

# PARLIAMENTARY DEBATES

HOUSE OF COMMONS  
OFFICIAL REPORT  
GENERAL COMMITTEES

Public Bill Committee

## ELECTIONS BILL

*Fifth Sitting*

*Wednesday 22 September 2021*

*(Morning)*

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CLAUSE 1 under consideration when the Committee adjourned till this day  
at Two o'clock.

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**Sunday 26 September 2021**

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**The Committee consisted of the following Members:**

*Chairs:* † SIR EDWARD LEIGH, CHRISTINA REES

† Anderson, Fleur (*Putney*) (Lab)  
 † Badenoch, Kemi (*Minister of State, Department for Levelling Up, Housing and Communities*)  
 † Bell, Aaron (*Newcastle-under-Lyme*) (Con)  
 † Bristow, Paul (*Peterborough*) (Con)  
 † Clarkson, Chris (*Heywood and Middleton*) (Con)  
 † Furniss, Gill (*Sheffield, Brightside and Hillsborough*) (Lab)  
 † Gibson, Peter (*Darlington*) (Con)  
 † Grady, Patrick (*Glasgow North*) (SNP)  
 † Harris, Rebecca (*Lord Commissioner of Her Majesty's Treasury*)

† Hollern, Kate (*Blackburn*) (Lab)  
 † Kruger, Danny (*Devizes*) (Con)  
 † Mayhew, Jerome (*Broadland*) (Con)  
 † O'Hara, Brendan (*Argyll and Bute*) (SNP)  
 † Randall, Tom (*Gedling*) (Con)  
 † Shelbrooke, Alec (*Elmet and Rothwell*) (Con)  
 † Smith, Cat (*Lancaster and Fleetwood*) (Lab)  
 Smith, Nick (*Blaenau Gwent*) (Lab)

Adam Mellows-Facer, Chris Stanton, *Committee Clerks*

† **attended the Committee**

## Public Bill Committee

Wednesday 22 September 2021

(Morning)

[SIR EDWARD LEIGH *in the Chair*]

### Elections Bill

9.25 am

**The Chair:** Before we begin, I will make a few preliminary remarks. There is a load of stuff here about face masks, mobile phones, and food and drink, but do what you like, within reason. We now begin line-by-line consideration of the Bill. The selection list for today's sitting is available in the room. It shows how the selected amendments have been grouped together for debate. Amendments grouped together are generally on the same, or a similar, issue. Please note that decisions on amendments do not take place in the order that they are debated but in the order that they appear on the amendment paper. The selection list shows the order of debates. Decisions on each amendment are taken when we come to the clause to which the amendment relates. Decisions on new clauses will be taken once we have completed consideration of the existing clauses of the Bill. Members wishing to press a grouped amendment or new clause to a Division should indicate when speaking to it that they wish to do so.

**Cat Smith** (Lancaster and Fleetwood) (Lab): On a point of order, Sir Edward. On Monday evening, the House considered an instruction motion that had been tabled in the name of the previous Minister, the hon. Member for Norwich North (Chloe Smith). The motion changes the scope of the Bill and includes different types of electoral systems. Having had four evidence sessions in which we were unable to question witnesses about different electoral systems, I wonder whether you, Sir Edward, have had any indication from the new Government Whip, the hon. Member for Castle Point, about whether more evidence sessions will be timetabled so that the Committee can take evidence from expert witnesses on different electoral systems.

**The Chair:** I thank the hon. Lady for that point of order. I have had no communication from the Government. Regarding more time, it is perfectly in order for the Committee to come to an agreement, either between the usual channels or by way of an amendment, to allow more time. I will leave it to the hon. Lady to discuss with her colleagues and the Government whether they want more time. I am sure that my colleagues and I will be perfectly open to that, but it is entirely up to the Committee. We are in your hands.

**Brendan O'Hara** (Argyll and Bute) (SNP): Further to that point of order, Sir Edward. I share the concerns of the hon. Member for Lancaster and Fleetwood. It is outrageous that the Government should seek to parachute in something in addition to the scope of the Bill without any debate. There was no debate on Monday night, because the Minister, the right hon. Member for Tamworth

(Christopher Pincher), did not engage with the House. He turned up and read a pre-prepared statement. He did not engage. He did not even take an intervention from his opposite number. It is farcical that it should happen in such a way that no questions were answered and there was no scrutiny. This did not appear from thin air. The Government knew that this was happening; yet I believe they held it back from the Committee. I think it is only right that the Committee should have a chance to bring back expert witnesses so that we can have testimony from them on what this crucial part of the new scope will mean for the entire Bill.

**The Chair:** I can only repeat what I said to the hon. Member for Lancaster and Fleetwood. That is a perfectly fair point, and if the hon. Gentleman wishes to table an amendment to that effect, I am sure that the Government will listen very closely. I am completely in the hands of the Committee.

We will start with clause 1, and the question that it stand part of the Bill. Members will note my grouping and selection, and that several detailed matters relating to voter ID will be covered in debates on amendments later today. Clause 1 introduces the schedule on voter ID. I would be grateful if Members could please restrict their remarks to the principles of the proposals. That is quite important. I am sure that we can have a very wide-ranging debate that will be more like a Second Reading debate, but remember that there are loads of amendments later, so there is no point in getting into detail now. We will have plenty of time to discuss the detail.

#### Clause 1

##### VOTER IDENTIFICATION

*Question proposed,* That the clause stand part of the Bill.

**The Minister of State, Ministry of Housing, Communities and Local Government (Kemi Badenoch):** It is a pleasure to serve under your chairmanship, Sir Edward, and to progress the passage of the Bill. I pay tribute to my predecessor, the Minister of State for Disabled People, Work and Health, my hon. Friend the Member for Norwich North (Chloe Smith), for her great contribution to the proposals in the legislation. I ask the Committee's forgiveness if I am not as sharp as she has been on the details. This is very new to me, following my taking on this position, but I look forward to taking the Bill through Committee and the upcoming stages.

I begin by introducing clause 1, which delivers the Government's manifesto commitment to introduce photographic identification for voting at polling stations. I will first focus on the principle behind the measure, and why it is essential to the protection of our democracy. The details of its operation will be addressed later, when discussing the contents of schedule 1. I am sure the Committee will agree that it is paramount that we protect the security and integrity of our ballot, so that our elections will remain secure well into the future. The process for voting in polling stations in Great Britain has had no significant changes to security since the Ballot Act 1872. A system used in the Victorian era, when everybody was well acquainted with their neighbours, is simply not fit for the 21st century.

As my predecessor set out many times, there are undeniable vulnerabilities in our system that let people down because they can lead, and have led, to votes being stolen by unscrupulous individuals. We cannot sit idly by and tolerate that. Where there is the opportunity for fraud, we must act, particularly when we have the power to stamp it out with such a straightforward, simple policy. Just because someone is not regularly burgled does not mean that they stop locking their front door. Showing photo identification is an entirely reasonable and proportionate way to confirm that someone is who they say they are.

Many people would question why a requirement to show identification at polling stations is not already in place. In fact, the majority of the public—66%—have said that it would make them more confident in the security of the voting system. To suggest that specific groups, such as young people or those from an ethnic minority background, would automatically not be able to access the freely available voter card, based on assumptions about the work that will be done, is to unfairly diminish the agency and desire of those groups to participate. I will be unambiguous in setting this out: anyone who is eligible to vote will continue to have the opportunity to do so.

**Cat Smith:** I welcome the Minister to her place, and appreciate that she is obviously quite new to this area. I wonder how she feels able to back up what she just said about different demographic groups not having any trouble accessing free ID. The Driver and Vehicle Licensing Agency does not hold data on the ethnic background of people who hold a driving licence, and the Home Office does not hold data on the ethnicity of those who hold passports. Given that those are the two main forms of ID, how is she confident that any particular ethnic group will not be disproportionately affected by the policy?

**Kemi Badenoch:** I am happy to answer that question. As we produce guidance, we will be able to give more details on the specifics, but the fact is that it is an insult to say that someone from an ethnic minority background will have difficulty procuring ID. That is nonsense.

**Cat Smith:** On that point, will the Minister give way?

**Kemi Badenoch:** No, no—I have given way. I am also, as the hon. Lady will know, the Minister for Equalities. I have spent a year working on the disproportionate impact that covid has had on people. Being able to collect data is critical, but assuming from the get-go that people are disadvantaged on the basis of their background is stigmatising, and denies them their agency.

**Cat Smith:** Will the Minister give way? I wish to correct the record.

**Kemi Badenoch:** Let me finish. I do not know the conversations that the hon. Lady has had with other people. I think that she will find that on this issue I will be very robust, and I will not stand in this House and have ethnic minorities denigrated with the assumption that they need the Labour party or the liberal left to hold their hand in order to vote. We have had pilots, and there is a lot of evidence to show that this policy does not discourage people from voting.

**Cat Smith:** On that point, will the Minister give way?

**Kemi Badenoch:** I will not give way any further. We have oral questions—

**Cat Smith:** On a point of order, Sir Edward. I never said anything about ethnic minorities in my intervention on the Minister. I said that data on different ethnic groups was not collected. I never made any comment about ethnic minorities. I just wish to make that clear for the record.

**The Chair:** The hon. Lady has made her point, and I am sure that the Committee will have heard it.

**Kemi Badenoch:** The hon. Lady talked about the DVLA not collecting data on the ethnic background of people, so we know the point that she was making. As I said, I will be unambiguous in setting this out: anyone who is eligible to vote will continue to have the opportunity to do so. I hope that for the rest of the Committee we will be able to have a civilised debate, and not one where we bring in issues that are not pertinent to the matter at hand.

**Aaron Bell** (Newcastle-under-Lyme) (Con): I share the Minister's distaste at the suggestion that people do not have that access and that agency. Is it not the case that the existing elements of voter fraud in the system fall disproportionately on ethnic minority populations, as we saw in Tower Hamlets in the Bangladeshi community?

**Kemi Badenoch:** I completely agree, and I am very grateful to my hon. Friend for making that point.

I want those listening to the debate to be clear that we will work with them, and for them, to ensure that the implementation supports their participation, and I hope that on that principled point the Opposition will stop their negative and discouraging narrative on the future of the measures. Voter identification is a simple, proportionate and effective means to strengthen the integrity of elections. For those reasons, I urge that clause 1 stand part of the Bill.

