# Elections Bill 2021-22 – SCPO Briefing on Voter ID

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***Quick Summary:*** *The Elections Bill 2021-22 includes a clause which would require voters in UK elections to show approved photo identification. The UK Government say this would secure the public’s trust in the integrity of the electoral process and make it harder for voter fraud to take place. However, some civil society organisations representing deprived or marginalized groups have expressed concerns about the negative impact it may have on participation by people from already disadvantaged groups. Access to the required photo ID is not universal and there is a risk of marginalised people becoming disenfranchised.*

## The Bill

The voter identification requirement was a Conservative Party manifesto commitment at the 2019 General Election. The Elections Bill was introduced on 5 June 2021[[1]](#endnote-1). The Second Reading of the bill is scheduled for 7 September 2021.

**Why does the UK Government want to introduce this policy?**

*“Stealing someone’s vote is stealing their voice. Voter fraud is a crime that we cannot allow room for, so the government is stamping out any potential for it to take place in elections.”*

* *The Cabinet Office [[2]](#endnote-2)*

The UK Government has claimed that the proposals will combat voter fraud through personation (assuming the identity of another person with the intention to deceive) and maintain public trust in elections. They claim that there are “frequent anecdotal” reports of this kind of fraud, but the reports are difficult to prove and to prosecute[[3]](#endnote-3). They point to similar policies in Northern Ireland, where it is already a requirement to show ID to vote, and to Canada where voter identification was introduced in 2007[[4]](#endnote-4).

**Haven’t we heard about this before?**

Yes, this isn’t a new debate. Since 2014 the Electoral Commission has been recommending the UK adopts voter identification. Following an independent review[[5]](#endnote-5) into electoral fraud by Lord Pickles in 2016, pilot schemes at polling stations were run in 2018 and 2019.

**What do we know already?**

The Government has estimated that 96% of people already have an appropriate type of photographic ID. We do know that the approved types of ID will be quite broad and won’t be limited to passports and driving licenses; things like concessionary travel passes, proof of age standards scheme (PASS) cards and photocards issued as part of the Blue Badge scheme would be acceptable[[6]](#endnote-6). In addition, expired photographic ID will be accepted if the photo was still considered a good enough likeness, although this could be quite subjective and puts a lot of pressure on polling station staff on the day[[7]](#endnote-7).

We know a little bit about how the process might work based on the pilots conducted in 2018 and 2019. However, the data from these pilots is not fully representative and does not capture the socio-economic reality of many areas in Britain.[[8]](#endnote-8)

**So, why are people worried?**

*“Our democracy is already deeply unequal, with millions missing from the electoral roll, and with major gaps in turnout between groups. We need to be revitalising our democracy – not taking a sledgehammer to political engagement.”*

* *Electoral Reform Society Joint Statement [[9]](#endnote-9)*

The proposed change in policy has been widely criticized by a number of civil society groups (including Electoral Reform Society, Stonewall, Liberty, Operation Black Vote, Silver Voices and the National Union of Students) and some opposition and former politicians. It has been variously described as illiberal, undemocratic, and dangerous[[10]](#endnote-10). There are also some claims implying people lacking the appropriate ID are less likely to be Conservative voters, although this is quite hard to evidence. The main concerns are that introducing voter ID is unjustified, potentially discriminatory, and extremely expensive.

The Government is arguing that voting in the UK is vulnerable to fraud, however voter impersonation is still very rare. There were no convictions or cautions for personation in 2018 and only one conviction and one caution in 2019. In both cases the victims of personation were family members of the offenders[[11]](#endnote-11). In fact, campaign offences are much more prevalent and make up nearly half of all electoral fraud cases in recent years[[12]](#endnote-12).

*“Those currently in power are grossly inflating the risk of electoral fraud as an excuse to usher in ever greater surveillance of the British public. Voter ID is a solution in search of a problem.”*

* *Sam Grant, head of policy and campaigns, Liberty [[13]](#endnote-13)*

It is estimated that the number of people who would be denied their vote for not having the correct ID would outnumber the scale of alleged voter fraud in the whole UK by a factor of almost 100. This figure is based on pilot data from 2019 where more than 1,968 people were turned away from polling stations. Whilst many of these people returned later with the required ID, 740 people did not and therefore were denied their vote[[14]](#endnote-14).

There are many possible reasons why these 740 people did not return to vote, but we know that getting access to approved photo ID can be very difficult for a number of people who are already regularly marginalised, including trans, disabled, and homeless people and people from ethnic minority groups[[15]](#endnote-15). Additionally, a 2020 report on Black People, Racism and Human Rights by the Joint Committee on Human Rights noted there could be a racially discriminatory impact if the Government was to require the use of photo identification to vote[[16]](#endnote-16)

*“Voter ID is a total waste of taxpayers' money, set to cost millions of pounds at every election.”*

* *Cat Smith, Shadow Minister for Democracy (Labour) [[17]](#endnote-17)*

It is believed there are around 3.5 million people in the UK who do not have access to valid photographic identification, which is about 7.5% of the electorate[[18]](#endnote-18), although this figure has not been updated for about 6 years. We know that local authorities will be required, by law, to provide a voter card free of charge to anyone who does not have the appropriate ID[[19]](#endnote-19), but the onus to obtain a voter card will be on the voter themselves[[20]](#endnote-20). In many of the countries that require ID to vote it is also a requirement to carry ID cards, meaning everybody automatically has the ID they need to vote; This is not the case in Britain[[21]](#endnote-21). Critics have argued that the cost of mandatory ID could cost up to £40million to taxpayers over the next decade[[22]](#endnote-22), and that is an expensive distraction from other more pressing issues.

**What might this mean for Scotland?**

The concerns about how these proposals will affect marginalised and vulnerable groups apply across the whole of Britain, so it is unclear what the proposals might mean for Scotland specifically. It is worth noting that voter turn-out for the 2019 General Election in Scotland was 68.1%, the highest of all the UK nations[[23]](#endnote-23).

The Scottish Government have said they will not ask people to bring ID for Scottish elections. Changing the way people vote in UK parliamentary elections could have an impact on the people of Scotland as there would be two different rules for Scottish voters; one for voting in UK elections and one for voting in Scottish elections. It could be confusing for voters, and there are concerns that because there is often more than one election being held on the same day, voter ID would become a feature of voting in Scotland by default and against the will of the Scottish Government[[24]](#endnote-24).

It has also been highlighted that in Scotland the franchise has recently been expanded to include not just 16-and-17-year-olds but also all foreign nationals with leave to remain as well as those granted refugee status, and to prisoners serving sentences up to 12 months[[25]](#endnote-25).

**Summary**

Voter fraud is a serious offence, but it is difficult to find any concrete evidence that it is regularly taking place in UK elections. For the majority of people in Britain the requirement to show ID to vote will likely be nothing more than a minor inconvenience, if an effect is felt at all. However, for the most vulnerable and marginalised people in our communities there is the potential for this policy to cause distress and anxiety, and for people from disadvantaged groups to become disenfranchised. It is for this reason many civil society groups are very concerned about the introduction of this policy.

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