

Letter to Minister for Levelling Up regarding secrecy of voting in polling stations | Electoral Commission Search Letter to Minister for Levelling Up regarding secrecy of voting in polling stations You are in the Key correspondence section Home Key correspondence First published: 29 March 2022 Last updated: 27 April 2023 Summary of the letter Date: 29 March 2022 To: The Rt Hon Kemi Badenoch MP - Minister for Levelling Up Communities From: Bob Posner, Chief Executive Format: Sent by email Full letter Dear Minister, Thank you for your letter dated 22 March on the secrecy of voting in polling stations. I am pleased to agree that the law is clear and to confirm that is the Commission's established and consistent position on this important subject. The right to vote in secret is set out in UK electoral law. Anyone attempting to steal someone else's vote, or to influence inappropriately how another person votes, is committing an offence. For this reason, and as stated in your letter, voters should not be accompanied in the polling booth except in specific defined circumstances. On this the law is clear, and the Commission's position follows the law. While the police are responsible for enforcing the law on secrecy requirements and other electoral fraud, the Commission works to support voters, electoral administrators, police and prosecution authorities, as well as law abiding campaigners to deter, prevent and detect electoral fraud of all kinds, including 'family voting'. For voters, we raise awareness of the importance of keeping votes secret and secure. Our 'Your Vote is Yours Alone' campaign – run in partnership with Crimestoppers – highlights what constitutes electoral fraud and aims to empower people to protect their vote and report any concerns. This campaign is focused in areas where there have been historic concerns about electoral fraud. We also produce a range of resources, including posters, leaflets, video adverts for social media and other channels, and template press releases, which local authorities can and do use to support the campaign and promote these important messages in their area. We give Returning Officers and their staff clear guidance that voters should be supported to vote in secret and free from influence. Our polling station handbook highlights the issue of 'family voting', advising staff: "Make sure voters go to polling booths individually so that their right to a secret vote is protected. No other person is allowed to accompany a voter to a polling booth unless a voter who is disabled or unable to read has requested assistance to vote." We have taken additional steps in areas with a history of concerns about electoral integrity, such as Tower Hamlets. We continue to be in regular contact with the Tower Hamlets electoral services team, including in preparation for this year's elections. Polling station staff there are being briefed on the need for vigilance. They should be proactive in the polling station to address issues such as family voting, involving the police as required. We have worked with the local authority to produce a poster for display at polling stations emphasising that only one voter at a time can enter a polling booth. This will be displayed outside each polling station and on the desks where voters receive their ballot papers from polling station staff. Additional members of staff will also be assigned by the Returning Officer to polling stations to help direct voters individually to polling booths. Finally, as with other elections, Commission staff will be observing at polling stations and counts, though I should emphasise that while my colleagues would highlight to polling station staff any potential legal breaches witnessed, they have no powers themselves to intervene. While it is the case that only the police and prosecution authorities can take decisions on allegations of 'family voting', we work with the police to support officers to understand the law, both through the National Police Chiefs' Council and with individual forces and officers. In the context of elections in Tower Hamlets, we

have advised the Metropolitan Police that someone accompanying another person into a polling booth, other than in permitted cases to support someone with a disability with casting their vote, would bring into consideration for the police Section 66 of the Representation of the People Act 1983. This could include an attempt to interfere with a voter or to obtain information about how someone has voted. We fully share your view on the importance of the secrecy of the ballot and hope that this letter provides assurance that we will continue to play our part, working with others, to ensure it is upheld. Yours sincerely, Bob Posner Chief Executive