

Mandatory Voter ID at the Polling Station – Unpicking the ‘Show Your Papers’ Policy

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Elections in the UK have extremely low levels of proven electoral fraud. Data provided by the Electoral Commission each year consistently show that there is no large-scale evidence of electoral fraud.

The government is, however, committed to pushing ahead with the introduction of mandatory voter identification at the polling station, a policy reaffirmed in its December 2019 Queen’s Speech and more recently in its response to the Electoral Commission’s reports on last year’s elections.¹

The policy of mandatory strict ID presents a significant risk to democratic access and equality. Possession of ID is not universal and is particularly low among certain groups of voters. Millions of people lack the strictest forms of required documentation, such as a passport or driving licence. If mandatory ID were to be rolled out nationally, it could potentially result in tens of thousands of voters being denied a say.

Leading civil society groups, charities and academics – including the British Youth Council, Age UK, Stonewall, Liberty, The Salvation Army, Migrants’ Rights Network, and the Race Equality Foundation – have spoken out against the introduction of mandatory voter ID, highlighting the unequal impact it would have on already disadvantaged and excluded groups.²

Identification requirements risk undermining 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.

The Voter ID pilots

The government piloted mandatory voter ID in selected local authorities during the 2018 and 2019 local elections in England. In both pilot years, participating local authorities tested three different types of identification requirements: a photo ID model, a mixed model where voters presented either one piece of photo ID or two pieces of non-photo ID before casting their vote, and a poll card model. In the areas piloting the photo ID and mixed ID options, voters who did not have the required identification could apply for a locally issued certificate of identity.

Table 1: Voters without ID and who did not return to vote in the 2018 and 2019 pilots

	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
2018 pilots – Bromley, Gosport, Swindon, Watford, Woking	1,036	326–350	31%–34%
2019 pilots – Braintree, Broxtowe, Craven, Derby, Mid Sussex, North Kesteven, NW Leicestershire, Pendle, Watford, Woking	1,968–2,083	740–758	36%–38%

2018 data available from: https://www.electoralcommission.org.uk/sites/default/files/pdf_file/May-2018-voter-identification-pilots-evaluation-report.pdf

2019 data available from: <https://www.electoralcommission.org.uk/who-we-are-and-what-we-do/our-views-and-research/our-research/voter-identification-pilots/may-2019-voter-identification-pilot-schemes/impact-voters-experience>

Compared to allegations and verified cases of personation, the number of people turned away in both pilot years are extremely high. The 2018 voter ID pilots saw more than 1,000 voters being turned away for not having the correct form of ID – of these, around 350 voters did not return to vote. In 2019, around 2,000 people were initially refused a ballot paper, of which roughly 750 did not return with ID and did not therefore take part in the election.

In total, across both sets of pilots, over 1,000 voters did not return to vote after being refused a ballot for not having ID. This scheme risks disenfranchising far more people than suspected wrongdoers.

Lack of evidence

The 2018 and 2019 trials 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.

While the Cabinet Office declared the 2019 trials to have been a ‘success’ for the government’s voter ID pilots,³ the Electoral Commission was more cautious in its judgement, saying: ‘Important questions however remain about how an ID requirement would work in practice, particularly at a national poll with higher levels of turnout.’⁴ Earlier this year, it was reported⁵ that the government may have misled MPs when it claimed that the ‘evidence shows there is no impact on any particular demographic group’,⁶ given that the demographic data used to back this up was not collected as part of the pilot evaluations.

In its evaluation of the 2018 pilots, the Electoral Commission said that ‘there is not yet enough evidence to fully address concerns and answer questions about the impact of identification requirements on voters’.⁷ 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 is one of the government’s primary policy objectives for the pilots.

Electoral fraud in the UK

There is no evidence to suggest that personation fraud is widespread in the UK.

For elections conducted in 2019,⁸ 592 alleged cases of electoral fraud were investigated by the police – campaigning offences comprised a majority of alleged cases of fraud in 2019 (53.5%), followed by alleged voting offences (24%). Almost all offences (94.8%) either involved no further action being taken (61.7% of the total) or were locally resolved (33.1%). Three offences resulted in a conviction, including one for personation at the polling station in the European Parliament elections, and there was one police caution for personation in the same election.

