosport, for example, is more than the winning majority in eight seats at the 2017 general election. Thirteen seats at the 2017 parliamentary election were won by a number of votes fewer than the number of people who did not return to vote in Bromley alone. With the Conservative Party just eight seats short of a majority in 2017, turning away electors without ID at the ballot box could have changed the outcome of this vote.

33. Stanford, Ben (2018). The results of the 2018 voter ID pilots and why this is not the time for a national roll-out. LSE British Politics and Policy Blog, 31 July. blogs.lse.ac.uk/politicsandpolicy/the-results-of-the-2018-voter-id-pilots/

34. Full results: researchbriefings.files.parliament.uk/documents/CBP-7979/HoC-GE2017-constituency-results.csv

Table 4: Constituencies with the Smallest Majorities at the 2017 UK General Election

Constituency	Majority (number of votes)	Winner	Runner-up
North East Fife	2	SNP	Liberal Democrats
Kensington	20	Labour	Conservatives
Perth and North Perthshire	21	SNP	Conservatives
Dudley North	22	Labour	Conservatives
Newcastle-Under-Lyme	30	Labour	Conservatives
Southampton, Itchen	31	Conservative	Labour
Richmond Park	45	Conservative	Liberal Democrats
Crewe and Nantwich	48	Labour	Conservatives
Glasgow South West	60	SNP	Labour
Glasgow East	75	SNP	Labour
Arfon	92	Plaid Cymru	Labour
Ceredigion	104	Plaid Cymru	Liberal Democrats
Stirling	148	Conservative	SNP

Deterring Democratic Engagement

In addition to polling station voters being turned away, it is likely that legitimate electors would have been discouraged from turning up to the ballot box in the first place – either because they did not have the correct type of ID, were put off by the changes, or had simply forgotten their ID and were unable to get it in time. Indeed, some residents in the trial areas contacted us to share such experiences. They told us:

"It was much more hassle, as I passed the polling station twice, once when dropping my husband to work and once when out walking the dog. Both times I would have just voted but I didn't have ID with me. It meant I had to consciously go home, get ID and go back out to vote. In a stronghold area where my vote

doesn't feel it counts anyway, it made motivation to vote incredibly hard."

"Could not vote as I've not got photo ID and pay my bills by direct debit, so did not have any letters. I think it's all wrong."

"I knew I didn't have the correct ID, as I don't drive, don't have a passport and am a lodger, so no bills in my name. I chose to postal vote instead. Which is ironically where most voter fraud happens. I think the ID is a terrible idea and I know when I was younger it would have made me not bother."

Post-pilot research by the Electoral Commission found that two percent of respondents who did not vote said it was because they did not have the right identification. Three percent of all respondents said the ID requirement made them less likely to vote. This increases to five percent among non-voters[36].

Any number of people put off from voting because they do not have identifications is too high, especially when compared to 28 total allegations of fraudulent voting in all of the UK in 2017.

35. Electoral Commission (2018b).

Turnout and Awareness

Supporters of voter ID point to the fact that turnout was largely unaffected as a sign of the pilots' success. But using turnout as a measure of 'success' is misleading.

First, the ID pilots took place during low-salience and low-turnout local elections. They could thus not have picked up on the discriminatory effects of voter ID on the wider range of people who turn out at general elections. Conducting further pilots during the 2019 local elections, even across a more heterogeneous sample of councils, will thus offer very limited

additional evidence. Furthermore, it is impossible to verify the effects that ID requirements will have on different demographics at high turnout elections, given that pilot schemes cannot be run at UK parliament elections. Voter ID will therefore always be a very risky policy, and stands to create significantly more problems than it could ever solve.

Second, the government has bankrolled the pilots, enabling the councils to run substantial awareness campaigns (including dedicated pages on the councils' websites, multiple press releases and posters in train stations and other key locations), which would be extremely unlikely at the national level. In Bromley, the Cabinet Office provided £200,000 of funding, which included additional staffing costs[37]. Watford spent around £34,400 of Cabinet Office funding just on informing residents about the occurrence of the pilot. By publicising voter ID requirements, councils brought greater attention than usual to the local elections, and this is likely to have artificially stimulated turnout.

