

Analysis of cases of alleged electoral fraud in 2012

Summary of data recorded by police forces

May 2013

Introduction

1.1 We have worked with the UK's Associations of Chief Police Officers to collect data from police forces about cases of alleged electoral fraud¹ each year since 2008.² We now receive monthly returns from all 52 police forces across England, Scotland, Wales and Northern Ireland.³

1.2 Each year we have published an analysis of this data. This paper summarises the data relating to 2012. Alongside this report we have published all the data relating to the nature and outcome of every case of alleged electoral fraud recorded by police forces in 2012.⁴ This is available on our website.⁵

1.3 We also published a report in March 2013 on the outcome of investigations into the allegations of electoral fraud in Tower Hamlets in 2012.⁶

1.4 2012 was a busy electoral year. In May there was the election of the Mayor of London and London, local elections in England, Scotland, Wales and Northern Ireland, mayoral referendums in eleven English cities and two mayoral elections in Liverpool and Salford. In November, there were the first Police and Crime Commissioner elections in England and Wales, a mayoral election in Bristol and a mayoral referendum in Hartlepool.

1.5 Across these polls, there were a total of about 18.5 million votes cast and 14,892 candidates standing for 5,054 seats.

An overview/key data

1.6 A total of 406 cases of alleged electoral fraud were reported by the police in 2012. This is higher than in both 2010 (271) and 2011 (268).

1.7 Despite the higher number of cases reported in 2012, only a small number of allegations have been substantiated and we are not aware of any cases that have been resolved with a conviction, nor any case which affected the outcome of any election in either May or November.

1.8 As shown in chart 1, over half of all cases reported in 2012 were resolved with no further action (66%).⁷

¹ Defined as an offence under the Representation of the People Act (RPA) 1983.

² Prior to 2008, there was no formal collection of data on allegations of electoral fraud.

³ From 1 April 2013 the eight regional police forces for Scotland were merged into a single service, Police Scotland.

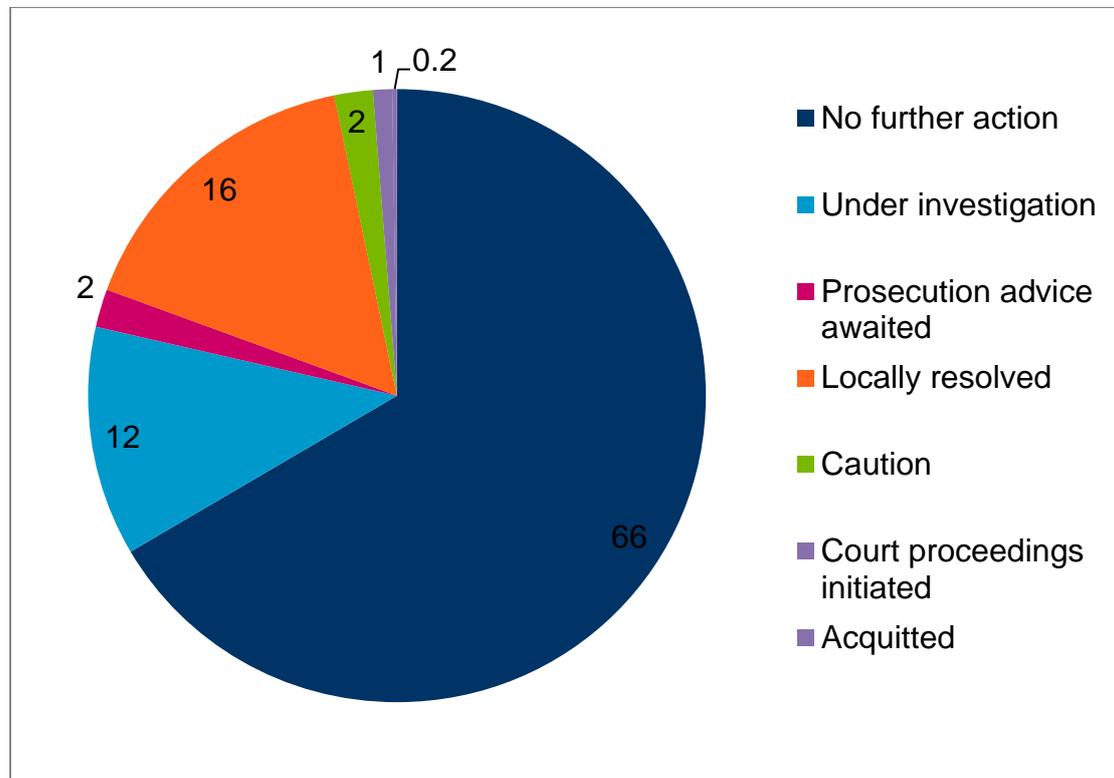
⁴ Data correct as at 10/05/2013.