**Cat Smith:** It is a pleasure to serve under your chairship, Sir Edward. I welcome the new Minister, the new Government Whip and the new member of the Committee, the hon. Member for Devizes. They missed out on the pleasure of the four evidence sessions that we enjoyed last week, but obviously those evidence sessions—I will make the point again, Sir Edward—were not sufficient to cover all the clauses due to the instruction motion that was passed on the Floor of the House on Monday evening.

It is incredibly disappointing and bad form on the part of the Government to approach the House with a constitutional Bill that fundamentally changes huge swathes of how we vote and exercise our democratic rights as a society without that level of scrutiny. The instruction motion included a change to the voting system that previously happened only under referenda. I note the alternative vote referendum that we had about a decade ago. If we are to change our voting system in this country, not with referenda and not even with consideration on Second Reading or in Committee evidence sessions, I question the accountability to which hon. Members feel they can hold themselves.

[Cat Smith]

Clause 1 requires voters to show photo ID at elections. I believe that in a democracy it is right that voters choose their leaders, but in the Bill we see a reversal of that: it appears that the leaders are trying to choose the voters who participate in elections. There is no doubt that requiring photo ID at a polling station is an additional barrier to voting. No one can argue—I welcome interventions from Government Members—that putting an additional requirement on a voter before receiving their ballot paper is anything other than likely to drive down turnout. If we wish to strengthen our democracy, as the Opposition wish to, one of the best ways that we can do that is to drive up turnout, because bad actors thrive when turnout is low. I wish the Bill were about encouraging participation in elections and democracy, and driving up turnout, because that would make it harder for bad actors to manipulate and twist our election results.

**Paul Bristow** (Peterborough) (Con): In the hon. Lady's vast experience as a member of the Labour party, has the requirement for voter ID to vote in internal Labour party elections been an additional barrier to participation?

**Cat Smith:** I have been a member of the Labour party since 2004 and I have never been asked to produce photo ID to participate in my local party or national party events, to stand as a Member of Parliament or to be a member of the shadow Cabinet. The hon. Member will remember from the evidence sessions, because he was a member of the Committee then, that an example was given about the parliamentary selection in Tower Hamlets. I imagine that Tower Hamlets will be brought up a fair bit in Committee.

Where there are isolated issues, the Labour party has a process by which it can put constituency parties into what we call special measures. There are additional requirements to take part in our internal democracy where there has been evidence of fraud in the past. That probably backs up my point that the incidents that we have seen are very geographically specific, whereas the legislation covers England, Scotland and Wales. We are penalising huge swathes of the country by putting additional barriers between them and participation in democracy, when at best we have found tiny pockets. Indeed, the Committee heard evidence that personation at polling stations was incredibly isolated.

**Aaron Bell:** The hon. Lady speaks about the evidence, but we heard from Richard Mawrey, who is without doubt the most qualified person to speak about this. He said:

“On whether lots of cases are going undetected, the answer is undoubtedly yes. It is very difficult to prove fraud, and when you have proved it, it is very difficult and time-consuming to prove who benefited from it.”—[*Official Report, Elections Public Bill Committee*, 15 September 2021; c. 17, Q16.]

Absence of evidence is not evidence of absence. This is not an isolated issue, as the hon. Lady seems to think.

**Cat Smith:** The same witness also said:

“Not only was there electoral fraud in the sense of false votes—almost all postal votes—”

the Bill does nothing to resolve that issue—

“but the system developed so there was misuse of public funds”.—[*Official Report, Elections Public Bill Committee*, 15 September 2021; c. 5, Q2.]

I think the point that he was trying to make on the Tower Hamlets example—I may misquote him slightly—was that they were working through all the types of electoral fraud and bad actors were in play. There was an injustice, and I make absolutely no defence of the electoral fraud that went on—I would be quite upset if anyone accused me of that—but is important to point out that elections were overturned and the law worked. Richard Mawrey also told the Committee:

“Voter ID at polling stations, frankly, is neither here nor there. Personation at polling stations is very rare indeed, because it is so dangerous—if someone turns up to a polling station and says, “I am Mr Jones of Acacia Avenue”, and somebody says, “I know Mr Jones; you are not him”, the next thing is a policeman's hand on his shoulder and he's up at the local Crown court”.—[*Official Report, Elections Public Bill Committee*, 15 September 2021; c. 15, Q13.]

We know, based on the evidence from witnesses whom hon. Members are quoting at me, that the clause, deals with something that is not the major issue. I feel that we are somewhat missing the wood for the trees.

**Several hon. Members rose—**

**Cat Smith:** I will give way to a Member who has not managed to intervene yet.

**Chris Clarkson** (Heywood and Middleton) (Con): Does the hon. Lady accept that although it is quite possible for someone to go in and say, “I am Mr Jones of Acacia Avenue,” and for the polling clerk to say, “No, you're not,” they are probably not going to know all 10,000 voters. The requirement to produce a simple piece of ID to confirm that it is Mr Jones of Acacia Avenue is not a barrier.

**Cat Smith:** It is a barrier to someone who does not have that form of ID, which is the whole point of the clause. One witness also made the point that we are asking people who do not have the forms of ID mentioned in the Bill to go through the process of getting a free voter ID card. The people who do not already have those forms of ID are more likely to be excluded from society or disadvantaged. By the way, the Bill contains no detail about how those free voter IDs will be issued and administered, or how much that will cost.

We know fine well that that additional barrier risks creating a postcode lottery. In my constituency, for example, two councils administer elections: Wyre Council and Lancaster City Council. If they were to administer voter ID cards, it would be unlikely, I suspect, that they would both have the same requirement for people to come forward. Some of my constituents may be able to go to the Civic Centre at Poulton on a Tuesday afternoon between 3 pm and 5 pm, but nothing in the Bill gives us the power to ensure that Wyre Council extends that period with evening drop-ins. Lancaster City Council could have a completely different approach, however. We are therefore saying to some voters, “It will be easier for you to access the ID than for others.”

The fact that there are no basic requirements in the Bill is something of an oversight, as I am sure the hon. Member for Heywood and Middleton will agree. I hope that we can amend that kind of thing to improve the Bill, so that we do not end up with some councils making photo IDs incredibly difficult to access.

**Jerome Mayhew** (Broadland) (Con): The hon. Lady made a number of bold assertions about those who do not have voter ID. I simply ask her: where is the

evidence to support them? The research supports the Government's proposition. IFF Research interviewed 8,500 residents by telephone, and found that 98% of the general population has appropriate forms of ID. For black, Asian and minority ethnic people and people with protected characteristics, that figure rose to 99%. Where is the evidence for her bold assertions?

**Cat Smith:** The Government's own research showed that 2 million people did not have ID, and 17% of those people said that they would not apply for a locally issued identity document. A further 23% said they were not sure that they would apply. Does the Government's own research not prove that we risk disenfranchising millions?

**Kemi Badenoch:** I think the hon. Lady is confusing two different things. Those 2 million people are not necessarily 2 million people who are on the electoral register and are not necessarily 2 million people who would have voted anyway. Is she not mistaking correlation for causation and confusing the issue? My hon. Friend the Member for Broadland showed what actually happens when he cited evidence of an improvement in the participation of ethnic minorities and other groups in the electoral process.

9.45 am

**Cat Smith:** I am a little confused by the Minister's intervention. There was a petition on the Parliament website about using digital IDs to access things online. The Department for Culture, Media and Sport responded to that petition using the statistics that I have used today. If one Government Department is using one set of statistics and the Cabinet Office—or presumably now the Department for Levelling Up and whatever it is—is using different statistics, does that not just show that one arm of Government is apparently not speaking to another arm of Government?

**Kemi Badenoch:** I am very happy to respond to the point the hon. Lady has just made. Different pieces of research are used for different outcomes. My argument was that she is confusing two separate things. The point my hon. Friend the Member for Broadland was making was specifically related to voter ID, and we should not mix and match different petitions and different polls that are used for different purposes as evidence, when the questions being asked are not pertinent to the matter being discussed.

**Cat Smith:** The Minister is right to say that there is a lot of different research done on who holds what ID, and it appears that there is no central understanding in Government about who holds what. That leaves us, as a Committee, high and dry in terms of knowing what impact this policy will have on different communities.

The Committee heard evidence from Gavin Millar QC, who pointed out that if Tower Hamlets was the reason for introducing voter ID, it would be

“an example of a hard case making very bad law, and I would counsel against that.”—[*Official Report, Elections Public Bill Committee*, 16 September 2021; c. 108, Q165.]

**Tom Randall (Gedling) (Con):** Will the hon. Lady give way on that point?

**Cat Smith:** I will give way, and I ask the hon. Gentleman whether he thinks the Government are using Tower Hamlets as justification to bring in a nationally damaging policy.

**Tom Randall:** I was going to ask the hon. Lady whether she accepts that Labour constituency associations that are in special measures should have special photo ID requirements. Would she at least support photo ID in those parts of the country that have particular problems with administering their elections?

**Cat Smith:** I look forward to the hon. Gentleman's bringing forward an amendment to the Bill along those lines, and I am sure we would be interested in having conversations across the Committee Room about how we might be able to support him in amending his Government's Bill in such a way. I look forward to speaking to him after the Committee to see whether I can be of any assistance to him on that matter.

It is quite clear from the evidence we heard that the voter ID requirements will make it disproportionately more difficult for some people with disabilities to vote. We heard evidence from the Royal National Institute of Blind People, and we realise that anyone who is blind or registered partially sighted is very unlikely to have a driving licence, which immediately rules out one kind of ID.

Because of the poverty disabled people face, they are also less likely to have a passport, and the Committee heard evidence of concerns that the Cabinet Office had not sufficiently engaged with disabled groups, charities and campaigns in drafting this legislation. There are issues further on in the Bill—I am sure we will come to them later, so I will not go into any detail—about the changes to accessibility having a double whammy effect on disabled voters' access to elections.

Labour will reject clause 1, and that is consistent with the position we have taken since the first day that the Conservatives mooted this policy.

**Aaron Bell:** It was not just mooted by the Conservatives; the Electoral Commission has for many years recommended that we introduce some element of identification into the voting process. We have identification at the registration process; would the hon. Lady abandon that as well in her noble goal of increasing turnout?

**Cat Smith:** I am glad the hon. Gentleman has mentioned the Electoral Commission, because of course it did not specify that this very tight form of photo ID should be introduced by the legislation. Its recommendation was much more open-ended. The Government have come forward with the tightest, most restrictive, most excluding form of voter ID. Trials took place ahead of the legislation being presented, but I believe it was only in Woking where this very tight form of voter ID was trialled. I do not know Woking well, but I am sure that it is not very representative of the whole United Kingdom.

