

Extract in relation to Identification in Polling Stations from Securing the Ballot – Report by Sir Eric Pickles August 2016

Identification in polling stations

22. The most significant issue in relation to polling stations though is whether electors should be required to provide identification before being allowed to vote. Trust has been an enduring factor in British elections for many decades. But a number of commentators now point to the potential for significant abuse if people can commit personation at polling stations with little risk of detection. It is harder to take out a municipal library book than it is to vote in a polling station administered by the same council.

23. At present the only way to seek to establish identity through the use of the 'statutory questions' set out in legislation, asking someone to confirm or deny they are the person registered at an address and whether they have already voted or not. The use of the 'statutory questions' is both very basic and optional and thus they are used rarely or not at all in many polling stations. In any event 'coaching' of people being used to commit personation could overcome that check.

24. More flexible questioning is an option but then leaves the process itself open to being used, or accusations of it being used, in a discriminatory fashion and with the possibility of it being used as a basis to challenge the effective running of the poll. Guidance may assist here – maybe with some secondary questions to be asked, of everyone, in areas where fraud has previously been identified or is suspected.

25. Both the Organisation for Security and Co-operation in Europe's (OSCE) Office of Democratic Institutions and Human Rights (ODIHR)² and the Electoral Commission³ have recommended the introduction of use of ID in polling stations in the UK in recent years. They see the lack of verification as too trusting and open to abuse. Both organisations point to the system in Northern Ireland where a list of acceptable documents is supported by the availability of a specific (voluntary) elector ID card for people, who may not have something on the list of documents.

26. This system has had a positive effect in Northern Ireland where electoral abuse was evident on a significant scale before its introduction. Producing identification at the polling stations in Northern Ireland has now been the 'norm' for 30 years – with photo ID required from 2003 after fraud was evident in the use of non-photo ID. Anecdotally, in recent elections, the numbers of people who do not vote because they cannot produce the acceptable ID or forgot ID is extremely small.

27. There was much argument about whether the existing guidelines were sufficient. Research undertaken at the May 2015 polls reported very few polling station staff had suspected that any personation had taken place where they had worked (11 out of 1289 poll workers surveyed); the researchers argued that people being turned away because they were not actually registered was a much more significant issue.

28. There is a clear tension between accessibility and security here, as there is in other voting channels and in the registration process, but a proportionate response may be possible.

29. Despite the low numbers of allegations and rare cases of personation being prosecuted, there is a concern that the absence of evidence does not mean this practice is not taking place. And even if it is not, there is a precautionary principle that comes into play in terms of the potential for it to happen. As noted above, the absence of some form of

verification at the polling station has been identified by a number of expert organisations as a significant vulnerability. Given that over 80% of the registered electorate are essentially registered to vote at polling stations (under 20% have a 'remote' vote – i.e. a postal or proxy vote), this presents a risk that needs to be addressed in the short term.

30. There are a variety of potential means of verifying the identity of voters – from the use of specific photographic ID to lighter touch options of voters confirming who they are through data they 'carry with them' as a matter of course which could be physical (such as a bank card or travel pass) or just a piece of information such as date of birth or signature.

31. Evidence and views in favour of providing some form of ID included the major organisations engaged in the delivery of elections such as the Electoral Commission, the Association of Electoral Administrators, SOLACE (council chief executives) and the support of the National Police Chiefs' Council. All believe that an ID requirement is necessary and refer to photographic ID whilst recognising the need for a scheme that ensures all electors can be included.

32. Some respondents raised challenges such as why ID was required to collect a parcel from Royal Mail but was not required to obtain a ballot paper. Others recited anecdotal evidence of people attending police stations complaining of not being paid for their poll cards and of polling station staff reporting a noticeable number of people reading the elector details from poll cards as though unfamiliar with them. Others felt that personation could be happening but undetected.

33. Those in favour suggested a variety of options as well as photo ID such as providing a signature, or even use of indelible ink on voters' fingers to avoid them voting twice. These responses reflected a concern that the current process is out of step with other 'formal' processes where signatures or ID are required to complete transaction or receive a benefit.

34. Reforms in this area could actually *increase* turnout: some electors may (wrongly) think that bringing their polling card is a requirement to vote; they mislay their polling card and therefore believe they cannot vote on election day. Requiring some form of identification instead may actually reassure voters that a polling card is not a necessary requirement, encouraging more to vote on the day.

Options for ID in polling stations

35. There are a number of options that could be considered:

A. Date of Birth

This has the benefit of being something that the vast majority of people hold in their memory and can readily recite. It would provide a simple test of the elector's identity without adding any inconvenience. Save for exceptional circumstances, electors are unlikely to be adversely affected by such a requirement.