⁵ Available at: <http://www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/integrity-guidance/electoral-events>

⁶ http://www.electoralcommission.org.uk/_data/assets/pdf_file/0019/154531/Tower-Hamlets-report-2013.pdf

1.9 We will provide an up-date on those cases that remain under investigation in our 2013 analysis.

Chart 1: The outcome of cases of alleged electoral fraud reported in 2012 as a percentage of all outcomes.



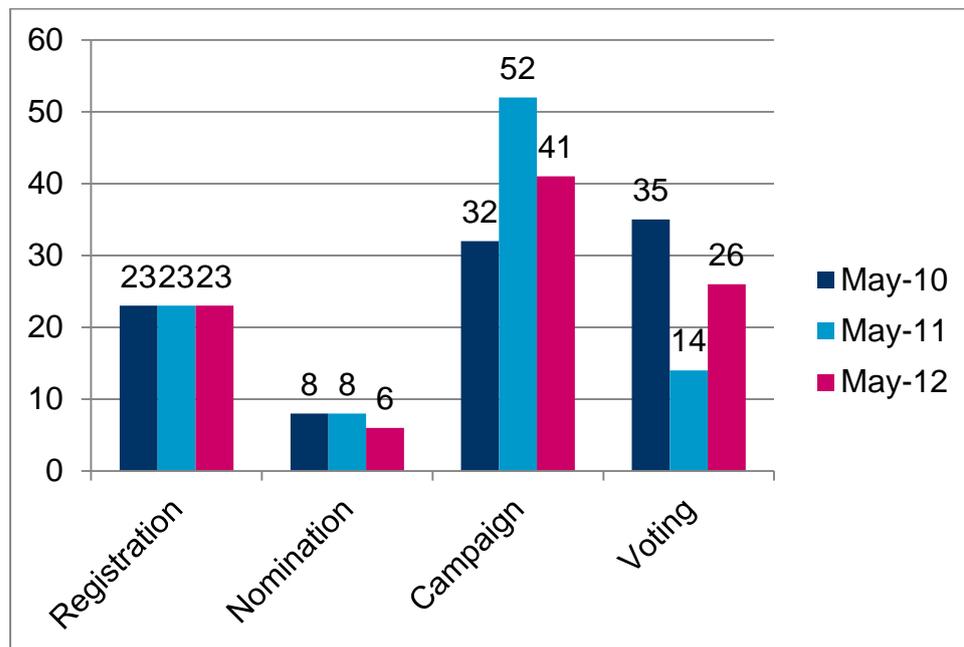
1.10 Almost all alleged cases (398 out of 407) involved less than 10 allegations and 324 cases were based on single allegations. The two cases with the highest number of allegations were reported to Cambridgeshire Constabulary relating to alleged false applications to vote by post (146 allegations) and the provision of false information to register to vote Staffordshire Police (256 allegations). Following investigation, both cases resulted in no further action, either due to no evidence found or no offence found to have been committed.

Types of cases of alleged electoral fraud

1.11 As shown in the chart below, cases of alleged electoral fraud relating to campaigning offences continue to be the most commonly reported type of case, accounting for 41% (166 cases) of all cases in 2012. 26% were alleged voting offences, 23% registration and 6% nomination related.

⁷ 44% in 2011; 55% in 2010

Chart 2: Breakdown by category of offence – percentage of all alleged cases reported



Campaign cases

1.12 Campaigning offence allegations are split between allegations that the imprint, name, or address of the printer was not on the face of election literature (40%), and allegations that false statements had been made about another candidate (36%). These figures are comparable with previous years. There were also seven cases reported which related to return of campaign expenses.

1.13 Over half of alleged campaign cases were resolved without further action (62%) primarily due to no offence being found to have been committed (41% of all campaign cases), followed by locally resolved (28%)⁸.