**Peter Gibson (Darlington) (Con):** The hon. Lady refers to this being a Conservative policy. Is it not the case that the exact arguments that she is espousing will have been considered by the Labour party when it introduced voter ID in Northern Ireland?

**Cat Smith:** The situation in Northern Ireland actually came about over a much longer period. The hon. Member for Argyll and Bute somewhat of an expert on these issues, but in Northern Ireland we did see huge swathes of personation going on in the 1980s. The politics in Northern Ireland in the 1980s was very different from the politics that we see in England, Scotland and Wales in 2021.

**Brendan O'Hara:** I have been trying, both on Second Reading and in Committee, to tease out where the Northern Ireland comparison comes from and how the Government believe that the situation we have in the United Kingdom in 2021 in any way resembles that in Northern Ireland in the '70s, '80s and '90s, which led to the change. Nobody has managed to give me an answer to explain what the similarities are and why the Northern Ireland example is being used to advocate this change.

**Kemi Badenoch:** Can I come in on that point?

**The Chair:** Order. We cannot have an intervention on an intervention.

**Cat Smith:** The hon. Member for Argyll and Bute is right. Hundreds and hundreds of people lost their vote in the general election in, I think, 1982—it was before I was born. [*Interruption.*] It was in the 1983 general election. As a response to that, legislation came forward to require forms of ID, which were initially not photo ID, to protect the integrity of the ballot in Northern Ireland, where quite clearly organised crime was being used to disenfranchise literally hundreds and hundreds of voters in constituencies across Northern Ireland and, arguably, to skew election results.

Does the hon. Member for Darlington want to make the case that that is happening right here, right now? I would be very interested to hear whether he thinks that, in his constituency, hundreds and hundreds of voters have had their votes stolen through personation—perhaps at the general election in which he was elected. If he thinks that that is the case, I would be very interested to hear him make the case, but I do not think we can draw a direct comparison from Northern Ireland in the 1980s to England, Scotland and Wales in 2021. Does the Minister still wish to come in on that point?

**Kemi Badenoch:** I am very interested in the shadow Minister's points, because she is saying that what happened in Northern Ireland in the 1980s is very different from what is happening here now, yet she is advocating keeping the rules the same as they were in 1872—150 years ago. That is extraordinary. We have not changed anything since the 19th century, yet she is saying that what happened in the 1980s is not applicable now. That is quite extraordinary.

**Cat Smith:** I am really thrilled that the Minister has made that point, because I have been the shadow Minister for democracy and elections for the Labour party since 2016 and I think that, in every single speech, I have made the case that electoral law in this country is fragmented and confusing. In fact, we heard from witnesses that we need to solidify—

**Kemi Badenoch:** And now we are making it more uniform.

**Cat Smith:** But this Bill does not solidify all our election law into one single, cohesive piece of legislation that campaigners can use, that gives voters confidence, and that makes it easier for our election judges to use the law and apply it correctly. Election law in this country is so fragmented and confusing. The Law Commission has published reports calling on the Government to bring all this law together, rationalise it and make it more straightforward and simple. This Bill just adds to the massive catalogue of legislation that we have—different Acts from here, there and everywhere. This Government are doing nothing to make it simpler; they are just adding another layer of complication to it.

**Paul Bristow:** Will the hon. Lady give way?

**Cat Smith:** I have not heard anything that has convinced me that the situation in England today is the same as that in Northern Ireland in the 1980s, but I will give way to the hon. Member.

**Paul Bristow:** Earlier in the hon. Lady's remarks, she asked for evidence of where election results have been impacted by personation. I urge her to look at Peterborough, my constituency, where council results have absolutely been affected by personation, and I ask her this question. In evidence, we heard from the chief executive of Peterborough City Council, Gillian Beasley, who installed CCTV at polling stations. Why does the hon. Lady feel that the chief executive of Peterborough City Council needed to do that?

**Cat Smith:** I thank the hon. Gentleman for sharing the example of Peterborough. I thought Gillian Beasley gave some really strong evidence to the Committee. The Opposition found the example of the CCTV very interesting, as it is a way in which the current law can be used to combat isolated pockets of personation. Gillian Beasley said,

"I would say that we have seen less personation in polling stations in the recent past. Probably our last prosecution was some years ago, and that is because there are some tight measures not only in polling stations, but around ensuring that we have a good electoral register."—[*Official Report, Elections Public Bill Committee*, 15 September 2021; c. 21, Q23.]

She also talked about the resource implications of implementing voter ID, saying that,

"we will probably see a surge at what is the busiest time for electoral services".—[*Official Report, Elections Public Bill Committee*, 15 September 2021; c. 18, Q19.]

That draws me on to the evidence we received about the clause from the Association of Electoral Administrators. It is an organisation I meet with regularly, because I think it is important that, as legislators, we understand the implications of the laws we make on those who have to administer them. During my time in this Front-Bench role, electoral administrators have consistently told me that elections are often only just delivered securely because of the pressures in local government right now.

Local government has been on the frontline of Tory cuts, and I make no apology for saying that. Our town halls and civic centres are struggling, and elections offices are incredibly understaffed. Speaking for my own electoral administrators in Lancaster and Fleetwood, the staff work incredibly hard. In the run-up to an election, they work seven days a week, and they work



incredible hours. I believe that all they do is work and sleep in order to deliver our elections and democracy securely. I pay tribute to all our electoral administrators. They often pull this off under increasing pressure. The snap elections in recent years have meant that they have often been unprepared, particularly in 2019, when the election coincided with the annual canvass. They are under incredible pressure.

Electoral administrators and councils were very clear in their evidence that, if voter ID were to be brought in, they would expect to see a surge in applications for the free voter ID in the run-up to an election, when there is incredible pressure with last-minute registrations and people checking that they are on the electoral register. Since the introduction of individual electoral registration, there has been an increase in people double-checking that they are on the electoral register. It would be nice to see something in the Bill that allowed electors to check whether or not they were on the roll, rather than just re-registering in the few weeks before an election, which puts additional pressure on electoral administrators when their pressures are at their greatest.

Peter Stanyon from the Association of Electoral Administrators said in evidence to the Committee that the applications for voter ID will come in

“when the pressures in the electoral offices are at their greatest.”

Because the Bill has absolutely no detail on how the free IDs will be administered, he asked:

“Will it require attendance in person? Virginia mentioned posting out ID—will that be permissible in the remainder of the UK?”—[*Official Report, Elections Public Bill Committee*, 15 September 2021; c. 44, Q59.]

Virginia McVea was the witness who gave evidence from Northern Ireland. The Minister is very welcome to intervene to make the position clear. That would be very helpful. As Peter Stanyon was saying, we do not know any of the detail at this stage.

We are being asked to vote on something with absolutely no detail. We have no idea what resource implications the Bill will have on electoral registration offices. We have no idea whether the free IDs will be posted out or whether people will have to apply in person at civic centres and town halls. We have no idea whether there will be a basic standard of expectation that people will apply for their voter ID in person, but will only be able to go on a Monday, Wednesday or Friday. None of those basic details is on the face of the Bill. We are being asked to legislate on something that we cannot be confident will be accessible to the people we have been elected to represent.

There is a £120 million bill for the taxpayer to bring in this policy, which we heard in the evidence sessions is basically designed to address something that is incredibly rare and very difficult to do. It does not seem like a good use of taxpayers' money. In the last 10 years, there were four cases of voter personation fraud, and that was out of 243 million votes cast.

**Chris Clarkson:** Will the hon. Lady give way?

**Cat Smith:** I would like to make this comparison, and then I will give way to the hon. Gentleman.

I want to compare those four cases to the trials, which took place in just a handful of council areas, all of which are in England and are not representative of England, Scotland and Wales. Some 2,000 voters were

turned away in the 2019 pilots, of whom around 758 did not return to cast their vote. That is just in the pilot areas. Look at the single figure numbers of cases and the hundreds of people in just a handful of trial areas who basically turned up at the polling station and did not have the right ID so went away and never came back. We are disenfranchising scores more people than we even hear accusations of voter personation.

10 am

**Chris Clarkson:** The hon. Lady says that there were only four cases. Of course, there were only four cases that we are aware of. That goes back to the point that was made throughout the evidence sessions: it is an incredibly easy thing to do, so we do not know the quantity. As my hon. Friend the Member for Newcastle-under-Lyme said, absence of evidence is not evidence of absence. I have to ask her what an acceptable level of voter fraud is. Are four cases of fraud okay? Do we just let that go, and say, “It’s fine. There’s a cost-benefit analysis to a bit of electoral fraud.”? How many election results have to be overturned before we say that this is actually an investment worth making?

**Brendan O’Hara:** None of them has been overturned.

**Cat Smith:** I do not think that any elections have been overturned, as the hon. Member for Argyll and Bute says from a sedentary position. We have to work on the basis of what we know, and what the facts are. We can only go on the cases that are reported, but we know that 758 people in just a handful of councils were turned away and did not come back. That is an unquestionable fact.

**Chris Clarkson:** Do we know that they were legitimate voters?

**Cat Smith:** I think we have to assume that they were. [HON. MEMBERS: “Why?”] Because of all the evidence that we heard as a Committee. I make no apologies to the Minister—she was not here for the four evidence sessions. We did not hear convincing evidence that this is a widespread problem. That is just not what we heard from the witnesses. We know the statistics on how many people were turned away and did not come back.

Rob Connelly from Birmingham raised concerns that the pilots did not reflect the community that he represents:

“One of our concerns with the pilots was that they did not reflect a large urban area, such as Birmingham, Manchester or Liverpool... It has been calculated that about 2% of people have not got ID. That is the equivalent of 15,000 people in my electorate.”—[*Official Report, Elections Public Bill Committee*, Wednesday 15 September 2021; c. 56, Q85.]

That is in Birmingham alone. A huge number of people—thousands, or tens of thousands—in cities up and down the country will have to go through the process of applying for this free voter ID card, on which there is no detail in the Bill. How can we be expected to vote for something on which there is no detail?

Returning to where I was before I took quite a lot of interventions, I think Ministers and Government Members are living in some kind of alternative reality. Perhaps they are watching too much Fox News. Our elections do not lack integrity. We consistently hear that in reports from the Electoral Commission and when our elections are observed from overseas. I am proud of our British democracy, and of the way we do elections in this

[Cat Smith]

country. I am confident that every Member of this House, whether I agree with them or whether we wear the same colour rosette at elections, and everyone who is sitting in this Committee Room was elected legitimately and got the most votes in their constituency. If any Member wishes to question whether they were legitimately elected to this House, I would be very happy to hear them say that they think they won unfairly.