However, dates of birth are not uniquely known to the elector and could be abused by people who know them for relatives, friends and acquaintances or who gather them illicitly from online sources (though the latter is a broader risk with identity fraud, and the public should be made aware of risks of revealing too much personal information online). An ability to check dates of birth at a polling station would also require some significant work to produce a record for all electors to be checked against. Whilst the information is held for new registrants, dates of birth were not collected before the introduction of individual electoral registration and the majority of entries transferred across from the

household-registration registers do not have the data on the records. That said, a process of collecting the gaps via the annual canvas could be undertaken.

B. National Insurance Number

A National Insurance Number is held by most adults in the UK and is already used as part of the registration process to verify the existence of people applying to go onto the register. Using it to ascertain identity in the polling station would be a more robust form of check than dates of birth, given National Insurance numbers are less likely to be known by other people.

The downside is that whilst some people do commit their National Insurance number to memory, others do not and the likelihood of people not being able to recite it are increased. As with dates of birth, National Insurance numbers have not previously been held on the register and it would take a change to registration processes and a data collection exercise to gather them in to be used as a polling station check.

C. Signature

Use of a signature to confirm identity is used in a number of countries and was trialled in England in 2006 and 2007. Like date of birth, it is something people carry innately and can be readily utilised but the giving of a signature can imply a more formal 'contract' type transaction which some commentators thought appropriate for voting.

The OSCE / ODIHR saw signatures as a viable option in its report on the 2010 General Election: *"OSCE/ODIHR reiterates its recommendation that serious consideration should be given to introducing a more robust mechanism for identification of voters. Existing national and local government-issued cards could be considered for this purpose and voters could be obligated to sign the voters list before being issued a ballot paper."*

As with the above options, there is not an existing database of electors' signatures (except for those expressly given for postal voting) that could be used for checking against at the time of voting. Signatures could provide an opportunity for post-election checking in the event of allegations of impropriety as they are not purely data which could be replicated. However, as evident from historic experiences with credit card signature verification in shops, signatures can be difficult to verify accurately.

D. Production of a bank card (or similar) with a signature

Production of some form of commonly carried ID is another option, and could be combined with the giving of a signature. The majority of people carry some form of card that includes a signature (bank card, credit card, etc.) that could be produced and used to verify a signature given before receiving a ballot. That would preclude the need for a data collection exercise for signatures to be held by the Returning Officer and made available for checking against at the polling station.

It is likely though that some people will not carry a card or document with them on a consistent basis; there may unforeseen consequences (such as issues over use of cards belonging to other people to appear to 'legitimise' a fraudulent vote) that need to be considered in detail in looking at this option.

E. Production of other ID – bus pass, etc.

Other cards and documents that people carry habitually could be an option – and potentially in conjunction with the use of cards with signatures if they expanded that option to cover significantly more electors.

A more eclectic range of documentation with no common factor (e.g. a signature or photograph) would be harder to mandate and to ensure provided sufficient rigour.

F. Production of specific Photo ID – passport, driver’s licence or electoral card
Use of specified ID with photographs was the most cited option and is the option most clearly defined in responses. It provides certainty of the provenance of the ID if limited to passports, driving licences and some form of dedicated photo ID produced for electors who do not have either of the other options.

It should also be noted that the Government has ruled out the introduction of National Identity Cards. The downside for this policy option is the certainty that a number of people will not have either of the regular forms of ID, and there is a cost of providing a dedicated (voluntary) ‘electoral ID card’ as already exists in Northern Ireland.

The Electoral Commission has recently examined⁴ this possibility and the attendant costs for a variety of approaches. The Commission has assessed this would cost between £1.8 million and £10.8 million per annum. The Government will need to consider whether one of the models put forward by the Commission provides a proportionate cost if minded to take this route.

Either way, the Government may wish to consider piloting one of more of the potential options. Such pilots could be initially located in local elections in local authority areas which have previously experienced electoral fraud, given they are clearly ‘high risk’ areas. Section 10 of the Representation of the People Act 2000 could allow for such pilot schemes to be introduced.

R8. The Government should consider the options for electors to have to produce personal identification before voting at polling stations. There is no need to be over elaborate; measures should enhance public confidence and be proportional. A driving licence, passport or utility bills would not seem unreasonable to establish identity. The Government may wish to pilot different methods. But the present system is unsatisfactory; perfection must not get in the way of a practical solution.