

## **Top line**

There is no evidence that postal voting is any more prone to fraud than conventional voting.

### **Lines on Birmingham cases if the respondents are found guilty:**

- The perpetrators committed a crime and were caught.
- The Birmingham cases highlight the need for vigilance in identifying and taking action against electoral fraud.
- Electoral fraud in these cases was successfully identified and dealt with by the relevant authorities.
- Our top priority is to safeguard the integrity of the ballot. Increasing participation is important to us but not to the extent that we would risk compromising the integrity of elections.
- There are a number of electoral offences and safeguards in place for conventional voting. These include personation, undue influence, interference (i.e. interfering or attempting to interfere with a voter when recording their vote) and tampering with ballot papers.
- Other offences not specific to elections may also be applicable. Examples of such offences are theft, creating a false instrument, obtaining property or services by deception, handling stolen property and conspiracy.
- Electoral offences are serious. Personation, for example, carries a maximum penalty of 2 years imprisonment or an unlimited fine.
- We are committed to piloting new ways of voting both to increase convenience and participation, and to ensure that security issues can be properly explored.
- The Birmingham cases were not in any way related to decisions which Ministers took about the all-postal voting pilots - we didn't have a pilot in the West Midlands region.
- As the Electoral Commission said in their evaluation of the June 2004 elections, postal voting should remain part of the electoral process.

### **Line to take on Electoral Commission's Code of Conduct and Guidance for to local police forces**

- We welcome the publication of the Commission's code of conduct for party workers and candidates regarding their handling of applications and ballot papers.
- DCA and ODPM are supporting the Commission in the development of guidance on fraud prevention for use at a UK Parliamentary election. The primary aim of the guidance is to deter electoral fraud and it builds on the work done in Manchester and the North West and other regions in June 2004 and subsequently in the North East in November 2004.
- We regard this as valuable and effective work undertaken jointly by Government, the Commission and the Police towards the prevention of fraud for future elections.

### **On responding to the Electoral Commission's recommendations of safeguards:**

- Whilst The Electoral Commission recommended the introduction of individual registration to help safeguard against fraud, such a change could risk the loss of a large number of potential electors from the registers.

- We are therefore considering the options to support remote voting with an approach that preserves the completeness and integrity of electoral registers.
- In responding to the Commission's report *Voting for change: An electoral law modernisation programme*, the Government agreed with the many recommendations to help safeguard against electoral fraud. It intends to take the following action:
  - It will make fraudulent application for a postal vote an offence. Security of postal voting is a priority to ensure public confidence and to protect the democratic process. Pretending to be another person to gain their postal vote is equivalent to personation at a polling station.
  - Including information about electors' rights to secrecy with postal voting papers might deter some who would seek to influence voters unduly and the Government intends to specify such warnings in legislation when Parliamentary time allows.
  - Personation, whether it occurs in a polling station or elsewhere, is a serious offence and the Government supports the principle that the same powers should apply to personation in relation to postal voting. This measure was included in the legislation for the June 2004 all-postal electoral pilots with no reported problems. The Government intends to make this a permanent change.
  - A facility to make an application to a court to allow an extension of the time limit for prosecution of electoral offences from one year to two would be useful to the prosecuting authorities in gathering evidence of fraud or malpractice. Complaints in relation to these areas can be complex and often arise as a result of other inquiries. The Government provided for this at the June 2004 all-postal electoral pilots and intends to provide for it more generally.

### **Future of postal voting**

- We have not closed the door on all-postal voting, but have no current plans to roll it out as the default position. We expect further discussion with The Electoral Commission later this year based on their expected report on the 'Foundation Model' of voting.
- Government will not implement changes to the electoral system unless satisfied that the result will be secure and command public confidence.
- The Deputy Prime Minister is obliged by law to consider any application from a local authority to pilot all-postal voting from local authorities but has decided not to issue a prospectus for the 2005 local elections.
- So far as by-elections are concerned, the Secretary of State does not intend to make any statement intended to dissuade authorities from applying to run all-postal pilots and again will consider applications.
- Where Commission proposals on fraud have been rejected for policy reasons, we are happy to discuss their points further to see if any options that bring benefits can be identified.