**Kemi Badenoch:** I think the hon. Lady is confusing the purpose of the Bill. It is to protect the voter, not to ensure that our election results are kosher. I was elected with more than 25,000 votes. Anyone who was unable to vote lost their right. It would not have affected the legitimacy of my winning. The fact that she is saying that shows that she is still missing the point that many people lose their right to vote because another person has voted on their behalf. When I stood for election in 2010, I saw it happen at first hand. It is not reported, and a crime of deception is very difficult to see. She needs to acknowledge that point.

**Cat Smith:** I am a little confused by the Minister's intervention. That would be reported because the person would have a tendered ballot and that information would be available. The point is—we heard it during evidence—that this policy has been brought in for UK Parliament elections with large electorates and we did not hear one witness say they thought a major election had been swung by mass fraud.

On the example of referendums, I campaigned in the EU referendum for remain, but I do not question that leave won because it would be unthinkable to enact personation fraud on such a scale.

**Patrick Grady** (Glasgow North) (SNP): Is it not precisely the point that the EU referendum was not swung by a voter fraud of fake leave voters turning up and stuffing the ballot boxes, but by the voter fraud of telling people that there would be £350 million a week for the NHS, that food prices would go down and that the NHS would not be harmed—it was swung by the frauds that are now being proven as precisely that by the state this country is in?

**The Chair:** Order. Can we all calm down? It is getting very lively.

**Cat Smith:** Sorry, Sir Edward. We do get very lively when we are debating democracy and elections, and whether truths are told in referendum campaigns, but I will not stray into that territory with the hon. Member for Glasgow North.

Never in British history has an election been undermined due to mass fraud, so I find the idea of spending millions of pounds to fix a problem that barely exists to be an obscene use of taxpayers' money. I would like to see the Minister strengthen our democratic integrity by encouraging voter participation. Millions of people in this country are missing from the electoral roll. Regardless of whether they have the right voter ID, we do not have a process in this country of automatic electoral registration. We know fine well who is entitled to vote. We know huge amounts of detail from Department for Work and Pensions and Driver and Vehicle Licensing Agency

records, and we make no effort to use that information to bring in a system of automatic voter registration to ensure our electoral rolls are as accurate as possible so that people have no barriers to participating in democracy.

I love elections. I am a democrat and I absolutely think democracy is a brilliant system, but it pains me that millions of our fellow citizens are not registered correctly, and there is nothing in the Bill that makes it easier for that to be brought in any kind of automatic way or to use big Government data in other ways to encourage participation. There is nothing about how we could engage with groups with disproportionately lower voter turnout, such as young voters. There is nothing about investing in our young people or schools to encourage young people to take part in democracy. I am a big supporter of extending the franchise to 16 and 17-year-olds, but I will not stray too far into that because it is not part of clause 1.

There is so much that the Bill could have done to extend democracy and encourage more people to take part. Instead, it puts up expensive barriers that cost taxpayers money and make it harder for legitimate voters to participate in our elections. I feel disappointed because when the Elections Bill was mooted, I thought the Treasury Bench had finally heard my repeated calls about the Law Commission's report about solidifying our election law into a single cohesive piece of legislation that could modernise our democracy for the 21st century.

Instead, we get a Bill that is basically an attempt at voter suppression. It comes straight from the Trumpian Republican playbook from the US. Republican states are requiring photo ID at polling stations because they know it makes it easier for them to win elections. There is nothing in the Bill that says how accessing that voter ID will work. If we look to the US, we see that in some Republican states a gun licence is okay, but a student ID is not. I wonder what the political motivation for things such as that are. I would argue that the types of ID included in clause 1 of the Bill are totally—

**Alec Shelbrooke** (Elmet and Rothwell) (Con): On a point of order, Sir Edward. Does the Bill relate to the American election system?

**The Chair:** No, but I have heard nothing yet from the hon. Lady that is out of order. However, she has made her point. You can make a point powerfully; you do not have to keep repeating it. But she is in order so far.

**Cat Smith:** Thank you, Sir Edward.

Millions of people cannot afford the privilege of carrying photo ID. Passports and driving licences cost money, so I would argue that this measure is a paywall to democracy. In all, 3.5 million citizens, which is 7.5% of the electorate, do not have access to any form of ID. Also, in the Windrush scandal we saw how members of some communities can struggle to provide official documentation and the severe consequences that that can have; that was backed up by evidence that this Committee heard from witnesses.

It is incredibly disappointing that the Government have continued to plough on with photo ID plans, seemingly turning a blind eye to the millions of people who they appear to be disenfranchising. The simple truth is that instead of holding water, the Government's arguments in favour of photo ID contain more holes than a leaky sponge.

Today, we are considering clause 1, which—frankly—tarnishes our reputation as a leading democracy across the world. I make no apology for saying that it takes a leaf out of the Republican party playbook. So we will vote against it in the stand part debate.

**Alec Shelbrooke:** It is a pleasure to serve under your chairmanship, Sir Edward, and my—what a lively start we have got off to!

I intend to speak to the principle of the Bill, because we will come to amendments later. Despite my point of order, it is interesting that the American electoral system keeps being referred to, because it speaks to the wider issue of faith in elections. We have seen some disgraceful activity by the former President in America, which leads to an undermining of the basis of democracy.

There is no doubt that electoral fraud has taken place in this country, and I struggle to think of another crime that we would be willing to say we do not need to do anything about. I struggle to think of another crime where we say to the victims, “Well, it wasn’t many of you, so we’re not going to bother with it”. There is a very important principle about where we stand in this place.

**Brendan O’Hara:** The right hon. Gentleman seems to be saying that currently there is no law to stop electoral crime. Laws to stop electoral crime are in place at the moment and they seem to be working; as we have heard, Tower Hamlets and other elections have been refought. Does he accept that there are existing laws to tackle exactly what the Bill intends to tackle?

**Alec Shelbrooke:** I am most grateful to the hon. Gentleman for making that point, because, of course, Richard Mawrey said in his evidence that the threshold for proving in electoral law as it currently stands is too high to really get over the bar. By bringing in an extra set of checks and balances, we hopefully get away from the point that we would have to try to prove these cases to get over what is a very high electoral bar.

**Tom Randall:** Following up on the point about Tower Hamlets, is it not also worth noting that that election petition was brought by a small group of volunteers, working on a cross-party basis, who put up their own money and used their own time to investigate the issue in Tower Hamlets? If they had not done so, that entire piece of work would not have been done. That helps to demonstrate how difficult it is to get a petition such as that off the ground.

**Alec Shelbrooke:** I am most grateful to my hon. Friend for that intervention, because what we heard in evidence was that the financial threshold is exceptionally high for people to get over. We also heard in evidence that people did indeed risk their entire financial situation—they faced bankruptcy—to take that matter forward. There is an old phrase: criminal proceedings, or taking things to court, are free to everyone in this country just as everybody in this country is free to dine at the Ritz, but quite a lot of people are precluded when the bill arrives.

**Patrick Grady:** Will the right hon. Gentleman give way?

**Alec Shelbrooke:** I will give way to the hon. Gentleman, because I was about to come on to him.

**Patrick Grady:** The right hon. Gentleman was asking whether anyone could think of another crime in this country that people are just allowed to get away with. According to the House of Commons Library, the cost of tax evasion to the UK Exchequer in 2018-19 was £4.6 billion. When will this Government bring forward legislation to stop the vast amount of tax evasion going on in this country?

10.15 am

**Alec Shelbrooke:** The hon. Gentleman makes a very important point, which is why I am proud that this Government have closed the tax gap to the smallest in the G20—not least through the IR35 legislation that has just gone through, which is a very important piece of legislation. This Government have done more than any other to close that tax gap as much as they can.

However, the hon. Gentleman has almost proved my point about the importance of making sure that we have full faith in the electoral system, because he has once again basically said to the Committee that the referendum on EU membership was fraudulent because he did not agree with the political arguments that were made. There is a very fine line to be drawn here.

Politics is about disagreement—that is the strength of a democracy. I am not coming at this from a leaver’s point of view: I voted remain, and I made points in that election that were defeated in political argument. The referendum delivered a definite outcome, and it was then incumbent on this House to make sure that we delivered the outcome of that democratic referendum. We had another general election, which returned a Government who, despite not having a majority, had said that they were going to deliver that referendum result, and we then went through two and a half years of wrecking procedures in the House of Commons. I know, Sir Edward, that you will more than remember what happened over that period.

**The Chair:** Order. This is going very wide of the topic.

**Alec Shelbrooke:** The point I am making, drawing on the comments that have been made, is about faith in the electoral system, and this clause creates those levels of faith. It is all very well trying denial and complacency about where we are today, but we have to accept that we now have a mass media system in the world that makes it very easy for conspiracy theories to grow and be built very quickly. We must be in a position to ensure that our elections are deemed to be as safe and secure as possible.

I was disappointed on Second Reading that, when I intervened and asked Members about the recommendations of the Organisation for Security and Co-operation in Europe, those recommendations were pretty much dismissed out of hand. It was argued that they did not apply in this country, but the OSCE has made it clear in its reports that the security of our elections cannot be guaranteed without voter ID, and that is a very important point.

Those who have done election monitoring will know that many countries in the G20, let alone the G7, ask for voter ID, and I fear that we are in a period of history where democracy—which is a precious thing, and must always be developed and worked on—is under threat from those who refuse to accept election results. I am basing those comments more on what has happened in

[Alec Shelbrooke]

the United States than what has happened in this country, but what happened there is pervasive because of mass media. This Bill is trying to ensure that the perception of the security of elections, which is a very important thing, is clear in people's minds.

From the very beginning, there has been entrenched opposition to the idea of voter ID. The hon. Member for Lancaster and Fleetwood—who I have a great deal of respect for, as she knows, and I enjoy serving on these Committees with her—talked about cuts to local government funding, but my council, Leeds City Council, is spending £10 million on the European city of culture campaign. The council bid for it before the referendum, then we left, so it is not getting the money and it is spending £10 million on it. It cannot say that it is being starved of funds when it is spending £10 million on something that is pretty irrelevant and certainly creates some lively debate in my home city.