Out of all alleged cases of electoral fraud in the 2019 elections, only 34 related to personation fraud at the polling station – this comprises 0.00058% of the over 58 million votes cast in all the elections that took place that year. There was only one conviction for personation and one caution, both of which related to the European Parliament elections. Almost three-quarters of alleged cases of personation at the polling station in 2019 involved no further action being taken (73.5%), while four were locally resolved.

3 Cabinet Office (2019). Another success for the government’s voter ID pilots: 22 July 2019. <https://www.gov.uk/government/news/another-success-for-the-governments-voter-id-pilots-22-july-2019>

4 Electoral Commission (2019). Independent evaluation of May 2019 voter identification pilots published. <https://www.electoralcommission.org.uk/independent-evaluation-may-2019-voter-identification-pilots-published>

5 Elgot, Jessica (2020). MPs may have been misled over BAME voter ID claims. *The Guardian*, 28 July. <https://www.theguardian.com/politics/2020/jul/28/mps-may-have-been-misled-over-bame-voter-id-claims>

6 <https://hansard.parliament.uk/Commons/2020-06-11/debates/CC9F6ACA-9E14-441D-A487-CFF14B911CB0/VoterIdentification>

7 Electoral Commission (2018). *May 2018 voter identification pilot schemes*. https://www.electoralcommission.org.uk/sites/default/files/pdf_file/May-2018-voter-identification-pilots-evaluation-report.pdf

8 Electoral Commission (2020). 2019 Electoral Fraud Data. <https://www.electoralcommission.org.uk/who-we-are-and-what-we-do/our-views-and-research/our-research/electoral-fraud-data/2019-electoral-fraud-data>

Table 2: Alleged cases of personation at the polling station in 2019 elections

Source: Electoral Commission (2020) - <https://www.electoralcommission.org.uk/who-we-are-and-what-we-do/our-views-and-research/our-research/electoral-fraud-data/2019-electoral-fraud-data>

	General Election	Local elections	European parliament elections	Total
No further action	19	2	4	25
Locally resolved	3	1		4
Under investigation	3			3
Caution			1	1
Conviction			1	1
Total	25	3	6	34

Comparable figures for elections conducted in 2018 show that, of the 266 cases investigated by the police, more than half (140) were campaigning offences and just one in five (57) related to complaints made about the voting

9 Electoral Commission (2019). 2018 Electoral Fraud Data. <https://www.electoralcommission.org.uk/who-we-are-and-what-we-do/our-views-and-research/our-research/electoral-fraud-data/2018-electoral-fraud-data>

process.⁹ Personation fraud at the polling station accounted for just eight of the 266 allegations made in 2018, with no further action being taken for seven of these allegations and one being locally resolved.

Of the 44.6 million votes cast in 2017, only 28 allegations of personation were made, of which only one resulted in a conviction. This is equal to 0.000063% of votes.

Public attitudes

The Electoral Commission's latest winter tracker research on public attitudes towards voting and democracy also indicates that electors consider voting to be safe, with 80 percent of respondents saying that voting in general is very or fairly safe.¹⁰ Further, people expressed greater confidence in the safety of voting at the polling station (85%) than voting by post (64%).

When asked about which issues relating to elections they would consider as a serious problem, slightly less than one in five respondents (19%) said electoral fraud – this compares to just under four in 10 adults who said that bias in the media is a problem (37%) and those who said that inadequate control/regulation of political activity on social media is a problem (29%).

Our polling on electoral integrity indicated similar attitudes among the public.¹¹ When presented with 12 options on problems with British democracy, only 39 percent of respondents said protecting polling votes with additional identity checks was an important issue, with only four percent of respondents saying it was the most important issue. Far more people chose the accuracy of the voting register (56%), balanced media coverage (52%) and election campaigns being free from the influence of large financial donors (48%) as one of the issues of importance to them.

10 Electoral Commission (2020). Winter Tracker 2020. <https://www.electoralcommission.org.uk/who-we-are-and-what-we-do/our-views-and-research/our-research/public-attitudes>

11 <https://www.electoral-reform.org.uk/latest-news-and-research/media-centre/press-releases/poll-need-for-voter-id-should-be-least-of-our-worries-say-voters/>

The costs of mandatory ID

Research by the Cabinet Office following the 2018 voter ID pilots showed that implementing mandatory voter ID across Great Britain could cost up to £20m per general election¹² – over £700,000 per allegation of polling station fraud made in 2017.