Research conducted by Livia Testa and Susan Banducci confirms the correlation between awareness and turnout[38]. Testa and Banducci find 75 percent of respondents in pilot areas reported voting either in person or by post, compared with 70 percent of respondents in non-pilot areas[39]. Concurrently, respondents in pilot areas were more likely to have been contacted by a party (70%) than those in non-pilot areas (68%). The researchers thus argue that raising awareness of the ID requirements may have increased the salience and knowledge of the local elections among voters in pilot areas, which in turn may have contributed to higher turnout in these councils.

36. bromleytimes.co.uk// news/voting-id-scheme- cost-home- office-200-000-1- 5623780

37. Testa, Livia and Susan Banducci (2018).Local Elections and voter ID pilots. Exeter Q-Step Centre: University of Exeter. exeter.ac.uk/q-step/ voterid_report.pdf

Testa and Banducci conducted a postal survey across the five pilot areas and three control councils (Slough, Basingstoke, and Deane, Sutton). The sample was drawn from the open registers. The survey received 452 responses – 330 in pilot councils, 122 in control councils.

38. Reported turnout is higher than official figures as it is generally overestimated by survey respondents.

But despite a more intense public awareness campaign compared to other elections, awareness of the pilot requirements was not universal. An average of around a quarter of respondents to the Cabinet Office survey were not aware of the pilots post-election day in four councils. In Watford, only 58% of respondents knew about the voter ID trials[40].

There were also differences in knowledge among demographic groups, and concerns were raised about the extent to which the publicity campaigns effectively reached the most vulnerable groups. Post-pilot research found that polling station voters in the C2DE social grade were half as likely to say they were aware of the ID requirements beforehand (18% did not know compared with 9% for ABC1s)[41]. Among all respondents to the Electoral Commission's survey, people aged under 35, in the C2DE social grade, those less politically active, and those who said they did not vote were less likely to be aware of the pilots. Cabinet Office research also found that those aged 18–34 were less likely to be aware of the ID requirements in Bromley (68% compared to 80% for all respondents) and Gosport (67% versus 77%)[42].

The Costs of Mandatory ID

Implementing voter ID at the national level will place a considerable strain on elections staff and councils, which have been overstretched for a number of years. The Association of Electoral Administrators (AEA) has highlighted that *"a general lack of resources in elections offices through staff cuts, retirements, etc. […] was a concern for the future"*[43]. Indeed, during the 2017 general election, permanently employed staff worked around 155 hours overtime in the three month period and, in their post-election report, the AEA warned that *"without positive and urgent action […] the many weaknesses and contradictions identified in current*

39. Cabinet Office (2018). Electoral Integrity Project – Local Elections 2018 – Evaluation. assets. publishing.service.gov.uk/ government/uploads/ system/uploads/ attachment_data/ file/726991/Electoral_ Integrity_Project_-_Local_ Elections_2018_pilots_-_ Evaluation.pdf

40. Electoral Commission (2018b).

41. Cabinet Office (2018).

42. aea-elections.co.uk/ wp-content/ uploads/2014/10/ so-min-130614.pdf

43. Association of Electoral Administrators (2017). It's time for urgent and positive Government action: The AEA's review of the 2017 local government elections and the UK Parliamentary general election. aea-elections.co.uk/wp-content/uploads/2017/09/aea-post-election-report-mayjune-2017.pdf

44. Cabinet Office (2018).

systems and procedures will cause the system to further fracture and fail."[44]

Despite the lower salience and turnout of local elections, additional staffing and training were already required in all pilot areas, comprising up to a third of usual costs. In Bromley, some staff did not take part in the elections as they "felt the new ID requirements would be too difficult to administer."[45] After the trials, Jo Miller, president of SOLACE (Society of Local Authority Chief Executives), noted:

"In a world where there is no clear plan for council financing, local government has suffered huge cuts in budgets. That means potholes are not filled, homelessness is rising, care is pared back, essential services have been cut, transport has been stopped, councils are veering towards bankruptcy and demand for adult and children's services are through the roof, so prioritising voter identification implementation costs is an interesting position to take. I am not alone in thinking that there are more pressing problems to be solved."[46]

45. themj.co.uk/Voter-ID-in-perspective/211286

Furthermore, it seems highly unlikely that the Cabinet Office will provide similar funds on an ongoing basis to all electoral offices if mandatory ID were to be rolled out nationally. Research by the Cabinet Office showed that implementing mandatory voter ID across Great Britain could cost up to £20.4 million per general election – over £700,000 per allegation of polling station fraud made in 2017.

46. Based on information supplied by each piloting council, the Cabinet Office employed a low and a high estimate when calculating how much each model would be expected to cost, which explains the significant variation in price range.

Costs differ according to the model to be used. Cabinet Office research states that the poll card model, trialled in Swindon and Watford, is the most expensive, estimated at between £4.6 million and £20.4 million per UK general election, excluding the cost of IT equipment[47]. The mixed ID model is the least expensive, costing around

£4.6 million–£17.1 million. Rolling out voter ID across Great Britain would thus add between three percent and 14 percent to the taxpayers' bill for each general election.

Lack of Evidence

The 2018 pilots were described by the government as a way of evaluating the impact of introducing voter ID at elections prior to its national roll-out. But the 2018 pilots provide very little evidence about whether voter ID could be implemented across Great Britain, and how.

Both the Electoral Commission and the Cabinet Office have recognised this[47]. The elections watchdog said that *"there is not yet enough evidence to fully address concerns and answer questions about the impact of identification requirements on voters"*. It also found "inconsistent evidence" about whether mandatory voter ID would increase public confidence in the security of voting, and very limited evidence of whether ID requirements prevented people from attempting to commit electoral fraud, which was one of the government's primary policy objectives for the pilots.

This is supported by evidence from the US, which shows that bringing in mandatory ID makes little difference to perceptions of fraud. Citizens of US states with strict ID laws do not feel better about their elections than people in states with more relaxed laws[49]. In fact, an expert survey conducted by the Perceptions of Electoral Integrity project on the performance of state registration and balloting procedures finds that, in the 21 US states surveyed, *"more lenient convenience election laws are related to higher levels of electoral integrity"*, not lower levels[50].

Future ID pilots will thus not only tell us very little about how this system can be implemented, but will also fail to address the alleged problems that mandatory voter ID purports to solve.

47. Electoral Commission (2018b) and Cabinet Office (2018).

48. Ansolabehere, Stephen and Nathaniel Persily (2008). Vote Fraud in the Eye of the Beholder: The Role of Public Opinion in the Challenge to Voter Identification Requirements. Harvard Law Review, 121, pp. 1737–74.

49. Norris, Pippa (2017). Strengthening Electoral Integrity. Cambridge: Cambridge University Press.

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4 The Bigger Picture

Why Voter ID and Why Now?

While the government's voter ID pilots were taking place in the English local elections in May, the Electoral Commission and Information Commissioner were undertaking extensive inquiries into campaigning and data breaches during the EU Referendum. In addition, Parliament's Digital, Culture, Media and Sport committee were calling campaigners and tech companies before their inquiry into 'fake news'.

The interim report of that inquiry concluded that our democracy is "at risk" from misinformation, disinformation and state sponsored interference in national elections. Likewise, the Electoral Commission have stated that *"we have seen serious allegations of misinformation, misuse of personal data, and overseas interference. Concerns that our democracy may be under threat have emerged"*. The ICO warn that developments in digital and data-driven campaigns raise *"fundamental questions about the relationship between privacy and democracy"*.

Given the scale of these urgent electoral regulation challenges, the focus on dealing with personation, an extremely rare and isolated type of

fraud (just one conviction in 2017), looks rather like an attempt to rearrange the deckchairs whilst the ship is sinking. Regulators and parliamentarians are calling for greater transparency in campaigning and the financing of campaigns, and are united around significant reforms to our electoral laws and codes of conduct to ensure that elections cannot be manipulated by foreign states or private companies. We have been highlighting the increasing problems stemming from this online 'wild west' for some time. These are very pressing concerns that should be prioritised.