When we come to debate the voting age—I know that we are not discussing that now—there will be some very important points to make about how the UN defines who is a child by saying that anybody under the age of 18 cannot fight on the frontline. Again, it appears that we are dismissing international bodies to suit the argument that is being made on the day.

I end my remarks by simply saying that this clause is a very important part of the Bill, ensuring that people have faith in our electoral system and that we do not allow a growth in voter fraud. We heard in evidence that bringing cases of voter fraud to court involves meeting an exceptionally high bar and that the financial constraints mean that people are not willing to bring those cases forward, so we cannot close our eyes and say that voter fraud is not happening because it is not getting to the courtroom. The proposals in the Bill go a long way to making people feel that when they cast their ballot, they have an equal say in those ballots, compared with people who may want to act criminally.

**Brendan O'Hara:** I always suspected throughout the passage of the Bill, whether on Second Reading or in our evidence sessions, that there was absolutely no evidence that voter ID cards would address an identified problem. In the evidence that we heard in four sessions over two days, not even the Government's star witness said that personation was a sufficiently big issue to make voter ID cards essential to tackling it. Overwhelmingly, every single person who spoke to us about the subject said that the issue that needs addressing is postal vote fraud.

**Paul Bristow:** Perhaps the hon. Gentleman was not paying attention to Councillor Peter Golds during the evidence session, who turned around and said on a number of occasions that personation was a relevant thing in Tower Hamlets. Was the hon. Gentleman asleep during that evidence?

**Brendan O'Hara:** I assure the hon. Gentleman that I was not asleep; perhaps he should temper his language somewhat. I suggest he reads Councillor Golds's evidence, which I will come to in a moment. He talked in such great detail about postal vote fraud: it was the biggest issue in Councillor Golds's extremely detailed and voluminous file. In fact, he was reduced to anecdotal

evidence about personation and a gentleman with large feet and red shoes. That is the nub of where he was. Every person and even the Government's star witness, as I would class Councillor Golds, was unable to give any evidence that personation at polling stations was a major problem.

**Aaron Bell:** The hon. Gentleman dealt with Peter Golds there, but what about the case in Peterborough? Surely the requirement to introduce CCTV that Gillian Beasley told us about says it is not an anecdotal problem. It is a real problem. That step has had to be taken in Peterborough for deterrence. The Bill enables deterrence without the expense of CCTV.

**Brendan O'Hara:** Again, I will not use the language that the hon. Member for Peterborough used, but read the evidence. Gillian Beasley said that

"we have seen less personation"—[*Official Report, Elections Public Bill Committee*, 15 September 2021; c. 21, Q23.]

in recent years; she followed that up by saying that postal voting is her concern. The Government are looking in the wrong place and they know that. They are doing it for reasons about which one can only speculate.

**Jerome Mayhew:** There is one clause in the Bill on voter ID and there are five clauses on postal votes, so it is not right to say that the Government are looking at the wrong place. The Government are addressing all the issues with our voting system.

**Brendan O'Hara:** Again, it came out from the evidence session that postal vote fraud is the major issue and that is what is concerning the vast majority—if not all—of our witnesses.

**Jerome Mayhew:** I am grateful for the second opportunity to address this. We heard from Mr Mawrey QC, who is also an election judge. In his judgment in the Birmingham cases, which I referred to during the evidence session, he said that

"there is likely to be no evidence of fraud if you do not look for it."

The whole point is that we need to look for it.

**Brendan O'Hara:** With all due respect to the hon. Gentleman, if a Government ignore the problem in front of their nose and then run about trying to find evidence of a problem when there is no evidence that that problem exists, I suggest they are wasting their time. The problem to be addressed is around postal voting. Richard Mawrey said that Birmingham, Slough and Woking were all cases that involved postal vote fraud; voter ID was "neither here nor there."

**Chris Clarkson:** The hon. Gentleman says that the Government are wasting their time looking for something of which there is no evidence, but he also says that it is a waste of time to look for evidence of it. Would he clarify his position?

**Brendan O'Hara:** I absolutely will. My position is that there is no evidence whatsoever. Policy must be made on the basis of evidence. We have a limited time in

this House in which to act and legislate. It is a waste of that precious time, I believe, for a Government to run around looking to create a problem to find a solution for. We should address the problems that we know exist, and those problems that have to be attacked.

Even Lord Pickles, in his evidence, said:

“I did not recommend photo ID”.—[*Official Report, Elections Public Bill Committee*, 15 September 2021; c. 16, Q13.]

He also said that fraud

“is not endemic within the system”,—[*Official Report, Elections Public Bill Committee*, 15 September 2021; c. 8, Q5.]

However, somehow, Lord Pickles has now embraced this voter ID card with the zeal of a convert. It is further evidence of a Government with a solution looking for a problem.

Councillor Golds gave chapter and verse on the problems of postal voting in Tower Hamlets, and he was extremely convincing. Fair play to Peter Golds and the people who he has been working with—they have identified a serious problem—but to try to segue that into pretending that ID cards at polling stations will somehow solve what we saw at Tower Hamlets is frankly nonsense. It is not there.

**Tom Randall:** Will the hon. Gentleman give way?

**Brendan O’Hara:** I will in a moment. Ailsa Irvine, of the Electoral Commission, admitted that

“we are starting from a high base of public confidence.”—[*Official Report, Elections Public Bill Committee*, 15 September 2021; c. 46, Q64.]

There is confidence in this system—that the system works and is sufficiently robust.

**Peter Gibson:** Will the hon. Gentleman give way?

**Brendan O’Hara:** I will in a moment. There is nothing perfect. There is no way on earth that we can stop every sort of crime, but this Government and this Committee should concentrate on identified problems, rather than seeking to find problems and then provide a solution as they see fit. Now, there were two hon. Gentlemen bobbing.

**Tom Randall:** Just briefly, on Councillor Golds’ evidence, he did make reference to the Jehovah’s Witnesses who had been marked as having voted on the register in the polling station when, of course, they would not have done. I appreciate that it was anecdotal evidence, but does that not go to the heart of how difficult it for someone to realise that they are a victim of electoral fraud? If a non-voter was a victim of personation, they would not go to look for it.

**Brendan O’Hara:** Nobody on this side of the room is saying that electoral fraud should not be punished. It absolutely should be punished. It should not be tolerated and should never be tolerated. Any victim of it deserves justice. However, that must be evidence-led and proportionate. This is neither.

**Alec Shelbrooke:** Will the hon. Gentleman give way?

**Brendan O’Hara:** I will come to the right hon. Gentleman in a moment.

**Peter Gibson:** I am incredibly grateful to the hon. Gentleman for giving way. I wish to provide clarity, in respect of the report by Lord Pickles. I have a copy in front of me. Recommendation No. 8 states:

“The Government should consider the options for electors to have to produce personal identification before voting at polling stations. There is no need to be over elaborate; measures should enhance public confidence and be proportional. A driving licence, passport or utility bills would not seem unreasonable to establish identity. The Government may wish to pilot different methods. But the present system is unsatisfactory; perfection must not get in the way of a practical solution.”

**Brendan O’Hara:** The hon. Gentleman is making my point for me. He did not recommend ID cards. He did not. If he mentioned taking a utility bill, he is not talking about registering for and receiving a voter ID card. As he said, he did not recommend it. In the first bit of evidence, Lord Pickles says he did not recommend voter ID cards.

**Alec Shelbrooke:** The hon. Gentleman has made the point, quite rightly, that there is electoral law in place that can be used to prosecute fraud, but we heard in evidence that there is a very high bar for people, not least financially. Prevention is better than prosecution. Preventing electoral fraud from happening in the first place is surely better than trying to prove it has happened and prosecuting.

10.30 am

**Brendan O’Hara:** At the risk of repeating myself, nobody is saying that we should not root out electoral fraud and that it should not be punished to the full extent of the law, but this Bill, and particularly voter ID cards, will not solve it. If there were a Bill in front of us that said, “We will beef up the Electoral Commission. We will give the police more powers of prosecution. We will allow greater transparency in how we find and prosecute people who are cheating the system,” it would have unanimous support, but the Government are trying to pretend that the introduction of voter ID cards will stop this, and that is simply not the case.

**Fleur Anderson (Putney) (Lab):** Does the hon. Gentleman agree that there are different types of prevention of electoral fraud? One was outlined in the evidence from Peterborough. The witnesses said they could put up CCTV cameras, which would cost them nothing because they would borrow them from the police. That is a much more proportionate measure to prevent fraud, and there would not be the risk that it would stop people and put up a barrier to voting.

**Brendan O’Hara:** I could not agree more. We do not support ID cards, but that does not mean we are turning a blind eye to electoral fraud. There are proportionate ways of preventing it. This is not even a way of stopping it. We are not even saying that this is the wrong way to stop electoral fraud; this is nothing. This will achieve virtually nothing.

**Cat Smith:** The hon. Gentleman is drawing on the evidence of Lord Pickles, who did not say that photo ID cards should be required to prove identity; he also included utility bills. The forms of ID listed in this Bill are very limited. When international examples are given

[Cat Smith]

of where ID cards are shown, they are often from countries that have a national ID card, so does the hon. Gentleman share my concern that this may be a back-door way of bringing in an ID card, which I am sure many Government Members would wring their hands at? The Prime Minister himself said that he would eat it if he was ever asked for it. Should the Government not be a bit more up front about their real reasons?

**Brendan O'Hara:** There is an argument to be had about what the hon. Lady says about the introduction of ID cards. Perhaps the plan is to introduce ID cards via the back door.

The right hon. Member for Elmet and Rothwell spoke about the OSCE report. As I said on Second Reading, if we were inventing an entirely new system from scratch—if democracy was invented tomorrow in the UK—there would be an argument to be had and we could bat back and forth whether to do it, but to impose ID cards on to the system that we have at this stage, with all the democratic history that we have, smacks of something other than what we are being told it is for.

The politics of this is interesting. Rob Connelly, the returning officer from Birmingham, got to the nub of the political argument we are hearing when he said:

"I asked a senior politician... what evidence he had of personation, and his response was, 'I haven't actually got any, but I just know it goes on.'"—[*Official Report, Elections Public Bill Committee*, 15 September 2021; c. 55, Q82.]

That sums up the argument that we heard on Second Reading and in Committee this morning. There is no evidence—it is a hunch—and policy cannot be made without evidence. There is no evidence of this. Politicians believe it happens, and therefore we must go and do something about it. We gather the experts—the great and the good—and they tell us that it is minimal and inconsequential: it is neither here nor there. However, the Government decide to plough on regardless of the evidence.