Updated data on the cost of national rollout of voter ID, based on the 2019 pilots, have not yet been published.¹³

The legal challenge

The government faced a legal challenge to its voter ID plans in the run up to the 2019 local elections over claims that they were 'unlawful' and would 'serve to further disenfranchise the poor and vulnerable who already struggle to have their voices heard'.¹⁴ The case was brought by Neil Coughlan, a voluntary worker from Braintree (one of the 2019 trial areas) who does not have access to photo ID, following an online fundraising campaign which raised more than £30,000.

The High Court dismissed the challenge on the grounds that the ID pilots were lawful under section 10 of the Representation of the People Act 2000.¹⁵ Though this challenge to the voter ID pilots was unsuccessful, campaigners have not ruled out a legal challenge to the legislation when it is introduced.

US Experience

Voter ID laws have been introduced in a number of US states in recent years – 36 states now require some form of identification in order to vote, though only 35 are currently in force as North Carolina's law has a temporary injunction on it.¹⁶ There has been substantial public debate about the impact of these laws, particularly since the US, like the UK, does not have universal

12 Cabinet Office (2018). *Electoral Integrity Project – Local Elections 2018 – Evaluation*. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733128/Electoral_Integrity_Project_-_Local_Elections_2018_-_Evaluation.pdf

13 <https://committees.parliament.uk/publications/1584/documents/15057/default/>

14 <http://www.bailii.org/ew/cases/EWHC/Admin/2019/641.html>

15 Local Government Lawyer (2019). High Court rejects legal challenge over Voter ID pilot. 20 March. <https://www.localgovernmentlawyer.co.uk/governance/396-governance-news/40122-high-court-rejects-legal-challenge-over-voter-id-pilot>

16 <https://www.ncsl.org/research/elections-and-campaigns/voter-id.aspx>

17 <https://publicintegrity.org/accountability/a-review-of-key-states-with-voter-id-laws-found-no-voter-impersonation-fraud/>

18 <https://www.aclu.org/other/oppose-voter-id-legislation-fact-sheet>

19 Gumbel, Andrew (2017). America's shameful history of voter suppression. *The Guardian*, 13 September. <https://www.theguardian.com/us-news/2017/sep/13/america-history-voter-suppression-donald-trump-election-fraud>

20 Newkirk II, Vann R. (2017). North Carolina's Voter ID Law Is Defeated, For Now. *The Atlantic*. <https://www.theatlantic.com/politics/archive/2017/05/north-carolinas-voter-id-law-supreme-court-cert/526713/>

21 Electoral Commission (2016). *Delivering and costing a proof of identity scheme for polling station voters in Great Britain*. https://www.electoralcommission.org.uk/sites/default/files/pdf_file/Proof-of-identity-scheme-updated-March-2016.pdf

22 <https://www.ethnicity-facts-figures.service.gov.uk/culture-and-community/transport/driving-licences/latest>

ID and has similarly experienced extremely low levels of personation.¹⁷ Furthermore, as in the UK, certain factors, such as age, race, and income, significantly impact the likelihood of having appropriate identification.¹⁸

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. The impact has also been shown to disproportionately affect those with lower educational qualifications and lower income.

Legal challenges have been brought against some of these laws on the grounds that they are specifically designed as a voter suppression mechanism,¹⁹ and the US Supreme Court has intervened on a number of occasions,²⁰ highlighting how controversial such mandatory voter ID can be.

The real fraud problem

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. But trust in our democratic processes is being slowly eroded by outdated campaign rules, scandals around the misuse of personal data, and the millions missing from our electoral registers.

Mandatory voter ID – particularly in a polity such as the UK with no universal, free or cheap access to ID cards – poses a risk to democratic access and equality which far outstrips the levels of personation at the ballot box and the slight increases in perceptions of polling station voting being free from fraud or abuse.

We should be therefore addressing the challenges that undermine our democracy, not preventing legitimate voters from exercising their democratic right.

