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Project – written evidence (VID0005)**

House of Lords Constitution Committee inquiry into voter ID

1. I am the co-Director of the Electoral Integrity Project. The Electoral Integrity Project is a world leading project which produces innovative and policy-relevant research by comparing elections worldwide. My individual research expertise focusses on democratic quality, electoral integrity and electoral administration. I am giving evidence in a personal capacity in response to the committee's call for evidence.
2. This is a welcome and urgent inquiry on one of the most significant set of reform to elections since the UK became a democracy. It is urgent because there is now clear evidence available about the negative effects of voter identification on civic participation and the electoral process. There is a short window of opportunity to introduce simple, but highly important corrective measures to ensure the delivery of the forthcoming parliamentary election. These measures include:
 - a. Introducing 'vouching' to enable citizens to attest for electors who do not have identification available at the time they reach the polls.
 - b. Extending the range of forms of identification which are accepted.
 - c. Strengthening the capacity of electoral services ahead of the next general election by making greater financial resources available.

Voter identification will reduce voter participation

3. The Elections Act introduced compulsory photographic identification requirements for many elections across the UK. Prior to the Elections Act, voter identification requirements had already been piloted. Alistair Clark and I have assessed the voter-id related problems that occurred in polling stations at the 2018 and 2019 local elections in England, based on a survey of poll workers.¹ We also ran a survey of poll workers at the 2023 local elections.² In both cases, the survey was distributed by the electoral Commission. Table 1 summarises the results relating to the effects of voter identification on participation. It also includes data on the number of occasions that poll workers encountered a case of suspected personation. Together, this provides strong evidence about the effects of voter identification requirements.

¹ Toby S. James & Alistair Clark (2020) '[Electoral integrity, voter fraud and voter ID in polling stations: lessons from English local elections](#)', *Policy Studies*, 41:2-3, 190-209.

² Alistair Clark & Toby S. James (2023) 'Poll Workers and the Implementation of Voter Identification: Lessons from England', paper presented to the Voter Identification Workshop, 13th October 2023, Oxford University <https://tobysjamesdotcom.files.wordpress.com/2023/10/clark-james-implementing-voter-idv1.02-october-2023.pdf>.

4. The evidence is clear that voter identification leads to many citizens not voting, who otherwise would have done so. As Column A shows, the proportion of poll workers encountering electors who could not vote because of voter identification issues increased between the pilots and 2023 elections. In 2023, over 70% of poll workers turned away at least one elector because they did not have the appropriate form of identification. In most cases, only a few electors seem to be affected. However, 1.9 percent of poll workers reported turning away between 11-100 electors in the polling station.
5. These figures are a substantial over-underestimate on the numbers who would not have voted because many citizens without voter identification available on the day would not have travelled to the polls.
6. Comments from poll workers from the 2023 local elections illustrate how democracy has been damaged:

'Women were turned away because they got married and changed their names then their id and register names were different. This is gender discrimination!! I'm quite upset that I've turned voters away and particularly discriminating against woman.'

'Forget the need for ID, it was very upsetting to turn away people without the right ID and some of them did not return. This is not democracy.'

7. In the pilots and May 2023 elections, some electors also did not vote because they did not want to comply with the ID verification requirement. These electors may have had the necessary form of identification. However, they refused to present this, perhaps for ideological reasons. As Column B shows, the proportions involved seems very consistent across the pilots and ay 2023 elections.
8. There is no evidence that personation, the problem that voter identification is supposed to address, is a widespread problem. Column C shows that the suspected cases of personation were exceptionally low across in the pilots and May 2023 elections. This is also in line with previous studies that we have undertaken.³ In fact, by comparing our poll worker studies undertaken between 2015-2023, it seems that introducing voter identification did not reduce the number of suspected cases of personation. This is probably because there were so few cases in the first instance. This provides some evidence that voter identification is not necessary at all. According to one poll worker in our survey:

'Get rid of the pointless ID requirements. It's a solution looking for a problem that doesn't exist. I've never had a case of personation in the 25 years I've been a Presiding Officer.'

³ Alistair Clark and Toby S. James (2017) '[Poll Workers](#)' in Pippa Norris and Alesandro Nai (eds), *Watchdog Elections: Transparency, Accountability, Compliance and Integrity*. Oxford and New York: Oxford University Press.

	<i>Column A</i>		<i>Column B</i>		<i>Column C</i>	
	People being turned away because they did not have the appropriate identification		People coming to the polling station but deciding not to vote as they did not want to comply with the ID verification requirement		Suspected cases of personation⁴	
%	<i>Pilots</i>	<i>2023</i>	<i>Pilots</i>	<i>2023</i>	<i>Pilots</i>	<i>2023</i>
None	47.6	29.5	76.7	84.6	99.3	99.2
1	22.2	29.5	18.6	11.3	0.6	0.7
2-5	24.5	35.4	3.7	3.6	0.1	0.1
6-10	4.3	3.6	0.8	0.4	0.0	0.0
10+	1.3	1.9	0.2	0.2	0.0	0.0

Table 1: Frequencies of personation and cases of citizens not being able to vote because of voter ID. Percentage of all responses shown.