Gavin Millar supported Rob Connolly when he said:

"It is not a problem of any great consequence in our system."—[*Official Report, Elections Public Bill Committee*, 16 September 2021; c. 108, Q165.]

He explained that it is actually the most inefficient way to indulge in electoral fraud. The risks are enormous, the chances of detection are much greater and it is such a tiny margin that it will make no difference. The Government are looking in the wrong place, and they are pursuing it on a hunch. He was right to say that the Government should focus on registration instead of voter ID cards.

**Cat Smith:** The hon. Gentleman is making a point about following the evidence, but should the Government not also follow what is going on in the courts? Is he aware of the case in Braintree, where there was a voter ID trial, of Neil Coughlan, who had no voter ID? The Supreme Court is due to hear that case next year. The Committee might end up legislating on the matter before hearing what could be quite a useful verdict from the courts about the way in which the policy disenfranchises voters.

**Brendan O'Hara:** I thank the hon. Lady for making that point. I was unaware of that case, but it does seem to suggest that we are getting ahead of ourselves somewhat.

Moving on, what is the point of an evidence session if we are going to ignore the evidence? I refer the Conservative members of the Committee to the words of Baroness Davidson on voter ID—perhaps the only time her words were wise. I will not repeat what I said on Second Reading; it is there for all to see if they wish to go back and find it. Suffice to say, Baroness Davidson was correct in her assessment of voter ID cards in May, and she is correct today.

**Alec Shelbrooke:** The hon. Gentleman seems to have a slight contradiction in his opinion. He said that there was minimal voter fraud and that we should take no notice of it. He has picked on one Conservative politician out of hundreds and used that as an argument.

**Brendan O'Hara:** I rise slowly to my feet, because I have no idea what the right hon. Gentleman is talking about. I will sit down as slowly as I rose if he wants to make that point again.

**Alec Shelbrooke:** I am merely making the point that to dismiss one argument because there are not lots of people coming forward with an allegation, to then pick on one person out of hundreds of Conservatives and say, "Therefore, this is why we should not do it," seems slightly at odds with the balance of the argument.

**Brendan O'Hara:** Absolutely not. The idea that I would take any political lead from an unelected baroness is utter nonsense. I simply used her as an illustration of the deep divisions in the Conservative party.

**Cat Smith:** In the intervention the hon. Gentleman took, he was accused of using as evidence one Conservative politician. Have the Conservative members of the Committee not just taken the example of one Labour constituency party in Tower Hamlets, when there are 650 constituencies?

**Brendan O'Hara:** A good point well made. What was striking about the evidence session was that Conservative Members were reduced to asking the witnesses leading questions. If it had been a court, the judge would have slapped them down almost immediately. It was reduced to, "Motherhood and apple pie is good. Do you agree?" and "Yes, we do." It was nonsense. The evidence session showed that voter ID cards are a priority for nobody but this Government.

Almost all the witnesses referred to the need to tighten up postal votes. That was summed up by Gavin Millar, who said that is

"hugely inefficient compared with other forms of fraud that have been perpetrated, particularly since postal voting on demand"—[*Official Report, Elections Public Bill Committee*, 16 September 2021; c. 108, Q165.]

The Government are looking in the wrong place. There is no evidence that personation is widespread; that is based purely on anecdote. I went into the evidence sessions believing that the measure was a solution seeking a problem; I came out of them absolutely convinced of it. We will support the Labour party when the Committee divides.

**The Chair:** Before I call the next speaker, it is not in order to be tediously repetitious. The debate is proceeding extremely slowly. On the lack of evidence and on other

points, if I have heard it once, I have heard 100 times. Try to keep speeches to the point and pertinent to clause 1. I call Aaron Bell.

**Aaron Bell:** I will endeavour to follow your strictures, Sir Edward. It is a pleasure to serve under your chairmanship and to follow the hon. Member for Argyll and Bute. It is also a pleasure to welcome new Committee members, not least the Minister in her new role.

The hon. Member for Argyll and Bute said that the Bill is a solution in search of a problem and that we are looking in the wrong place. The Government are looking everywhere; that is what the Bill is doing. We are looking not only at the issues that he raised about postal voting fraud, but everywhere, including in areas where we know that, because personation is, by definition, a covert activity, the problem is far greater than we can possibly expect to see from the numbers reported.

Indeed, as Richard Mawrey said in evidence, the cases that he has tried are undoubtedly the “tip of the iceberg”. That is why the clause is so important. We all strive to get more people to participate, and we all go out and knock on doors to encourage people who have never voted before to vote—ideally, for us—but although participation is important, integrity and confidence are absolutely paramount as well. The constant fearmongering about participation is in marked contrast to the denial of the existing issue of people’s confidence.

I will briefly address the point about America. I know the Bill is not about America, but since it was mentioned by the hon. Member for Lancaster and Fleetwood, I draw the Committee’s attention to a May 2021 academic paper by Cantoni and Pons, published in the *Quarterly Journal of Economics*. I will not elaborate too much, but the title is, “Strict ID Laws Don’t Stop Voters”. They analysed different laws introduced in US different states, and found that

“the laws have no negative effect on registration or turnout, overall or for any group defined by race, gender, age, or party affiliation.”

I completely endorse what my right hon. Friend the Member for Elmet and Rothwell said about Trump: acceptance of the result is a completely different issue from the security of the ballot. However, trying to make out that we are following some American Trump-style approach misses the point and completely misleads the public about what we are proposing. We are proposing a proportionate measure to safeguard the system and address the vulnerability that the Electoral Commission itself has identified. Ailsa Irvine said that “there is a vulnerability” in the system—that is what is being identified.

We have talked about how personation is a covert activity, and that is what the clause is for. In the light of the evidence from Tower Hamlets, from Peterborough and from around the country, it should not come to the point of having to install CCTV, and, as my hon. Friend the Member for Gedling said, brave individuals should not have to put their own money on the line, and not get it back, to deal with such cases.

On the pilot data, which was mentioned, the estimate by the Electoral Reform Society, which we should acknowledge is a political lobbying group, were exaggerated and inaccurate. The data from returning officers across all five participating local authorities showed that 340 electors were asked to return with the correct identification and did not subsequently return. Not all 340 people may have been legitimate electors, as my

hon. Friend the Member for Heywood and Middleton pointed out, but the 340 figure represents 0.16% of the votes cast, and the experience in Northern Ireland shows that that will fall as people get used to the system.

We cannot argue, as the Opposition have, that because we have big majorities in this place we do not need voter ID, and then say that voter participation is so crucial that one person’s vote makes a difference. What matters is the overall integrity of the system, and the way to deliver that is everywhere: in the postal vote system, in the proxy vote system and on polling day.

10.45 am

Two thirds of electors will be more confident, as the Electoral Commission states, if we had some sort of identification requirement. Electors in Northern Ireland are already more confident in their elections than those in the UK because they have that system in place. The police themselves said to me that they would be able to operate polling day far more smoothly if we had the measures in this Bill around voter ID and undue influence.

For all those reasons, I support the whole Bill, but particularly this clause because it addresses a real problem. That problem has been minimised by the Opposition simply because it is a covert activity on which we do not necessarily have the data in terms of cases, but we know that there are so many; we heard that quite clearly in the evidence given.

**Tom Randall:** May I also welcome the Minister to her place. Given that time is short, I shall be brief and make four further points, two of which relate to the evidence.

I would like to recommend some additional reading to the Committee, if they have not read it, which is a report prepared for the Electoral Commission in January 2015 entitled “Understanding electoral fraud vulnerability in Pakistani and Bangladeshi origin communities in England: A view of local political activists”. The report was prepared by Maria Sobolewska, Eleanor Hill and Magda Borkowska of the University of Manchester and Stuart Wilks-Heeg of the University of Liverpool. Neither of those universities nor the Electoral Commission could be accused of being Tory shills.

The authors make some interesting points going into the detail of this problem, including on the question of personation that has been raised a number of times today. They spoke to witnesses and acknowledge that the risk of personation was thought to be significant, with vulnerabilities identified, given the habit that people have of asking others to cast a vote on their behalf and the complex naming systems used in those communities.

The report acknowledges that there must be a trade-off between accessibility to the electoral system and electoral integrity. That notwithstanding, one of a series of recommendations in the report is that some form of voter identification should be introduced. I do recommend that as additional reading.

To return to the point raised at the beginning by the hon. Member for Lancaster and Fleetwood, I agree with her when she talks about being proud of our electoral system and its integrity. The Victorians gave us the secret ballot. While the idea that as a Briton I can walk into a polling station, simply proclaim who I am and then be given my vote—which is my right—is something that I approve of, it perhaps speaks to the system that the hon. Lady would like to exist rather than the system that actually exists.

**Cat Smith:** I thank the hon. Gentleman for giving way, because he is talking about rights and I think we both agree that there is something fundamental about that. We are both proud of our British democracy and we are both proud of that right that citizens have to cast a secret ballot, brought to us by the Victorians. On the issue of rights, the Government ran pilots on the voter ID trials, and the Equality and Human Rights Commission warned that if voters became disenfranchised as a result of particularly restrictive requirements, it could violate article 1 of protocol No. 1 to the European convention on human rights, which was incorporated into domestic law in the Human Rights Act 1998.

Given the representations to the Committee, particularly the evidence from Gavin Millar, who said that there would inevitably be challenges to voter ID as incompatible with the European convention on human rights if the Bill was introduced as it currently stands, does the hon. Gentleman share my concern that, proud as we are of our British democracy and human rights, there is a potential threat here that the Government should be taking more seriously, so they should be looking into expanding the list of relevant ID?

**Tom Randall:** That relates to the fourth point that I had planned to make. The hon. Lady also made remarks about these measures being Trumpian in nature, looking to voter suppression in the United States. However, she voted remain, and I know that our colleagues in the Scottish National party want Scotland to be an independent country at the heart of Europe. There are countries like Germany, the Netherlands, France and Italy that do require voter ID at polling stations. I am uncertain—

**Cat Smith** *rose*—

**Tom Randall:** If I might just finish this point. I am uncertain as to how a measure that is commonplace on the continent will be a violation of the European convention on human rights. I suggest that, as good Europeans, we should support this measure.

