

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

ELECTIONS BILL

Sixth Sitting

Wednesday 22 September 2021

(Afternoon)

CONTENTS

CLAUSE 1 agreed to.

SCHEDULE 1 under consideration when the Committee adjourned till
Tuesday 19 October at twenty-five minutes past Nine o'clock.

No proofs can be supplied. Corrections that Members suggest for the final version of the report should be clearly marked in a copy of the report—not telephoned—and must be received in the Editor’s Room, House of Commons,

not later than

Sunday 26 September 2021

© Parliamentary Copyright House of Commons 2021

This publication may be reproduced under the terms of the Open Parliament licence, which is published at www.parliament.uk/site-information/copyright/.

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

(Afternoon)

[SIR EDWARD LEIGH *in the Chair*]

Elections Bill

Clause 1

VOTER IDENTIFICATION

2 pm

Question (this day) again proposed, That the clause stand part of the Bill.

The Minister of State, Department for Levelling Up, Housing and Communities (Kemi Badenoch): To say that this has been a lively debate would be seriously understating the passion and arguments made by Members on both sides of the Committee. Speaking as a former Treasury Minister, it is a refreshing change from annual Finance Bill Committees, where I am used to saying lots of things to silence and often bemusement from Back Benchers. That has been a real change and I have very much enjoyed listening to the arguments.

I want to thank all Members who participated in the debate for making so many interesting points. I thank my hon. Friends the Members for Newcastle-under-Lyme, for Peterborough, for Heywood and Middleton, and for Gedling, as well as my right hon. Friend the Member for Elmet and Rothwell for making brilliant points in their speeches, with which I wholeheartedly agree. They all said things far better than I could, given how new I am to the brief. I also enjoyed the interventions from my hon. Friend the Member for Darlington, the hon. Member for Glasgow North, my hon. Friend the Member for Broadland and the hon. Member for Argyll and Bute. I did not agree with the Opposition Members' points, but they were well argued. I still think that they are wrong but I admire the passion of the shadow Minister, the hon. Member for Lancaster and Fleetwood. This is clearly a brief she knows very much about and it is nice to see that level of engagement with the topic. However, a few points were made in the debate that I wish to reply to; I will not speak for very long.

The hon. Member for Glasgow North talked about weaknesses in the research. I know the moment has moved on, but I want to emphasise that the Cabinet Office's research is the most comprehensive to date and is nationally representative. It shows that 99% of people from ethnic minority backgrounds surveyed owned an accepted form of identification. It seemed from his speech that the hon. Member for Argyll and Bute felt this was a Bill about introducing a new voter ID card. Yes, that is part of it, but it is mainly about photographic identification. I felt that there was often conflation between people not having photographic identification and needing a voter ID card as opposed to everybody else needing one. That is not the case. I remind the hon. Gentleman that only those without existing documents need a voter card.

The hon. Member for Lancaster and Fleetwood talked about this being a new case for identity cards. I remind her that the coalition Government scrapped the last Labour Government's plan for ID cards in 2010 and we have no plans for identity cards. The 2018 and 2019 voter identification pilots were delivered with a voluntary, locally issued notification. There is no compulsion here and that same model of an optional free voter card is what we are going to introduce.

Finally, I just wanted to reject completely the accusation from the hon. Member for Lancaster and Fleetwood of voter suppression. This is a political topic; we are talking about elections and MPs get very lively. We enjoy having these discussions, but it is important not to alarm people when a simple procedural Bill is being put through. People are disenfranchised if their vote has been used by someone who should not be doing so. It does not seem to be something that is of concern to Opposition Members, but we take that very seriously. As I said in my opening speech, just because someone's house has not been burgled does not mean they should not lock the door. We can take precautions for things, even if their likelihood, depending on geography, is more or less. We should also have something uniform in bringing in this sort of Bill. We cannot just do something for Tower Hamlets and then wait until something happens in another borough.

Cat Smith (Lancaster and Fleetwood) (Lab): Would it be appropriate at this point to ask some specific questions? I hope the Minister can respond about the application process for the voter ID cards. Obviously, it would be administered by local councils, but will there be a core standard of expectations of, for instance, the hours councils will be expected to offer the service? Will people have to apply in person,

Kemi Badenoch: I think that those are things that we can work out as we progress. We all know that those sorts of details would not end up in a Bill such as this one. We also need to be able to give flexibility. What we can say is that we want to encourage as many people as possible to take up these cards, and we will do whatever we can to ensure that that is the case.

Let me go back to the point that I was making about voter suppression. We hear again and again, particularly from Labour, that any change to boundaries or elections is all about keeping voters away and gerrymandering. I completely and utterly reject that. I was not a Member in 2014, but I remember that Labour claimed that the roll-out of individual voter registration in the country was going to suppress voters. Labour Members said that it was terrible, that we should not do it and that we should instead allow the head of household to register everyone. As we said earlier, that was about bringing things into line with Northern Ireland, and it is worth mentioning that the electoral register in the 2019 general election was at its highest-ever level. The last thing that Labour said was going to be suppressing voters did not do that, and I am absolutely confident, given all the evidence we have seen and heard, that this will not do so either.