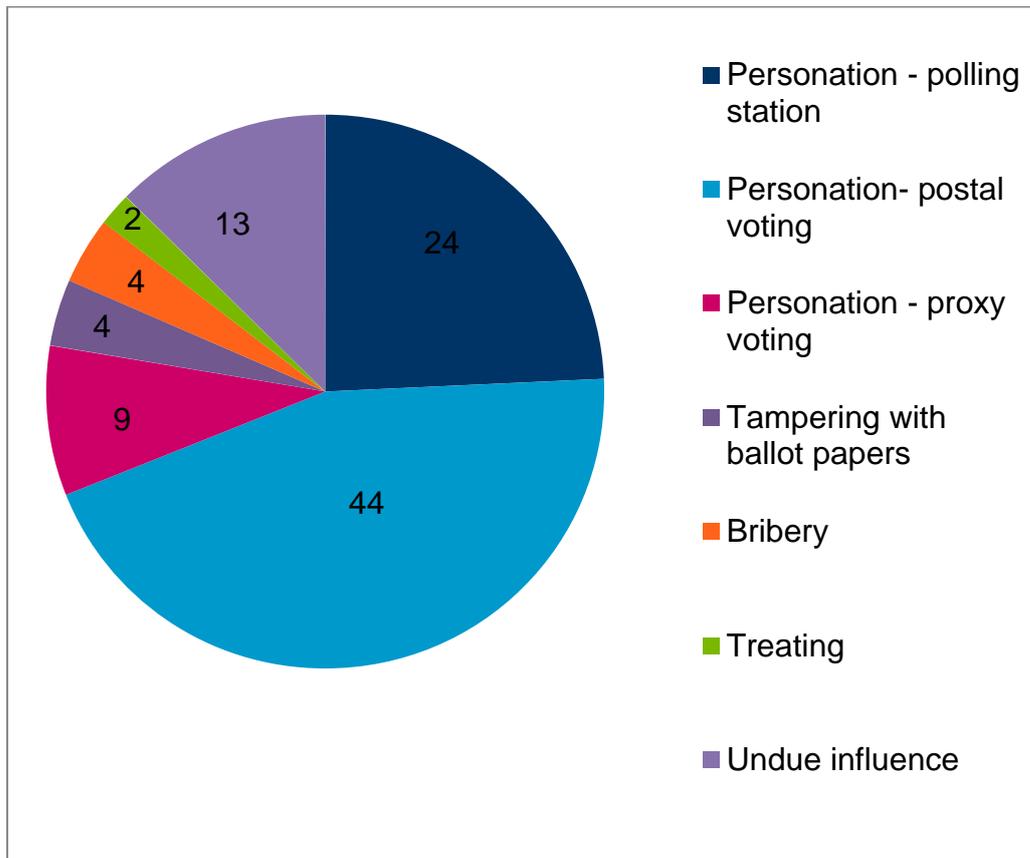
Voting cases

1.14 Just over three quarters (77% or 80 cases) of alleged voting cases related to personation offences⁹, either in person at a polling station or using someone else's postal or proxy vote – a breakdown of the remaining voting offences are shown in chart 3 below.

⁸ While it may be clear that an imprint offence has been committed, many offenders are not prosecuted on the grounds that it was not intentional. Many candidates claim ignorance or state that it was an inadvertent oversight. In such cases, it is often deemed not to be in the public interest to bring a prosecution. Some police officers issue a warning or a caution to prevent similar offences at future elections.

⁹ Alleged personation offences accounted for 40% of all alleged voting cases in 2011 and 24% in 2010.

Chart 3: Breakdown by alleged voting offences – percentage of all voting cases reported



1.15 Just under half of alleged personation offences related to postal voting (46 cases or 44% of all personation offences). This is a higher proportion than in both 2011 (20%) and 2010 (15%).

1.16 Twenty five (24% of all personation offences) were the result of someone pretending to be someone else at a polling station and 9 (9% of all personation offences) personation through proxy voting.

1.17 Alleged personation offences tended to be concentrated in certain police forces. The majority of allegations of personation by postal voting were reported by the Metropolitan Police, all of which were in the London Borough of Tower Hamlets – 19 out of 46 (ref to report)¹⁰. The majority of alleged personation offences at a polling station took place in Peterborough (Cambridgeshire Police) - 19 out of the 25 cases reported.

1.18 While the number of alleged personation offences has increased, 2012 saw a decline from 2011 in the proportion of voting cases relating to someone tampering with the ballot papers (24% to 4%), treating (16% to 2%) and

¹⁰ Seven alleged cases were reported by West Yorkshire Police and six by Cambridgeshire Constabulary,

undue influence (24%- 13%) being reported. The proportion of bribery cases remains roughly the same as previous years at 4%.

1.19 The majority of voting cases, 82 out of 103 (80%), have an outcome of no further action. These are either due to no evidence found (21 cases), no offence (32 cases) or being undetectable (26 cases). At the time of reporting, 7 cases remain under investigation, 11 cases have been locally resolved and three cases resulted in a caution.