**Cat Smith:** I am glad that the hon. Gentleman has moved on to the point about European comparisons because the countries that he referred to have national ID cards that are given out free by the state, and people are used to presenting them to access all kinds of things. In this country we do not have ID cards, we are not asked to produce ID cards, and I am pleased that that is the case. That is part of what makes us British. Does he not agree with me that the voter ID law threatens that proud British tradition? On the examples that he gives of states with ID cards, is that a potential back-door way of bringing in ID cards, and would he support that?

**Tom Randall:** An electoral card will be issued free of charge. I am sure that between the passage of this legislation and the introduction of that scheme there will be a lot of publicity surrounding it, to make sure that the new system that is to be introduced will be well understood. The Government are used to widespread publicity schemes. I see the point that the hon. Lady makes, but I am sure that can be addressed in the fullness of time.

The point was made that no significant election has been swung or affected by electoral fraud. I gently suggest that the London Borough of Tower Hamlets, a London authority only 18 minutes from here on the

tube, which has a directly elected Mayor and a multi-million-pound budget, is not insignificant when it comes to elections—it is very significant.

For my final point, I declare an interest as a former chairman of Poplar and Limehouse Conservative Association. I know Councillor Golds personally. I speak to him as a friend as well as a witness to this Committee, and he made a point to me in writing afterwards. I will read the email from him, which stated:

“When we were preparing the grounds for the petition we investigated personation. We were a small, cross party group acting voluntarily and at our own expense. I was doing most of the legal digging and the amount of time required to prove personation would have been enormous. We had evidence via marked registers but quickly found canvassing and potentially obtaining statements would have been incredibly time consuming. People who are disengaged from politics and voting are unlikely to wish to make statements for submission to a court of law. We did refer to some of the worst cases in various statements but personation...was not one of the nine grounds that we concentrated on.”

Tower Hamlets has come up a lot in this debate so far. The absence of personation as the main ground in that case should not be interpreted as meaning that there was no personation in that election. The point is that investigating it is incredibly difficult. The fact that it was volunteers working on it, who stumped up their own money, which they have not got back, is perhaps one reason why that ground in that claim was not gone into in such detail.

**Brendan O’Hara:** Does not the hon. Gentleman think that it would have been helpful in his lengthy evidence session if Peter Golds had actually said that to the Committee, rather than saying it as an afterthought in a private letter? That is surely the whole point of holding an evidence session.

**Tom Randall:** I wish Councillor Golds had had a whole evidence session to himself, but unfortunately he had to share one and we had to listen to other witnesses, which I shall not go into now, but I think that was an unfortunate timetabling measure.

There is a fundamental weakness in the system as it stands. For that reason I will support this part of the Bill.

**Patrick Grady:** It is always a pleasure to serve under your chairmanship, Sir Edward. I echo the welcomes to the Minister and Members who have joined the Committee.

The phrase “voter ID is a solution in search of a problem” has been heard several times since the start of the Second Reading debate. That is a quote that my hon. Friend the Member for Argyll and Bute did not want to explicitly attribute to Baroness Davidson, who was once the coming thing in the Tory party. She was going to be the leader or a Minister. She was going to save them all and save the Union. Now that those future leaders of the Conservative party, the 2019 red-wallers, are here arrayed in front of us, demonstrating to the Whips, the Minister and everyone else their value, I am sure they will not be overlooked quite as much in the next reshuffle.

The previous Minister on the Committee made the pertinent point that we must be careful about the use of the word “disenfranchisement”. To disenfranchise someone is to actively take their vote away; where once they were previously eligible to vote, they are now no longer



eligible. They made the point that we must be very careful about casually suggesting that voter suppression, which I will get on to later, is the same as disenfranchisement—which is fair enough. However, that also means that we must be quite careful when we use other terms—terms such as “voter fraud”, which has been bandied about on the other side of the House in reference to a whole range of electoral malpractices, some of which we heard about in the evidence sessions. In fact, voter fraud specifically refers to personation and the casting of the ballot.

As has been quoted back several times from the Committee session with Richard Mawrey:

“In Tower Hamlets, as I said, they virtually ticked every box of electoral offence. But for my being rather kind-hearted, they would have ticked the intimidation box as well—they ticked them all. Voter fraud played a very small part, funnily enough.”—[*Official Report, Elections Public Bill Committee*, 15 September 2021; c. 14, Q13.]

That is the point about personation. It is a point that has been made repeatedly by hon. Members from Opposition parties, and that has not been challenged or proven false by Conservative Members. My hon. Friend the Member for Argyll and Bute quoted another witness as saying that personation was an incredibly inefficient way of swinging an election and making oneself the victor. It carries with it an extremely high risk; someone only needs to do it once to be tapped on the shoulder and kicked out of the election campaign and into jail.

**Chris Clarkson:** Would the hon. Gentleman agree with me that, technical merits of personation aside, any one instance of personation is a negative input into our democratic process? Anybody stealing a vote, misusing a vote or representing themselves as somebody else should be a cause for concern.

**Patrick Grady:** Absolutely. However, we have repeatedly heard, throughout all the evidence sessions and debates, that when personation has been identified it has been called out and punished, the perpetrators have been brought to justice and, if necessary, candidates have been disqualified and election results overturned. What would swing elections is disincentivising turnout—making it more difficult for marginalised voters to turn out, particularly in marginal constituencies, and putting up barriers to electoral participation. That is exactly what voter identification will do. There have been disputes about how many people do or do not have adequate voter ID, as required under the terms of the Bill, but even the most conservative figure—with a small c and capital C—is that there are at least 2 million people across the United Kingdom without adequate voter ID. At an average, I think that works out at around 3,000 per constituency. There are plenty of us Members sitting on majorities of considerably less than that. It is clear to see the difference that could be made if suddenly those people were unable to cast their votes.

The Minister said right at the start that everybody who wants to vote will have the opportunity to do so. That is just a simple statement of fact. That is the case now; everybody who is currently eligible and wants to vote has the opportunity to do so when an election comes around. What will happen with this Bill is that barriers will be put in their way. What if someone turns up at quarter to 10, on a wet Thursday night, and it turns out they have left their voter ID at home? What if

their passport has expired—will that be valid? What if they have recently got married and their surname has changed—what happens in that situation? There are all kinds of barriers that have nothing to do with anyone’s background or minority status.

**Cat Smith:** I was about to raise the issue of women who marry and need to change their surname on IDs and other documents. However, the hon. Gentleman has triggered in my mind another thought. Kate Robson, who works for me, left the purse containing all her ID documents on the bus. If that had happened on polling day, she would not have applied for the free voter ID as she had a driving licence in her purse—but that purse had been left on the bus. As it happened, all ended well and she was reunited with that document, but it shows that it is not just those who do not have photo ID who would be disenfranchised; so too would those of us who mislay documents. I am sure that all of us in this room are very organised, but people who mislay documents do exist, and they might only remember that it is polling day on their way home from the gym at 9 o’clock, when they will not have time to go back for their ID. A greater number of people will be disenfranchised than just that percentage who do not have ID.

**Patrick Grady:** Absolutely. It will put up barriers and make that democratic participation more difficult and more challenging.

11 am

**Tom Randall:** On a small point of clarification, under proposed new paragraph (1H), “specified documents” include documents

“regardless of any expiry date”,

so the expired passport would be valid.

**Patrick Grady:** That is incredibly helpful. People across the country with expired passports will be breathing a sigh of relief, unlike the people across the country who, for whatever reason, do not have passports or who, for all kinds of reasons, find it difficult to make that approach.

We have heard about the pressure that there will be on electoral administrators to deal with the inevitable surge in applications. We have heard about some of the accessibility challenges that will be faced by people with different kinds of impairments when applying for photo documentation. There are all those kinds of barriers. Nobody is questioning the agency or ability of minority communities to apply for voter identification; the point is that many people are already disproportionately without existing forms of voter identification and so are already disincentivised from taking part in the democratic system.

**Cat Smith:** I thank the hon. Gentleman for being so generous with his time. I feel moved to mention that my grandfather, who sadly is no longer with us, did not have any form of photo ID because he was illiterate. The idea of having to approach the local council and fill in a form in order to get an ID document—he just would have stopped voting. There is a group of electors that we have not talked about so far, either in evidence or in Committee this morning—those constituents that we represent who would be filled with dread by the idea of approaching the council and being asked to fill in a form. They will do that only if it is absolutely essential

[Cat Smith]

to their survival. The reality is that my grandad would not have applied for a voter ID card because he would have been too embarrassed to go to the council and confess that he was illiterate.

**Patrick Grady:** The hon. Member is absolutely right. Precisely those concerns have been raised by Age UK, which quotes the Cabinet Office's own research as showing that

"2% of people aged over 70, equivalent to 180,000 older people in Great Britain, do not hold any of the forms of identification that the Bill proposes would be accepted when voting...Having to present photographic identification at the polling station would 'make voting difficult' for 6% of people over 70, or around half a million people living in Great Britain...4% of people aged over 70...less likely to vote...These figures are likely to be underestimated as the Cabinet Office's funded research did not include a representative sample of older people in Great Britain."

A whole range of minority and segregated groups in society will be affected by this.

**Chris Clarkson:** Just to expand on that point, would the hon. Gentleman say that having to present a vaccine passport in order to use goods and services, for example, would present a barrier to people engaging in the economy?

**The Chair:** Order. We are not discussing vaccine passports. Let us remain focused on the Bill.

**Patrick Grady:** Thank you, Sir Edward. I think there is a slight difference between someone voluntarily taking part in different parts of the economy and someone exercising their fundamental right to vote. The Prime Minister himself has not ruled out vaccination certification, so we will wait to hear what those on the Government side of the House have to say about that a couple of weeks down the line.

The point that the hon. Member for Heywood and Middleton touched on there is the divergence across these islands. He is perfectly entitled to make that point. It is interesting, because in the devolved areas, rather than making it more difficult for people to vote, we have been making it easier to vote and more proportionate. We will get on to more of this later in the Bill, but in Scotland the franchise has been extended to 16 and 17-year-olds, to all EU nationals with settled status and to refugees, and nobody is being asked to turn up with voter identification in the devolved areas. We will have people on increasingly different franchises—[*Interruption.*] I am glad this is of such interest to Government Members, because they are supposed to be defenders of the Union, and they want to keep this glorious country, as they see it, together and keep us in a United Kingdom. Actually, what they are doing is increasing divergence and showing that Scotland and Wales can adopt a far more liberal, all-encompassing and participative approach to democracy. Here it is being made more difficult and increasingly narrow. That is a challenge for people who want to protect the Union.