Cat Smith: On voter registration, what plans does the Minister, who is responsible for this policy area, have to ensure that the missing 3 million electors find a way to register and appear on the electoral roll?

Kemi Badenoch: I thank the hon. Lady for her question, but she is deviating from the point I am making about voter suppressions. The point I was making is that the last thing we did, which Labour claimed was going to suppress voters, turned out not to do so. We have never heard any acknowledgment from the Opposition that it was actually a good thing to do and strengthened our democracy. On the point about registration, the hon. Lady will know that I have just come to this brief. We can deal with the Government's plans, and what I will be doing over the next few years, outside the debate on clause stand part.

The claims about voter suppression are bogus. They have been shown to be false by the Northern Ireland experience and the 2018-19 pilot. There is no reason why we should not go through with this, which is why I urge all Members to let the clause stand part of the Bill.

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

The Committee divided: Ayes 9, Noes 6.

Division No. 1]

AYES

Badenoch, Kemi	Harris, Rebecca
Bell, Aaron	Kruger, Danny
Bristow, Paul	Mayhew, Jerome
Clarkson, Chris	Randall, Tom
Gibson, Peter	

NOES

Anderson, Fleur	Hollern, Kate
Furniss, Gill	O'Hara, Brendan
Grady, Patrick	Smith, Cat

Question accordingly agreed to.

Clause 1 ordered to stand part of the Bill.

Schedule 1

VOTER IDENTIFICATION

Fleur Anderson (Putney) (Lab): I beg to move amendment 24, in schedule 1, page 63, line 2, leave out from “the” to end of line 22 and insert “Electoral Commission.”

This amendment would make the Electoral Commission, rather than returning officers, responsible for producing and administering electoral identity documents.

The Chair: With this it will be convenient to discuss the following:

Amendment 26, in schedule 1, page 63, line 29, leave out “A registration officer” and insert “The Electoral Commission”.

This amendment is contingent on Amendment 24.

Amendment 27, in schedule 1, page 63, line 30, leave out “registration officer” and insert “Electoral Commission”.

This amendment is contingent on Amendment 24.

Amendment 28, in schedule 1 page 63, line 34, leave out “a registration officer” and insert “the Electoral Commission”.

This amendment is contingent on Amendment 24.

Amendment 29, in schedule 1, page 63, line 35, leave out “officer” and insert “Electoral Commission”.

This amendment is contingent on Amendment 24.

Amendment 30, in schedule 1, page 63, line 37, leave out “officer” and insert “Electoral Commission”.

This amendment is contingent on Amendment 24.

Amendment 31, in schedule 1, page 64, line 3, leave out “a registration officer” and insert “the Electoral Commission”.

This amendment is contingent on Amendment 24.

Amendment 33, in schedule 1, page 65, line 1, leave out from “the” to end of line 3 and insert “Electoral Commission.”

This amendment would make the Electoral Commission, rather than returning officers, responsible for producing and administering anonymous elector's documents.

Amendment 35, in schedule 1, page 65, line 10, leave out “A registration officer” and insert “The Electoral Commission”.

This amendment is contingent on Amendment 33.

Amendment 36, in schedule 1, page 65, line 11, leave out “registration officer” and insert “Electoral Commission”.

This amendment is contingent on Amendment 33.

Amendment 37, in schedule 1, page 65, line 15, leave out “a registration officer” and insert “the Electoral Commission”.

This amendment is contingent on Amendment 33.

Amendment 38, in schedule 1, page 65, line 16, leave out “officer” and insert “Electoral Commission”.

This amendment is contingent on Amendment 33.

Amendment 39, in schedule 1, page 65, line 18, leave out “officer” and insert “Electoral Commission”.

This amendment is contingent on Amendment 33.

Amendment 40, in schedule 1, page 65, line 21, leave out “a registration officer” and insert “the Electoral Commission”.

This amendment is contingent on Amendment 33.

I remind Members—this is important—that the scope of this debate is the series of related proposals to make the Electoral Commission, rather than returning officers, responsible for electoral identity documents, so can we keep to that subject and not stray into other countries?

Fleur Anderson: Thank you very much, Sir Edward, and I welcome the Minister to her place.

Every vote clearly counts, and I think we can all agree on that. For example, in the Derby City Council election earlier this year, Darley ward was won by one vote. That one vote changed who was in charge and who had the majority on the council, moving it towards a Conservative group. Government Members would be happy about that, but the main point is that each vote counts, so when looking at this Bill, we have to ask whether this is a disproportionate measure that is more likely to stop people voting and being able to cast their one vote—all the votes count—and whether it brings in far too many bureaucratic barriers while not stopping the main problem with our elections. As shown by the result of the voter ID pilot evaluation, most people think that low turnout is a much bigger issue in our elections than any issues about fraud.