Electoral Integrity

Whilst concern about fraud is cited as a reason to introduce voter ID, it is clear that voters do not see personation fraud as a priority. When presented with 10 electoral integrity concerns, including financial donations, campaigning regulations and the provision of information[51], respondents saw introducing ID checks at the polling station as one of the least pressing concerns[52].

In the first question, survey respondents were asked to tick as many electoral concerns as they wished. The need for "polling station votes [to be] protected by additional identity checks" received the second lowest response. Only one other option ("constituency boundaries are free from political influence") ranked lower among people's priorities for securing electoral integrity in Britain.

50. The poll question options were developed using the framework of the Harvard 'Perceptions of Electoral Integrity' survey (Norris 2017). They were simplified and adapted for a UK election. See here: electoralintegrityproject. com/pei-us-2016/

51. BMG for ERS. Representative survey of 1,500 GB adults aged 18 and over, fieldwork conducted online 1–4 May 2018.

Given the scale of these urgent electoral regulation challenges, the focus on dealing with personation, an extremely rare and isolated type of fraud (just one conviction in 2017), looks rather like an attempt to rearrange the deckchairs whilst the ship is sinking.

Table 5: Responses to: "Thinking about the conduct of elections in the UK, which of the following, if any, are important to you? Please tick all that apply."

Option	Response
The voting register is accurate (no fraudulent entries)	56%
Media coverage of the election is balanced	52%
Election campaigns are free from the influence of large financial donors	48%
Elections are well managed and information widely available	46%
Elections are monitored and observed for security	46%
Postal votes are secure from undue influence	44%
All political parties have fair access to elections	42%
Online campaign activities are transparent and regulated	41%
Polling station votes are protected by additional identity checks	39%
Constituency boundaries are free from political influence	32%
None of the above / Don't know	21%
Other (please specify)	1%

Among the issues which voter ID ranked below were an accurate voting register (56%), balanced media coverage (52%), and ensuring elections are free from the influence of large financial donors (48%). Tightening postal vote security was also seen as more important than polling station identity checks.

In a second question, voters were asked what they felt was the single most important issue. Just four percent of respondents chose voter ID.

The three most popular concerns were: balanced media coverage (13%), accuracy of the voting register (16%), and addressing large financial donations in election campaigns (17%).

Voters were asked what they felt was the single most important issue. Just four percent of respondents chose voter ID.

Option	Response
None of the above / Don't know	21%
Election campaigns are free from the influence of large financial donors	17%
The voting register is accurate (no fraudulent entries)	16%
Media coverage of the election is balanced	13%
Elections are well managed and information widely available	6%
Elections are monitored and observed for security	6%
Online campaign activities are transparent and regulated	5%
Postal votes are secure from undue influence	4%
Polling station votes are protected by additional identity checks	4%
All political parties have fair access to elections	4%
Constituency boundaries are free from political influence	3%
Other (please specify)	1%

The View from Polling Stations

Not only do voters not think that personation is a significant problem compared to other electoral issues, neither do those who administer elections. A survey of staff managing polling stations[53] finds that nearly all staff had no suspicion of fraud taking place. Ninety-nine percent (99%) of staff in the polling stations (those who issue ballot papers and ensure the ballots are secure) did not suspect that fraud had taken place in their polling station.

The most widespread problem poll staff highlighted in this survey was voters turning up and not being on the register. Over half of poll staff (52%) turned away at least one person for this reason. Behaviour inside and outside the polling station was also highlighted as a problem with "members of parties being where they shouldn't be" a common concern. Access for voters with disabilities was also a frequently cited problem.