**Brendan O'Hara:** Scotland extended the franchise to the groups that my hon. Friend mentioned, but one that he did not mention was people in prison with 12 months or less to go on their sentence. Would I be correct in saying that, by extending the franchise, Scotland achieved its higher ever turnout at the elections in May and

ensured that people have faith? It is not just about creating rules; it is about creating faith in the system. The Government do not have to go down this draconian ID card route to create faith in the system; they just need people to believe that what they elect is what they get, and Scotland is doing that.

**Patrick Grady:** My hon. Friend is absolutely right. Compare that to the "Oh no, here we go again" response to the sequence of snap elections and uncalled for and unprepared for ballots that have happened in the UK in recent years, because of the utter chaos and incompetence shown by the Conservatives.

My hon. Friend brings me on to my next point, which the Labour spokesperson touched on. We as elected politicians are not impassive observers, as perhaps parliamentarians can be on other aspects of legislation, where we can take an objective view. All of us have an active interest in who elects us and how we get elected. I join the hon. Member for Lancaster and Fleetwood in paying tribute to election administration staff in councils up and down the country—later in the Bill we will talk about the role of the Electoral Commission and who gets to mark our own homework. If it has been tough south of the border, it has been even more so north of the border, where there has been another referendum, local elections and the devolved Parliament elections, on top of all the UK-wide ballots and plebiscites that have had to be administered.

I also pay tribute to our party activists and volunteers, as I am sure everybody in this room will—perhaps we can get one point of consensus. They are in many ways the backbone of the electoral process and political engagement of this country. They are the people who stand outside the polling stations in the pouring rain and the blazing sun—sometimes in Scotland that can be within the same 10 or 15 minutes. We can have all four seasons in one day or even just a couple of hours—that is certainly true of the last couple of elections we have had. These people play an incredibly important role. If there was widespread personation, with people turning up in dodgy rain jackets, funny moustaches and thick eyeglasses to repeatedly impersonate other voters, it would kind of be noticed. That is the point of having the system we do.

We have polling agents, counting agents and voluntary observers. That is a hugely important part of trust in the system. It happens at counts as well, when we watch how the ballot papers come out and how they are sorted and so on. We have heard examples of electoral malpractice and intimidation outside polling stations. Exactly: we know about it because it has been witnessed and reported. It has been covered on the news, because it makes for a bit of drama if people are shouting at each other outside a polling station—the cameras like to go and see that. It should not happen, and that is why people have been punished for it.

**Cat Smith:** Another thing that has been observed outside polling stations in recent elections is really long queues of people turning up just before 10 pm. They are allowed to vote if they are in the queue before 10 pm. If people also have to show ID and have it verified by the polling card, what does the hon. Gentleman think that could do to the queues outside polling stations? How does he think that might incentivise people to actually turn out and vote?

**Patrick Grady:** There is a bit of a challenge. People do get put off by long queues. Under social distancing in Scotland, the queues were even longer and it was taking even longer to vote. I commend people who are prepared to wait, but imagine the frustration of someone who has waited all that time in a queue and then finds out that they do not have a valid ID, or they thought it was in their pocket, but it turns out it was not, and there is no provision to even cast a provisional ballot, which we may get on to later.

The system that exists just now, pre this Bill, is the system that got us elected. There is a real danger that what is going on here is undermining the confidence in that system. If confidence in the system is undermined, people will simply not turn out at all, irrespective of whether they have a voter identification. They will sit on their hands and say, “You’re all the same—a plague on all your houses! My vote doesn’t make a difference,” and they will not turn out at all.

**Fleur Anderson:** I agree with the hon. Gentleman’s concern that this is a disproportionate Bill and that it will stop people turning out—they will just sit on their hands. We will not know whether they have gone or not. From the research we have on the pilots, there was an indication of a real disparity between different areas, age groups and other groups in terms of the inclination, or disinclination, even to go and vote. For example, in Woking nearly all electors said it would be easy to access ID and they would trundle down with it easily, but in Pendle only seven in 10 people said it would be easy to access. For non-voters, only 88% of people said they would find it easy; for those who vote, it is 95%. That is a real disparity. White electors were more likely than BME electors to think it would be easy to find identification for future elections, by 92% to 87%—another huge disparity. Younger electors, too, were less likely to say they would find it easy to access identification for future elections: 84% for 18 to 34-year-olds, compared with 93% for 35 to 54-year-olds. As a mum of adult children who should be allowed to vote but often cannot find their ID, I agree with the differences there are between different parts of the electorate.

**Patrick Grady:** The hon. Lady is absolutely right, and it is interesting that we have not heard more about the detail of those pilots from the Government. They were their own pilots—it was the Government who ran them. They seem happy to pick up evidence of electoral malpractice in any areas that cause them concern, but less interested in picking up the outcomes from the pilots that they themselves commissioned.

As the hon. Lady mentioned some of the disparities in terms of voting ID, I will pay tribute to Maurice Mcleod, who gave very impressive evidence to the Committee under the most sustained and pressured questioning of any of the witnesses we heard from. He said, and he was quoting the Government’s own data, that

“while 76% of white people hold a form of relevant photo ID, such as a driver’s license or a passport, when it comes to black people, about half do: 47% do not hold one of those forms of ID.”—[*Official Report, Elections Public Bill Committee*, 16 September 2021; c. 89, Q134.]

The statistics the hon. Lady quotes from the pilots appear to be borne out by other evidence we have heard.

**Jerome Mayhew:** I am grateful to the hon. Gentleman for giving way. He may recall that I questioned the witness on that, and he agreed that the evidence from 8,500 respondents to the IFF review was that, in fact, 98% of the population in general have relevant ID, and that when it came to BAME respondents, it rose to 99%. He also agreed with me that on that basis he was somewhat reassured.

**Patrick Grady:** There we go: that is the benefit of having these evidence sessions, and we should thank, congratulate and treat with respect all the witnesses we heard. I echo the points of order that were made earlier on: I hope we get to have more evidence sessions when it becomes appropriate, so we can hear about the extension to the Bill’s remit that the Government have made.

**Brendan O’Hara:** Looking back at the evidence given by Maurice Mcleod, it got to the point that the Government are aiming at the wrong target with this Bill. Does my hon. Friend not agree with Maurice Mcleod and, indeed, Gavin Millar, who both said the Government should prioritise a registration drive, increasing participation and opening up? As Maurice Mcleod said:

“I do not really understand why you are not automatically registered. I remember turning 18; you get your national insurance number because going out to work and paying your...tax”.—[*Official Report, Elections Public Bill Committee*, 16 September 2021; c. 88, Q133.]

However, people are not automatically registered. Does my hon. Friend not think this Bill should look at automatic registration rather than seeking to disenfranchise people?

**Patrick Grady:** Yes. I hope as the Committee progresses we will be able to look at precisely that issue. That brings me quite neatly on to what I hope will be my final point of concern: what is really needed is a massive voter education drive. We need a new wave of civic engagement, helping people to understand the critical role they play in democracy and decision making in this country. As the right hon. Member for Elmet and Rothwell said, irrespective of our views on a matter, we as politicians should be able to express those views, and try to convince the voters and win as many of them over to our side of the argument as possible. That is what is vastly needed, and that need for civic education and massive voter registration drives in order to encourage as many people as possible to take part came out in quite a lot of the evidence, as well. That requires us to live up to our promises, not make false promises and pretend that things are going to happen.

11.15 am

Coming back to the earlier point, there was never going to be £350 million a week for the NHS. It was never going to happen, not as a result of the money that has come back from the European Union: the Government have just had to put up tax in order to pay for the NHS, breaking another promise that they made to the electorate. How does that drive confidence in the system? How is that going to persuade yet more people to turn out and vote, if it seems as if the politicians simply do not care? That may be the attitude on the Government Benches, but we on the Opposition Benches are more concerned with making sure that, first of all, the Government are held to account, and then when Opposition politicians

become the Government—as somebody said earlier—that we are able to make good the trouble that they have visited on our country.

That is the real challenge in front of us, and that is what the Bill should address, instead of introducing measures that will ultimately suppress voter turnout and make it more difficult for people to vote. It is that simple: if it is more difficult for people to vote, the chances are that fewer people will turn out and vote. That will lead to disproportionate and unrepresentative outcomes, which should be a worry for all of us, irrespective of which political party we belong to. As such, I join with Opposition Front Benchers in opposing clause 1.

**The Chair:** I am sure that the next speaker will want to give a short speech based on the principle of voter ID.

**Paul Bristow:** I will keep my remarks brief. I just want to take hon. Members on a bit of a journey to Peterborough.

**The Chair:** Not too long of a journey.

**Paul Bristow:** No, no—a very brief one. Hon. Members have doubted the evidence of voter fraud and personation, as a very small thing, but I encourage them to look at some of the evidence we have from Peterborough. When walking down busy streets in Peterborough, we often see large crowds gathering, with people chanting, singing and handing out various leaflets. That is not on a Saturday when we are watching Peterborough United; that is on a Thursday afternoon, when people are marching towards the polling station. We have had evidence that a number of councillors and activists in Peterborough who have gone to prison as a result of voter fraud are now acting as tellers and counting agents, participating in the democratic process.

A lot of people have talked about the advantages of the CCTV that was offered by the chief executive of Peterborough City Council. I ask hon. Members who have said that this was a good thing why they feel it was necessary for Peterborough City Council to install CCTV at polling stations. It was there in order to combat personation.

**Brendan O’Hara:** Does the hon. Gentleman not believe that Peterborough council has the right to implement a bespoke solution for what it may or may not perceive to be a particular problem, but that having a blanket ID card from Truro to Thurso and beyond is completely and utterly disproportionate? If Peterborough council wants to introduce CCTV, then let it. I imagine that Argyll and Bute Council has no intention of introducing CCTV or anything else, because we believe our democracy is quite robust.

**Paul Bristow:** The people of Argyll and Bute probably have great satisfaction with, and faith in, their electoral processes, down to the quality of their Member of Parliament. I am sad to say that in Peterborough, people perhaps do not have that faith, so CCTV is there in order to give people faith in the security and integrity of the ballot. That is the point I am trying to make, because I think that rather than suppress democracy, voter ID cards give people greater confidence in the electoral process and the idea that their vote will count. We hear that not just in Peterborough, but in Tower Hamlets, Oldham, Birmingham, Slough, and across the country. These are not isolated incidents: they happen across the country, and they undermine our democracy.

*Ordered, That the debate be now adjourned.—(Rebecca Harris.)*

11.20 am

*Adjourned till this day at Two o’clock.*