Amendment 24 changes the overall control of the central system to have the Electoral Commission working in conjunction with local authorities, rather than each local authority running its own electoral changes. That would ensure much more consistency across the country in delivering the provisions of this Bill and the capacity

[*Fleur Anderson*]

of local authorities to deliver them, because they would be working in conjunction with the Electoral Commission, and it would give the Commission an additional set of powers to work with local authorities. The amendment tries at least to mitigate some of the worst parts of bringing in electoral ID. Economies of scale will produce cheaper, better and more consistent outcomes, delivering an ID card that everyone can get as easily as possible and when they need it, which I think we would all agree is the outcome we want. With something as precious as our democracy, there is simply no room for irregularities, disparities or differences between local areas in how well electoral identity documents are produced, which will inevitably be the case if this monumental task is left solely to local authorities to do in different ways and to administer on their own.

This amendment asks the Minister to look further into the issue of whether local authorities should carry out this task within a centralised system. Looking at the Northern Ireland example—we will be looking at that example a lot during our consideration of the Bill in Committee—this service is centrally administered by the Electoral Office there, so this amendment would bring us in line with best practice in Northern Ireland, where they are 20 years ahead on this issue. As we heard last week from the chief electoral officer for Northern Ireland, that set-up has been relatively successful in ensuring consistency and driving down costs over time, and with the cost of delivering voter ID currently estimated at £120 million, that surely has to be a very important issue. It is clear that it is cheaper and more efficient to have a centralised system, so I do not know why the Bill does not seek to embed such an example of best practice.

When the Minister responds, would she tell us how she intends to ensure consistency and parity between local authorities in delivering this Bill? How will she prevent a postcode lottery of provision, whereby some councils are able to provide free IDs in one way, and other councils—perhaps due to the higher, unmanageable cuts that they have faced—do not have the staff or resources, or decide to resource things differently, leading to a difference in delivery? Would she also tell us whether an ID card from one local authority will be transferable to another local authority? If it is not, that will be a barrier. I am especially thinking about people in my constituency who move about within London quite frequently, who may not know they have moved between boroughs and, facing an election, would bring a card issued by another local authority to the polling station. Can that card be used from local authority to local authority?

Turning to the issue of capacity, there is a huge danger and concern that if this Bill is passed without significant amendment, local electoral registrations teams will be crushed under the weight of the additional administrative burden. We saw this in the pilot: the local authority was asked to develop an IT system, and obviously it is going to make much more sense to have a central IT system, so that electoral registration officers do not have to come up with their own IT system and then work out all the ways and means by which they are going to deliver this Bill without help from the Electoral Commission. That is why this amendment seeks to put the Commission in that role.

Peter Gibson (Darlington) (Con): Does the hon. Lady agree that local authorities are best placed to do that as they are on the ground and have the experience of issuing concessionary bus passes and disability blue badges?

2.15 pm

Fleur Anderson: That is an important point. I absolutely agree with the hon. Gentleman, and that is why I said that it must be delivered by the Electoral Commission in conjunction with local authorities. Local authorities know the best place to open up their surgeries, or wherever they will be delivering the cards. They know the best times and the best ways to do it locally, so having a national system that is delivered locally in conjunction with local authorities would work best. I agree that there has to be local provision, because local authorities know their local people best.

It is important to place this issue in the context of the past 10 years. From 2010 until the onset of the pandemic, local authorities lost 60p out of every £1 that the Government provided to spend on local services. Already cash-strapped councils will suddenly be expected to oversee and administer hundreds of thousands of photo ID cards, in addition to processing last-minute applications. We saw in the pilot and know from experience that, unlike us, a lot of people do not spend a lot of time thinking about elections; they think about elections on the day. There was a huge surge of additional applications in the run-up to the election, so there needs to be surge capacity, including on the day itself. Will councils be adequately resourced to do that? Will they have recourse to the Electoral Commission to get the support they need to deliver the cards?

Paul Bristow (Peterborough) (Con): What was the hon. Lady's reaction to the evidence we heard from Gillian Beasley, the chief executive of Peterborough City Council, and the returning officer of Birmingham City Council, who both said that they felt well placed to administer this change?

Fleur Anderson: I was as surprised as the witnesses from Peterborough and Birmingham councils when the chief electoral officer from Northern Ireland said that she needed 70 additional staff during the election period. Up until then, the evidence from Birmingham and Peterborough was that we would need a handful of additional staff through the year to give out ID cards, and then a surge, but to hear that 70 additional staff were needed in Northern Ireland was, I think, illuminating and concerning for some of the council staff who were giving evidence. It is a good point, well made.