Notably many of the problems most frequently experienced by staff running polling stations are

52. James, Toby and Alistair Clark (2018). Voter ID: our first results suggest local election pilot was unnecessary and ineffective. The Conversation, 1 August 2018. theconversation.com/voter-id-our-first-results-suggest-local-election-pilot-was-unnecessary-and-ineffective-100859

related to practical barriers to voting: voters not being aware of where to vote, having difficulty accessing the polling station, or problems completing the ballot. This strongly suggests that working to remove barriers to voting should be a priority, not constructing new ones. The authors conclude from their research:

> "*The greater proportion of problems are with the convenience of registering and voting. The electoral process therefore needs to be modernised to fix this. That might involve voters being allowed to cast at any polling station with electronic poll books and automatic registration. Likewise, measures to increase accessibility and address behavioural issues in and around polling stations. The government should therefore halt the implementation of voter ID, and press ahead in the areas where there is evidence of a problem.*"

The Real Fraud Problem

The Electoral Reform Society strongly believes that voting should be secure and not open to abuse. Voters need to have confidence in the way elections are run in order to feel confident in the result. This is why dealing with the spread of misinformation online and tightening regulations around the source of political donations is so important. Improving the electoral process is important too, but efforts must be better targeted at reducing undemocratic barriers to voting, while strengthening national protections. Measures such as allowing voters to vote in any polling station and automating secure voter registration by linking registration to other transactions such as driving licence applications would go a long way to improving the voter experience.

The answer to improving electoral processes is not to be found in shutting out voters. Doing so leaves our elections more open to abuse – low turnout

makes results easier to manipulate. As we have shown, the margins of success are often slim and could be significantly affected by an ID requirement.

Healthy democratic competition is not served by the introduction of a steep and discriminatory ID requirement. Those seeking to manipulate our democracy with 'dark ads' and dodgy donations should be required to identify themselves. Legitimate voters should not be the target of such measures.

Those seeking to manipulate our democracy with 'dark ads' and dodgy donations should be required to identify themselves. Legitimate voters should not be the target of such measures.

Conclusion

Requiring voters to present identification at the polling station is a disproportionate and ineffective response to the extremely rare incidence of voter fraud. Not only does it not address the alleged 'problem' of personation, but it has the potential to stifle electoral participation among legitimate voters, and to have a particularly discriminatory effect on the most vulnerable and disengaged groups.

The 2018 pilots have already demonstrated this. Around 350 voters were turned away from the ballot box and did not return because they did not have the required ID – 'small' numbers in numerical terms, but which could easily swing an election under Westminster's First Past the Post system. And many more potential voters are likely to have been deterred from turning out in the first place due to the ID requirements.

The trials have also failed to provide evidence to support the roll-out of mandatory ID across the UK – the impact of ID requirements on fraud and public confidence in the integrity of elections cannot be ascertained. The trials were conducted in a setting that was highly dissimilar to that of a typical general election. As we have shown, the

local authorities were homogeneous and unrepresentative of the diversity of British society, the elections were of low salience and attracted lower turnout among certain demographics, and the Cabinet Office covered most of the expenses.

Future pilot schemes are unlikely to provide additional evidence about the impact of ID requirements on the running and security of elections at the national level, especially since trials cannot be run at general elections.

The government is, however, determined to push ahead with rolling out voter ID and has recently invited local authorities to express their interest in piloting this system at the 2019 local elections. While the government rightly recognises that much more work is needed – e.g. ensuring that the areas chosen are sufficiently diverse and representative, and that councils conduct robust equality impact assessments – its continuing focus on implementing voter ID as a way of tackling electoral fraud and restoring trust in our elections is misplaced.

Trust in our democratic processes is being slowly eroded by revelations of violations of campaign rules, a hyper-partisan media environment, scandals around the misuse of voters' personal data, and foreign interference in our elections and referendums. This is what voters are concerned about.

Our priority should be therefore on addressing the challenges that undermine our democracy, not preventing legitimate voters from exercising their democratic right. Increasing voter registration and public awareness, improving the accessibility of our polling stations and the transparency of our elections – this is where we should be focusing our efforts and money, not interfering with the right to vote.

