# Voter ID at British polling stations – learning the right lessons from Northern Ireland

Asking voters to produce a form of identification before voting will be piloted in five English council areas this May. The move represents part of the government's response to a series of recent recommendations for measures to safeguard the electoral process from fraud. While the pilots will provide important opportunities for policy-learning, Stuart Wilks-Heeg argues that much can already be gleaned from the experience of Northern Ireland, where voter ID was first introduced in 1985.

Polling Station. Picture:

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On 3 May 2018, voters at polling stations in five English council districts (Bromley, Gosport, Slough, Watford, and Woking) will be asked for proof of identity. These voter ID pilots are central to the current UK government's commitment to follow through on recommendations made in electoral fraud reviews carried out by both the UK Electoral Commission and by Eric Pickles in his role as Anti-Corruption Champion.

# A solution in search of a problem?

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Official concern about the security of the ballot has been driven by a small number of high-profile cases of fraud, most recently <u>Tower Hamlets in 2014</u>. There is no evidence of widespread voter impersonation at polling stations. In fact, cases of 'personation', as the offence is termed in UK electoral law, are exceptionally rare. A total of 146 allegations of personation at polling stations were reported to UK police forces from 2010–16, a period that included two general elections and the EU referendum, each of which saw some 30 million votes cast. All but a handful of these 146 allegations resulted in no further action, generally because there was no evidence that an offence had been committed. Over the same time period, only 7 people were convicted as a result of investigations of personation at polling stations, 5 of whom were involved in a single case in Derby.

Given such evidence, <u>academics</u> have expressed concern that voter ID is a solution in search of a problem. Some opposition politicians and political campaigners have gone further, seeing it as a consciously partisan measure. <u>Critics argue</u> that lower-income voters are less likely to have valid ID and will be turned away from polling stations in large numbers, or simply deterred from going to vote at all. In this view, the real purpose of voter ID at polling stations is not to restore public confidence in the electoral process, but to emulate the <u>'voter</u> <u>suppression</u>' methods long practised by Republican states against likely Democrat supporters in the USA.

### Vote early, vote often

There is experience much closer to home to draw on. Voter ID has been a requirement in Northern Ireland since 1985, following evidence of a spike in electoral malpractice and claims that up to 20% of Sinn Féin's votes were fraudulent. At the 1983 UK General Election, 949 tendered ballots were issued at Northern Irish polling stations. These distinctive ballot papers, issued to electors who arrive at polling stations only to be told a vote has already been cast in their name, are not included in the count (they may be considered if there is a legal challenge to the election result). At the same election, Northern Irish police made 149 arrests for personation, resulting in 104 prosecutions. While the numbers of tendered ballots, arrests and prosecutions for personation dropped at subsequent elections, evidence of personation persisted, including cases involving the use of forged medical cards as ID. As a result, the 2002, the Electoral Fraud (Northern Ireland) Act 2002 specified that only particular forms of officially issued forms of photographic ID were acceptable.

## From basket case to model

The 2002 legislation was aimed at a specifically Northern Irish problem. Confidence in the integrity of elections in mainland Britain was such that the Representation of the People Act 2000 liberalised postal voting, enabling any registered elector to request a postal vote without justification. Within a few years, allegations of electoral fraud began to mount in England, mostly in metropolitan areas. Ironically, policy-makers now looked to Northern Ireland for solutions. The introduction of individual elector registration in Great Britain after 2009 drew directly on electoral registration reforms in Northern Ireland, also ushered in by the 2002 Act. With the adoption of voter ID in Britain, Northern Ireland has moved from being the UK's electoral fraud 'basket case' to being a model for the promotion of electoral integrity.

After some teething trouble, the experience of voter ID in Northern Ireland has been positive. There were initial political controversies about which forms of ID were legally accepted and which were not. Following the 1985 Northern Ireland local government elections, the first at which ID was required, some politicians claimed that as many as 1 in 10 voters had been turned away from polling stations in some areas. But the controversies diminished with each subsequent election, as political parties and voters adapted to the requirements. There was no evidence to suggest a fall in turnout, but there was plenty of evidence that fraud declined sharply. At the 2005 UK General Election, just 55 tendered ballots were issued in Northern Ireland, a 94% reduction compared to 1983. There has been just one conviction for personation in Northern Ireland since 2002. Meanwhile, public confidence in the integrity of elections in Northern Ireland is up. In the early 2000s, 66% of Northern Irish electors believed electoral fraud was commonplace in some areas. By 2017, the proportion who thought at least some fraud took place was 28%, in line with the rest of the UK.

## Postal votes are the weakest link

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Nonetheless, it would be naïve to assume that voter ID will address electoral fraud concerns in Great Britain. Electoral fraud was already in decline in Northern Ireland before the 2002 Act, largely due to power-sharing arrangements reducing the incentives to engage in malpractice. Following the recent collapse of the Northern Ireland executive, electoral fraud allegations re-emerged at the 2017 Northern Ireland Assembly elections and the 2017 UK General Election.

But the main reason to be sceptical that voter ID can prevent further instances of electoral fraud in Great Britain is that recent convictions for voting offences have overwhelmingly related to postal votes, not personation at polling stations. Certainly, the absence of voter ID at polling stations is an obvious vulnerability. Fraud could also shift to polling stations as voter registration and postal voting safeguards become more robust. Yet, postal and proxy votes undoubtedly remain the weakest links in the chain. With postal ballots available 'on demand', and without legal prohibitions on party representatives handling them, they will continue to be the primary target for those intent on rigging elections.

Recognition of the acute difficulties associated with ensuring the security of postal votes informed the decision not to extend postal voting on demand to Northern Ireland in 2000. Of all the lessons Northern Ireland offers about the promotion of electoral integrity, this is arguably the most important.

This blog represents the views of the author and not Democratic Audit. It was originally published on the <u>Policy@Manchester</u> blog site.

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