Will the Government resource our local councils to deliver this policy? Can the Minister guarantee that there will be no cuts to frontline services because of the need to transfer resourcing to the production and delivery of ID cards? All year round, young people especially will be getting this card. At the moment, they have to buy a provisional licence to be able to go to a nightclub, so they will definitely want this card. It is a free resource all year round, so there will be demand for it all year round, but in the run-up to an election there will obviously be an additional surge. Will that fall on the local councils? Can it be guaranteed that Government funding will

cover that? Local authorities and electoral registration officers will potentially be burdened with the additional time and money required to enfranchise 35 million overseas voters, at the same time as creating a whole new requirement for processing free voter ID cards for domestic voters, and that is on top of the Boundary Commission changes and all the other burdens being put on our electoral registration officers.

On top of that, the Dissolution and Calling of Parliament Bill, by its very nature, creates uncertainty around the timing of general elections, as the Prime Minister will be able to choose the date. The extremely short timetable in the lead-up to elections, as well as plans to shorten that window, has the potential to completely bury the administrative system behind elections, which will potentially result in those very precious electoral ID cards not being given out and people not being able to vote.

Local election authorities are already discovering that there is an increasing burden, and all the returning officers in the May 2019 voter ID pilots had to recruit extra staff, so it is not controversial to say that others will have to do so. It is not always straightforward. Mr Connelly from Birmingham City Council told us in evidence last week:

“As it is, we struggle to recruit and retain staff, who come to the polling station literally for one day a year.”—[*Official Report, Elections Public Bill Committee*, 15 September 2021; c. 61, Q96.]

Recruiting and retaining staff all year round will be a challenge. All those staff will need to be trained, and that requires more time and money.

This Bill needs to guarantee two things. First, it needs to guarantee that the responsibility for delivering the voter ID programme falls on a central body that ensures consistency across the country. The amendment would make it the Electoral Commission. The responsibility should not be squarely on the shoulders of local returning officers and electoral registration officers, who are already stretched to their limit.

Secondly, the Bill needs to guarantee that local electoral authorities are properly resourced and given what they feel they need to carry out their new duties and responsibilities. During the evidence session I was concerned to hear that local authorities had not already been asked for their estimates of what that would cost. The Government cannot yet know what it will cost to fund that adequately because local authorities have not been asked. If they are not properly funded and staffed, they will collapse under the weight of the new electoral regime; it will not work.

In her response, I would like the Minister to assure not just me but returning officers and registration officers up and down the country that she understands the concerns and limited capacity of local election registration teams. I would like her to guarantee that they will be given all the resources that they will need, and to emphasise that no frontline services will be cut.

I should also be grateful if the Minister would shed some light on the following questions. Will there be a national IT system for producing the ID cards? What will be the role of the Electoral Commission in supporting local authorities as they gear up to deliver this? How much will one elector ID cost the taxpayer? We heard that, in Northern Ireland, costs differed when production was outsourced and when it was insourced, but what is the estimate for the rest of the UK?

Has the Minister consulted local authorities? I know that she has not been in her place for very long, but have there been consultations with local authorities about how elector IDs will be administered and physically printed? Will local authorities need special printing facilities, for example, or will a normal colour printer be sufficient? Such things will make a big difference to local authorities. Will voters have their photos taken at the local authority when applying for the card? How will that work? Will women wearing face coverings be forced to take them off, and has that been built into how the system will be administered?

The evidence that we have heard so far demonstrates convincingly that a centralised approach to administering voter ID is cheaper, is more consistent and efficient, ensures that local authorities will not be pushed over the edge but can deliver the system, and ensures that every single person who can vote is able to vote. I hope that the Minister will take amendment 24 seriously and commit at least to embedding these principles in the Bill and the guidelines that follow.

Kemi Badenoch: I will respond to the hon. Lady's points first before coming to the substantive reason that the Government cannot support amendment 24.

The hon. Lady asked how we will ensure consistency in provision between local authorities, and my hon. Friends the Members for Darlington and for Peterborough made very good points on that. The broader point is that local authorities have to administer very complicated elections anyway. The hon. Lady knows that in London elections there are multiple things happening at the same time, and London can cope. Local authorities do not need to worry about the support that they will get to deliver this. In me they have a Local Government Minister who will be very much on top of these issues.

The hon. Lady asked a lot of technical questions—about how the cards would be printed and so on. I am afraid that I cannot answer those today, but those are things that we shall be working towards. The hon. Lady asked whether ID cards would be transferrable from one local authority to another. They will be.

Interestingly, the hon. Lady acknowledged that there might be a surge in demand for the ID cards because of young people wanting to use them to go to the pub, but it is important to clarify that they are not a form of free identification. They are for electors who do not have existing photo identification, and they will not include date of birth.