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Appendix
Voter Identification Requirements by Council

Swindon
Voters had to take their barcoded poll card in order to vote at the polling station. Voters who lost their poll card or did not take it with them, could show one of the following types of photo ID:

- Passport (UK, EU, Commonwealth) (can be expired or unexpired)
- Photocard driving licence including a provisional licence (UK, Crown Dependency or EU)
- Northern Ireland Electoral Identity Card
- Biometric Immigration Document
- EEA Identity Card

Or they could bring someone with them to attest who they were. This person had to be registered at the same polling station and have already voted or could vote by showing their poll card or other form of identification.

Watford
Voters had to take their barcoded poll card in order to vote at the polling station. Voters who lost their poll card or did not take it with them, could show one of the following types of photo ID:

- Valid British, European or Commonwealth passport
- UK or EU photo-card driving licence (full or provisional)
- Valid credit or debit card
- Biometric Residence Permit
- EEA Identity Card
- Northern Ireland Electoral Identity Card

Woking
One of the following types of photo ID was required:

- Passport (UK, EU, Commonwealth)
- UK Photo Driver's Licence (full or provisional)
- EU Driver's Licence
- European Economic Area photographic identification card
- UK Biometric Residence Permit
- Northern Ireland Electoral Identity Card
- Surrey Senior Bus Pass
- Surrey Disabled People's Bus Pass
- Surrey Student Fare Card
- 16–25 Railcard
- Rail Season Ticket Photocard

Those who did not have any of the forms of ID listed above could apply to the Returning Officer for an Local Elector Card.

Bromley

Either one of the following types of photo ID was required:

- A passport issued by the United Kingdom, a Commonwealth country or a member state of the European Union
- A photocard driving licence (including a provisional licence) issued in the United Kingdom or by a Crown Dependency, or by a member State of the European Union
- An electoral identity card issued under section 13C (electoral identity card: Northern Ireland) of the Representation of the People Act 1983
- A biometric immigration document issued in the United Kingdom in accordance with regulations made under section 5 of the UK Borders Act 2007
- An identity card issued in the European Economic Area
- An Oyster 60+ London Pass
- A Freedom Pass (London)
- A PASS scheme card (national proof of age standards scheme)

Or two of the following types of non-photo ID (one of which must show one's registered address)

- A valid bank or building society debit card or credit card
- A poll card for the poll
- A driving licence (including a provisional licence) which is not in the form of a photocard
- A birth certificate

- A marriage or civil partnership certificate
- An adoption certificate
- A firearms certificate granted under the Firearms Act 1968
- The record of a decision on bail made in respect of the voter in accordance with section 5(1) of the Bail Act 1976
- A bank or building society cheque book
- A mortgage statement dated within 3 months of the date of the poll
- A bank or building society statement dated within 3 months of the date of the poll
- A credit card statement dated within 3 months of the date of the poll
- A utility bill dated within 3 months of the date of the poll
- A council tax demand letter or statement dated within 12 months of the date of the poll
- A Form P45 or Form P60 dated within 12 months of the date of the poll

Those who did not have any of the forms of ID listed above could apply to the Returning Officer for a Certificate of Identity.

Gosport

Either, one of these types of photo ID:

- UK or EU passport (UK, Commonwealth, EEA)
- Photocard driving licence, full or provisional (UK, crown dependency or EU)
- Northern Ireland electoral identity card
- Biometric immigration document
- European Economic Area identity card
- Disclosure and Barring Service certificate showing your registered address
- MoD photographic identification card
- MoD Defence Privilege Card
- Photo bus/travel pass from any Hampshire council

Or, two of these types of non-photo ID (one must show one's registered address):

- Driving licence without photo
- Birth certificate
- Adoption certificate
- Marriage or civil partnership certificate
- Bank or building society debit/credit card

Or the following non-photo ID issued within 12 months of voting day:

- Financial statement, such as a bank or mortgage statement
- Council tax demand letter or statement
- Utility bill
- P2, P6, P9, P45 or P60
- Statement of benefits or entitlement to benefits

Those without any of these forms of ID could apply for an Electoral Identity Letter.

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