Registration cases

1.20 95 cases, or 23% of all reported cases, related to alleged registration offences.

1.21 All registration cases related to alleged registering to vote offences (Section 13D (1), RPA 1983). Seventy five, or 79% of these involved the provision of false information when registering to vote, with the remaining 17 (18%) relating to a false application for a postal vote.

1.22 Just under half (48%) of all alleged registration offences were reported by the Metropolitan Police Service in the London Borough of Tower Hamlets – details of these can be found in our report on allegations of electoral fraud in Tower Hamlets.

1.23 The majority of registration cases have either been resolved with no further action (60 cases, or 66%). 21 (or 23%) are currently under investigation. Of the other remaining cases one is awaiting advice from the prosecution, court proceedings have been initiated in two cases, 2 have been locally resolved, and 5 have been cautioned.

Nomination cases

1.24 Six percent, or 26 of all cases reported to the police were nomination cases. This is a similar proportion reported in both 2011 and 2010.

1.25 The majority of alleged nomination cases (21 cases, or 81%) were where a false statement had been made on a nomination form¹¹. The remaining cases concerned an allegation of ineligible candidacy and the corrupt withdrawal of a candidate.

1.26 Most nomination cases (8 of 25) remain under investigation (32%). Twelve cases resulted in no further action being taken by the police either due to no evidence found (4) or no offence (8). One was locally resolved by the police, two are awaiting prosecution advice and court proceedings have been initiated in the remaining two.

¹¹ These include instances where it is claimed that the signature on the nomination paper was not made by that person, or instances where a candidate is accused of falsely stating that they meet the qualification criteria for standing in the election.

Geographical distribution of cases

1.27 Our analysis over the past few years has indicated that allegations of electoral malpractice may be greater where there is a history of allegations of, or actual, malpractice in an area. It has identified that the risk of actual electoral malpractice may be greater where:

- There is a greater opportunity to influence the outcome of an election or referendum; for example, fewer votes are needed to win a seat at a local government election compared with at a UK Parliamentary election, a Police and Crime Commissioner election or a UK-wide referendum.
- There is likely to be a close contest.
- There is a community with limited language or literacy skills who may be more vulnerable to deception or less likely to realise that their vote has been stolen.

1.28 The table below shows the geographical distribution of cases of alleged electoral fraud reported in 2012 across the UK.

Table 1: The geographical distribution of alleged cases of electoral fraud across the UK

	Number of cases 2012
England	312 (77%)
Scotland	25 (6%)
Wales	69 (17%)
Northern Ireland	0 ¹²
Total	406

1.29 As shown in the table below, the Metropolitan Police Service reported the most number of cases of alleged electoral fraud (70) followed by Cambridgeshire Constabulary (31) and Gwent Police (31). Collectively these three forces accounted for a third of all reported cases.¹³ Forty three out of the 52 police forces reported at least one case of alleged electoral fraud, with 63%, or 258 cases, of alleged electoral fraud were reported in 10 police forces.

¹² There were no elections held in Northern Ireland in 2012

¹³ A detailed breakdown by police force (of the number of cases and allegations in 2012, with details of the RPA offence and their outcomes) will be published alongside this report on our website.

Table 2: The top ten police forces reporting the most number of alleged cases of electoral fraud

Police force	Number of alleged cases
The Metropolitan Police Service	70
Cambridgeshire Constabulary	33
Gwent Police	31
West Midlands	21
West Yorkshire	21
Dyfed Powys	20
South Yorkshire	18
Thames Valley	15
South Wales	15
Nottinghamshire	13

1.30 The majority of alleged cases reported by the Met Police focussed on two wards of the London Borough of Tower Hamlets where local government by-elections were held in April and May 2012. The MPS recorded and investigated a total of 70 cases involving 173 separate allegations of electoral fraud relating to these elections.

- Three cases involving five allegations where there was evidence to suggest that an offence may have been committed, but where there was insufficient evidence to prove an offence or identify a suspect. No further action was able to be taken in these cases.
- 13 cases involving 44 allegations of false registrations where the information held by the ERO was found to be accurate, and there was no evidence of any offences having been committed.
- 48 cases involving 105 allegations where there was no evidence that an offence appeared to have been committed.

1.31 The majority of cases reported in Gwent were alleged campaign offences – 25. 11 of these were false statements about another candidate and 7 alleged imprint offences.

1.32 In Cambridgeshire Constabulary, 28 of the 31 cases relate to alleged personation offences: 19 were someone pretending to be someone else at a polling station; 6 postal vote personation offences and 3 relating to proxy votes.