Amendment 24 would mean that the responsibility for producing and administering the voter card and the anonymous elector's document would rest with the Electoral Commission rather than with electoral registration officers, as the draft Bill provides. We cannot support the amendment, because the Electoral Commission is an advisory and regulatory body; it is not an administrative one. It does not have the experience or capacity to carry out that function. To take that away from local government, which has been doing that for centuries, and pass it to the Electoral Commission would be completely wrong. Such an approach would represent a significant shift in the way we deliver elections. How can the commission guide and oversee a process that it participates in the delivery of? The Electoral Commission will play a key role in communicating the change to voters ahead of polling day, and must be able to focus on fulfilling those

[Kemi Badenoch]

existing duties. I am not in a position to make those changes to the implementation of the policy. As I said, I have every faith in local government to develop and deliver local services that meet the needs of their communities, so we will not support the amendment.

Question put, That the amendment be made.

The Committee divided: Ayes 6, Noes 9.

Division No. 2]

AYES

Anderson, Fleur	Hollern, Kate
Furniss, Gill	O'Hara, Brendan
Grady, Patrick	Smith, Cat

NOES

Badenoch, Kemi	Harris, Rebecca
Bell, Aaron	Kruger, Danny
Bristow, Paul	Mayhew, Jerome
Clarkson, Chris	Randall, Tom
Gibson, Peter	

Question accordingly negatived.

The Chair: I remind Members that the next amendment relates to places in which people can apply for voter ID, so again it is quite narrowly focused.

Cat Smith: I beg to move amendment 25, in schedule 1, page 63, line 22, at end insert—

“(2A) The registration officer must take steps to ensure that a person may apply for an electoral identity document in the following locations in the relevant local area—

- (a) local government office;
- (b) library;
- (c) GP’s surgery;
- (d) Member of Parliament’s constituency office.”

This amendment would enable people to apply for an electoral identity document at a range of places in a local area.

The Chair: With this it will be convenient to discuss amendment 34, in schedule 1, page 65, line 3, at end insert—

“(2A) The registration officer must take steps to ensure that a person may apply for an anonymous elector’s document in the following locations in the relevant local area—

- (a) local government office;
- (b) library;
- (c) GP’s surgery;
- (d) Member of Parliament’s constituency office.”

This amendment would enable people to apply for an anonymous elector’s document at a range of places in a local area.

Cat Smith: The amendment would enable people to apply for the free electoral identity document at a range of places within a local area. The amendment, and the related amendment, would widen the responsibility for administering the electoral identity card to include libraries, GP surgeries, local government offices and the constituency offices of Members of Parliament. Under the change, other public services would be able to promote and administer the registration for free electoral IDs. For example, people could hand their form in and be issued

with the card at a jobcentre while doing some other activity. The same could apply to GP surgeries, where patients could fill in a form while they waited for their appointment.

Jerome Mayhew (Broadland) (Con): It is an interesting suggestion to use GP surgeries in that way. Has there been any consultation with the General Medical Council on the views of general practitioners about their being used in that manner?

Cat Smith: Absolutely none whatsoever—[*Laughter.*] The purpose of the amendment is to make the point that the Bill is very prescriptive about the locations at which one can apply for a free electoral ID, but there are no requirements on when, and on what days of the week, that place would have to be open, or whether one would have to attend in person or could apply by post. There are so many gaping holes in the legislation. The purpose of my amendment is to provoke a discussion about whether we can make applications for free ID cards a little more accessible. It is somewhat murky at the moment.

Expanding the list of places where one could apply for an electoral ID would also widen the opportunities for a publicity or advertisement campaign to inform electors about the change in Government policy to require ID to vote, and potentially allow people to think about it before an election comes around. For instance, someone waiting for a GP appointment who sees a sign on the wall saying that this is a location at which they could apply for a voter ID card might think, “Well, I’ll do it now.” That might take pressure off the administration officers at local councils. We heard in evidence about the rush that happens just before elections take place.

Tom Randall (Gedling) (Con): I see that the Labour party’s amendment includes “Member of Parliament’s constituency office”

as one of the locations. There is usually a distinction between party political resources and parliamentary resources. For example, some MPs share their office with their local Conservative association; I imagine there are similar arrangements with the Labour party. On the basis of her amendment, would the hon. Lady be happy for a member of the public to pick up their electoral ID card from the office of their local Conservative association? Surely that is a blurring of the lines, which is what the Opposition are trying to avoid.

2.30 pm

Cat Smith: I am glad to have provoked this debate. I suppose I was thinking about my own constituency office, which is not shared with a political party. When we receive our budget from the Independent Parliamentary Standards Authority, it is very clear that we are not meant to use our IPSA-funded office for party campaigning, and that was very much in my mind. But are we not trusted parts of our community? We sign passport forms and verify identities in other ways. It is meant to promote the idea that we are those trusted individuals, and perhaps we could make it more accessible on an individual level.

Patrick Grady (Glasgow North) (SNP): The hon. Lady makes the point that it is not uncommon for any of us to verify a passport application for our constituents. All that we are verifying in that situation is a likeness,

and the amendment only refers to applying for ID cards at our offices. I do not think anyone is suggesting that MPs' offices would be issuing them.