FAQ

Why is impersonation fraud so rare?

Requirements to show ID at polling stations would only stop people pretending to be somebody else in order to cast one fake vote. This is an incredibly rare crime because it is such a slow, clunky way to steal an election, and requires levels of organisation that would be easy to spot and prevent.

With no evidence of widespread fraud, even a handful of people not voting as they left their ID at home would have a far bigger impact on election results than alleged fraud.

How does voter ID disenfranchise the public?

- Possession of ID is not universal: Research by the Electoral Commission shows that around 3.5 million citizens (7.5% of the electorate) do not have access to photo ID.²¹ If voter identification requirements were restricted to passports or driving licenses, around 11 million citizens (24% of the electorate) could potentially be disenfranchised. Getting ID costs time and money, which some citizens may not be able to invest.
- Marginalised groups are less likely to have ID: Women, those living in urban areas, the under 20s and over 65s were less likely to hold a driving license. Indeed, since the 1990s, possession of a driving license has dropped by 40 percent among under 20s – making it a poor basis for a voter ID policy. A recent survey by the Department for Transport found that only 52 percent of Black people hold a driving licence, compared with 76% of the white population.²² FCA research in 2019 estimated that 1.3 million people

23 <https://publications.parliament.uk/pa/cm201719/cmselect/cmtreasy/1642/164205.htm#:~:text=Basic%20bank%20accounts,not%20have%20a%20bank%20account>

24 <https://www.statewatch.org/media/documents/news/2010/jun/eu-council-ID-cards-9949-10.pdf>

in the UK do not have a bank account.²³

- Free or low-cost ID cards are not available in the UK: An oft-repeated argument in support of mandatory ID in the UK is that you need to show ID to vote in elections in most European countries. But what supporters of voter ID fail to mention is that all EU member states, with the exception of Denmark and Ireland, have universal ID card schemes that are either free or low-cost.²⁴ Furthermore, possession of some form of ID is mandatory in 21 EU states, which means that everyone has them and no groups are discriminated against. Though the government has committed to ensuring a local electoral card will be issued to those without a valid form of ID, under-resourced and overstretched local authorities and electoral administrators will be responsible for administering this. They have faced major cuts to budgets since 2010.

Can't we just use non-photo ID?

Some say that to mitigate potential disenfranchising effects of restrictive ID requirements, we should just use 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 has pointed out, non-photographic identity documents, such as a debit card, utility bill or poll card, wouldn't offer the same level of proof of identity.

What about Northern Ireland's scheme?

Faced with extremely high levels of documented in-person electoral fraud, Northern Ireland introduced mandatory ID in 1985.²⁵

At the 1983 General Election, nearly 1,000 people arrived at polling stations in Northern Ireland only to be told a vote has already been cast in their name. Police made 149 arrests for personation, resulting in 104 prosecutions.

In Northern Ireland, mandatory ID was thus a proportionate response to the significant problem of personation.

Further, a free and easy to obtain Electoral Identity Card has been offered 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.

What about Tower Hamlets?

The Tower Hamlets area is a high risk area that is frequently highlighted as evidence of a problem. However, it is clear that the Tower Hamlets case (allegations made in 2010/12 and again in 2014) was untypical and one which the current laws were able to address.²⁶ It is also not a case in which personation fraud was the primary type of fraudulent activity. Indeed, the 2014 Tower Hamlets court ruling covers personation, postal vote fraud, illegal provision of false information, illegal voting, making false statements about candidates, illegal employment of paid canvassers, bribery and undue spiritual influence.

Further information

- Our evaluation of the 2019 voter ID pilots can be found here: <https://blogs.lse.ac.uk/politicsandpolicy/five-things-we-have-learnt-about-englands-voter-id-trials-in-the-2019-local-elections/>
- Our report on the 2018 trials is available at: <https://www.electoral-reform.org.uk/latest-news-and-research/publications/a-sledgehammer-to-crack-a-nut-the-2018-voter-id-trials/>

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

26 White, Isobel and Johnston, Neil (2017). *Electoral Fraud since 2010*. House of Commons Library. <http://researchbriefings.files.parliament.uk/documents/SN06255/SN06255.pdf>