The likely impact at a general election

9. Voter identification is likely to have a much greater impact at a general election than a local election. Our poll worker studies show that the nature of problems in polling stations are much greater at general elections compared to local elections. For example, 67% of poll workers reported having to turn away citizens at the 2015 general election for not being registered. By contrast, this was 47% at the 2018 and 2019 local elections. This is probably because those voting at local elections are much more aware of the electoral procedures than those at general elections. We would therefore expect voter ID to have a much stronger effect at a general election. Specific comments from poll workers support this:

‘More staff may be needed if a general election as voter uptake is always higher and delays would be longer checking ID.’

‘Vouching’ as the solution

10. The voter identification requirements should be changed ahead of the general election otherwise many people will not vote because of the over-burdensome requirements. The best policy solution is to allow ‘vouching’. Elections in Canada have commonly used a ‘vouching system.’ Voter identification is required, but if a citizen does not have their identification available then they can still vote if they declare their identity and address in writing and have someone who knows them (and who is assigned to their polling station) vouch for them. The person who vouches for the citizen is required to provide their identity and address and can only vouch for one

⁴ The question wording in 2018 and 2019 was ‘suspected cases of electoral fraud’.

other person.⁵ This was previously repealed in Canada but reinstated. This would be a simple and effective way of preventing citizens who do not have voter identification on the day still being able to vote. However, it also ensures that there some security measures because it leaves a paper trail to enable investigation if there were grounds for suspicion.⁶ Approximately 1 per cent of Canadians vote through this mechanism.⁷ It is as close as there is to a 'magic bullet' for the problem.

11. An additional method would be to extend the range of forms of voter identification which are accepted. Poll workers in our surveys were asked to propose solutions for how the running of elections could be improved. They widely proposed that the forms of identification which young people had access to should be included. For example, young peoples travel identification could be included. Many poll workers described the existing identification requirements, which accept the travel passes over the 65s, but not those of young people, as discriminatory.
12. Increasing the number of forms of voter identification that are accepted can increase administrative complexity at the polls. For this reason, a blanket 'vouching' system would seem to most straight forward way to ensure that no eligible elector is unable to vote at the general election.
13. Voter Authority Certificates play an important role in facilitating turnout. The take-up for Voter Authority Certificate's was very low at the local elections, however. Additional publicity for these would be helpful ahead of parliamentary elections. Nonetheless, there will always be many electors who do not apply for these in time – or simply do not have them available on the day because of personal circumstances. Voter Authority Certificate's are therefore not a sufficiently strong mechanism to guarantee that citizens will be able to participate. There needs to be a mechanism, such as 'vouching', available to ensure that eligible citizens can still exercise their democratic right on election day if they don't have a Voter Authority Certificate.

Electoral Management Capacity and Elections Act tranche 2 measures

14. The Elections Act introduced a range of other measures, such as extending the right to vote for overseas elections and new postal voting requirements.
15. It is important to note that electoral administrators are currently under significant capacity strain. This has been ongoing for years, but has been heightened by the financial pressures facing local authorities and the volume of changes being made at the same time. These measures have added to the costs for electoral administrators – which are not always fully covered by central government. There are also likely to be severe challenges recruiting

⁵ <https://www.elections.ca/content2.aspx?section=id&document=index&lang=e>. Also See: Toby S. James (2020) Comparative Electoral Management (London and New York: Routledge).

⁶ Toby S. James 'A Bipartisan Compromise On Voter Identification Is Needed In The UK. Canada Has A Blueprint', Political Studies Association Blog, <https://www.psa.ac.uk/psa/news/bipartisan-compromise-voter-identification-needed-uk-canada-has-blueprint>, 13 October 2021.

⁷ PWC 'Elections Canada Independent audit report on the performance of the duties and functions of election officers – 44th General Election' https://www.elections.ca/res/rec/eval/pes2021/ege/pes2021-ege_e.pdf p.16, August 2022.

poll workers at the general election partly as a result of the voter identification requirements.

16. Delaying the implementation of these measures may ease pressures on electoral administrators – and should be considered where possible. However, the implementation of many of these is likely to be underway. A more important intervention may therefore be to evaluate capacity across the sector and make additional funds available to electoral officials to ensure the safe delivery of general elections.

17. There also needs to be a more systematic review of electoral management capacity and the functionality of electoral law across the UK. There has been a substantial increase in the volume and complexity of laws without any consolidation. Complex electoral law makes elections difficult to administer and adds to the risk that errors might be made.⁸ Several parliamentary committees have recognised and stressed the importance of legal consolidation.⁹ The Elections Act has added another layer of legislation which has added to the complexity of electoral law. The next government should therefore pursue the long-overdue consolidation of electoral law.

7 November 2023

⁸ Toby S. James (2014) 'Electoral Management in Britain' in Pippa Norris, Richard Frank and Ferran Matinez I Coma (eds) *Advancing Electoral Integrity* (New York: Oxford University Press).

⁹ House of Commons Public Administration and Constitutional Affairs Committee *Electoral law: The Urgent Need for Review: Government Response to the Committee's First Report of Session 2019*.