The other commendable aspect of the amendment is that it links to a discussion that we will get to later in our scrutiny of the Bill, about automatic voter registration, and that is about being able to apply to vote in the first place. For those of us that want to promote that principle, it makes sense that if we have to accept that voter IDs will be issued, they should be made as accessible as possible, precisely to achieve the kind of increase in participation that everybody seems to agree is worthwhile.

Cat Smith: I agree wholeheartedly with the points made by the hon. Gentleman. Will voters be able to apply for electoral IDs online, regardless of who they are applying to or who is printing it? Will the application form be available online or will it be paper-only? Does the Department have any expectation of how long an application process will take? Will there be any minimum standards? Will the ID card be delivered to the elector's home address, or will they have to come in person to collect it?

The amendment not only demonstrates the importance of making free electoral ID cards as accessible as possible, but gives us the opportunity to explore whether local authorities have the capacity to administer those IDs, on top of administering the election, given the backdrop of cuts to local authorities over the last decade. A point was made earlier about councils administering other forms of identity documents, but in two-tier council areas that is not always the case. In Lancashire, for example, the county council administers blue badges, but the borough or city council—the second-tier council—would administer electoral IDs. It is important to recognise the diversity across these islands in the way that local government is organised, because there are slight differences and responsibilities lie in different places. As we see the patchwork of devolution in England develop, we shall increasingly see local authorities having very different powers.

Returning to the amendments, local authorities need to have clarity about what they are being asked to do and how that would work. Is there any opportunity to ask other public bodies to support their work, in order to take the burden off our electoral administrators? The Association of Electoral Administrators has already expressed its concern about the huge burden of such a technical administrative task being placed on already overstretched local authorities. Local authorities are being expected to deliver photo ID cards, alongside the additional burden of registering millions of new overseas electors, on top of boundary changes. That is an awful lot of work.

Can the Minister understand the concern here, and will she provide some assurances to our dedicated electoral returning officers up and down these islands? Voting should not be a postcode lottery; there should be equality wherever we are. We must see measures introduced to ensure that obtaining an elector card is as easy as possible. These may include expanding the number of locations at which voters can obtain a card and measures to ensure consistency in administering the scheme in different locations.

Kemi Badenoch: Amendment 25 would require registration officers to ensure that eligible electors could make an application for an electoral voter identity

document at a specified list of locations—a local government office, library, GP surgery or Member of Parliament's constituency office. We cannot agree to the amendment, because it is too prescriptive—needlessly so. The Government share the aim of ensuring that the process for applying for these documents is highly accessible, but the proposed amendment is poorly thought out. Registration officers have the responsibility and local knowledge to identify the most suitable locations for voters to access the voter card process. They must be allowed to exercise that expertise and responsibility. They are best placed to understand their local community and the needs of voters and will have the local knowledge and expertise to ensure that the voter card process works for all voters. I think that answers the questions from the hon. Lady and will reassure her. Registration officers are the ones who know what is happening on the ground. We have every confidence that they will be able to deliver this.

The proposed locations may be suitable in some areas. However, without local knowledge they could disrupt other services and at the same time fail to address the needs of voters, whose preferences and characteristics are likely to be best understood by their own local authority registration officer. That local knowledge and expertise, as well as the diligence with which registration officers fulfil their legal responsibilities to electors, has been proven time and again with the successful delivery of a wide range of electoral events.

The hon. Member for Lancaster and Fleetwood asked whether electors would be able to apply for a local voter card. The amendment would place a requirement on electoral registration officers to act in locations over which they have no control and where the owners or managers could refuse to comply. That is another reason why we cannot support it. There could be many reasons why those responsible for such buildings might not want to act as a venue for applications, and there has been no consideration of that or investigation of issues that could arise, which leads to the point that my hon. Friend the Member for Broadland was making. A GP surgery may not wish to increase footfall through their buildings during flu season, as it could lead to an increase in infections among vulnerable patients.

The amendment would also place a requirement on those locations and their staff to allow such applications to be made, raising a number of questions about someone's rights to access such a location for that purpose. It may be that someone is excluded from the premises for good reasons, or there may be reasons why right of access should not exist to a particular location. The requirement of GP surgeries in particular cannot be supported; it will place an unnecessary additional administrative burden on them and draw focus away from their healthcare duties.

The question of how electors will be able to apply for a local voter card is very important and I completely understand the need to look into it. The detail of voter cards and anonymous elector documents will be issued through secondary legislation, so we will have further opportunities to discuss it, but it is important that we get the details right both for voters and for those who administer our elections. We are and will be working closely with a range of stakeholders to develop and refine the necessary detail. I will update the House on the progress with that as soon as we are in a position to. It will be vital for electors to know how and where to

[Kemi Badenoch]

apply for a voter card if they need one. The hon. Lady is right to bring that up. Awareness-raising campaigns delivered by the Electoral Commission will ensure that voters are aware of the new requirements and they will have sufficient time to prepare. For those reasons, we cannot support the amendment.

Cat Smith: The Minister has addressed some of my concerns. My amendment is probing and I do not intend to press it to a vote, but I hope the Minister can recognise that it is not very satisfactory for many of these questions to be answered in secondary legislation. It would be helpful for the Committee's deliberation if at some point she could at least indicate whether it will be possible to make applications online or whether they will have to be made offline. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Fleur Anderson: I beg to move amendment 32, in schedule, page 64, line 27, at end insert

“though that period may not be less than 15 years from the day on which it is issued.”

This amendment would mean that an electoral identity document would be valid for at least 15 years.

The Chair: With this it will be convenient to discuss amendment 41, in schedule 1, page 66, line 5, at end insert

“though that period may not be less than 15 years from the day on which it is issued.”

This amendment would mean that an anonymous elector's document would be valid for at least 15 years.

I remind Members that these amendments are about the period of validity of the voter ID card.

Fleur Anderson: Amendment 32 looks at the detail of how long an election ID card would be valid, which is important to know. Obviously, this will be coming out in secondary legislation, but it is important to know whether there will be an annual expectation to renew the ID card, or whether it will be valid for five, 10 or 15 years. The amendment suggests 15 years, but if the Government are open to the card being valid for longer, we would be supportive.

The reasoning behind the amendment is simple: in the real world, voter ID will be a barrier to voting for many people, and it will cost the taxpayer a significant amount of money, so the number of times that electors should be expected to apply for the card should be at an absolute minimum. Making these documents valid for 15 years is a reasonable and sensible proposal. A passport needs renewing every 10 years, so it is not at all unreasonable to push this further, to 15 years. It will come round quickly enough, and it is worth noting that such a period would cover only three general elections.

Chris Clarkson: I recently renewed my passport, and it was quite heartbreaking not being able to use the same photo, because I have changed quite a bit in the past 10 years. Given that the purpose of this is to issue photo identity, does the hon. Lady agree that people change physically over the course of 15 years? A young person who registers at the age of 18 will look considerably different at the age of 33.

Fleur Anderson: Some of us will change more than others. A balance needs to be found between renewing too frequently, which could be a barrier to voting, and recognising that people's appearance changes over time. That is why people over 18 have to renew their passports every 10 years, but I think 15 years would be far more reasonable.

Cat Smith: The hon. Member for Heywood and Middleton has triggered a thought in my mind, because we were told in Committee this morning that a passport, even one that has expired, will still be classed as valid ID. A passport is valid for 10 years. If it has expired, it could be 15, 20 or 25 years old. Does that not create some confusion for polling clerks?

Fleur Anderson: In Northern Ireland, people can take an expired form of photo ID and it will still count, so there is no limit there. A limit of 15 years does not apply in Northern Ireland, so perhaps a longer period of time should be looked at. It would be good to know the Minister's thinking on that.

Mandating renewal of these documents any less than every 15 years would have a huge and disproportionate impact on groups that are already vulnerable to disenfranchisement, and it would only increase the costs and administrative burdens on local authorities—as we have already discussed, they are substantial. The Equality and Human Rights Commission has previously warned the Government that

“voter ID will have a disproportionate impact on voters with protected characteristics”,

and this could increase that opportunity. We saw with the Windrush scandal how some communities struggled to provide official documentation, which had severe consequences. The EHRC has warned that if voters were

“disenfranchised as a result of restrictive identification requirements”, this could violate article 1 of protocol 1 of the European convention on human rights.

The LGBTQ+ community are at risk of disenfranchisement and have been in contact with Members about the Bill. Stonewall is concerned that such proposals could prevent many LGBTQ+ voters, as well as voters from other marginalised groups, from engaging fully and fairly in democratic processes, and we should all be concerned about the issues that it raises.

Chris Clarkson: Could the hon. Lady develop her thinking on that? There are at least four pieces of photo ID in my wallet, and it will be no surprise to anybody here that I am very gay.

Fleur Anderson: For many trans, non-binary and gender non-conforming people, the photograph, name and/or gender marker on their legal documents may not reflect their appearance or gender identity, which goes back to the earlier point about changing identity. The introduction of voter ID could inadvertently result in such people being turned away from voting stations or simply deciding not to vote, for fear of this happening. They may not want to apply for the card. Of course, the argument against this is the same for some groups—for example, members of the trans community may significantly change appearance.

Stonewall helpfully points out that the solution is not to put people through the process of applying for voter ID before every election, but to roll out training to presiding officers and related staff to ensure that they operate in a manner that is LGBTQ+ inclusive; to put in place specific measures to ensure that LGBTQ+ people can vote; and to ensure that any equality impact assessment of such measures specifically includes the needs and experiences of trans people, gender-non-conforming people and anyone who is concerned about their appearance being on an identity card that must be shown when they go to vote.

2.45 pm

That less stringent and less prescriptive approach, which could be adopted in the secondary legislation that we will no doubt be seeing, has been taken up in Northern Ireland. In Northern Ireland, if someone's electoral identity card has expired—it was hard for me to find out how long the current period is for identity cards in Northern Ireland—they do not need to renew it in order to vote at a polling station. Identity documents produced at a polling station are no longer required to be current as long as the photograph is of a good enough likeness. That would answer the point made earlier about whether somebody has changed very much over time, and whether the likeness is good enough.

That raises another question: who will be the judge of what a good enough likeness is when people come to vote? If that judgment is questioned, what would be the means of redress? I have seen for myself people having their photographic ID questioned when out and about, and it is a very disconcerting experience. To have that experience just before somebody is voting and using their democratic right will be very difficult. There will be instances in which that happens, so I hope the secondary legislation will be very clear about how the issue will be overcome.

Aaron Bell (Newcastle-under-Lyme) (Con): Given that the Committee has accepted, after a Division, the necessity of voter ID, surely the hon. Lady's suggestion of a 15-year period does not help deal with the point she is raising. The more up-to-date ID somebody has, the less likely they are to have such problems at the polling station.

Fleur Anderson: With our amendments, the Opposition are trying to mitigate the worst impact of having a voter ID. Frequently having to re-apply for a voter ID card will have a disproportionately bad impact, potentially stopping people from voting. I do not think any of us want to see that. This is about getting the right balance; is three, five, 10, 15, 20 or 50 years the right balance? I will be interested to hear the Minister's views. It would be out of step with best practice to require voter ID cards to be frequently renewed, and there is also a disproportionate cost. How much should administering them cost?

Peter Gibson: Does the hon. Lady consider that 10-year periods for a British passport or driving licence are perfectly acceptable and modest?

2.47 pm

Sitting suspended for a Division in the House.

3.6 pm

On resuming—

The Chair: I think Fleur Anderson was speaking. There might also have been an intervention going on.

Fleur Anderson: Thank you very much, Sir Edward, and I thank the hon. Member for Darlington for his memorable intervention—I certainly remembered it—on whether we should match 10-year passports, and whether that would be easier for people to remember. That might be part of the Government's thinking. I would like to know what their thinking is. Can the Minister confirm how long the free elector ID card will be valid for? Are there plans for that? Does she agree that a free elector ID must last more than one parliamentary cycle or risk disenfranchising people by asking them to reapply between elections, or even at every single election? Finally, what is her policy on ID card renewal?

Kemi Badenoch: Amendments 32 and 41 would mean that voter cards and anonymous elector documents would be required to be valid for a period of 15 years from the date of issue, and I am afraid we cannot agree to that. Primarily it is important that the documents are renewed on a regular basis to ensure that they remain a good likeness of the holder, as the Bill states. I note, however, as other Members have mentioned in interventions, that driving licences and passports are typically renewed every 10 years. The hon. Member for Putney makes a good point, but we are considering the most appropriate time before expiry. We will bring forward our proposals in secondary legislation, which will then need to be approved by Parliament through the affirmative procedure.

Hon. Members have been judicious in trying to open up the list of specified forms of identification to include insecure methods, but they are limiting the flexibility of the method upon which those without access to a form of accepted identification could rely. For example, the amendments would prevent any consideration of an electoral returning officer issuing any kind of temporary voter ID card or anonymous elector documents, should that be appropriate. As such, that would work against being able to provide mechanisms to support people who need a short-term solution to showing identification, which I know the Opposition are particularly concerned about.

The hon. Lady raised inclusivity. We will of course ensure that the process is inclusive. The Government take those issues very seriously—I see that as the Minister for Equalities. We are doing a lot of work in terms of ID documents and gender recognition certificates to support trans people. As we have made changes throughout the last 12 months or so, we are seeing applications increase. Often all the things that we say will stop applications and participation are measures that improve and increase it.

I hope that the hon. Lady will forgive me, because I did not have enough time to write down her last question and so have forgotten it. I hope that I have been able to address some of the issues that she raised. However, in order to maximise the options that we can consider as we take forward our implementation plans, the Government cannot support this amendment; it is just too restrictive for the Bill.

Fleur Anderson: I am disappointed that the Government will not support the amendment. I hope to see it resurface in secondary legislation and to see at least 15 years as the length of time. First we need to see some research into the impact of different renewal dates and the cost of renewing to be informing the Government's decision. This was a probing amendment, so we will not push it to a vote. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Cat Smith: I beg to move amendment 42, in schedule 1, page 66, line 5, at end insert—

“13BF Application for electoral identity document on Government website: Great Britain

The Secretary of State must ensure that a person eligible for an electoral identity document under section 13BD or an anonymous elector's document under section 13BE is able to apply for that document on the gov.uk website.”

The amendment would allow voters to sign up for free electoral ID when engaging with numerous Government services and not simply when they are registering to vote. The amendment is similar to amendment 25 and connected amendments, so I will not repeat those arguments, but the change would see voters reminded about voter ID rules and reminded to apply for a free elector card when they engage with gov.uk services. For example, when people were applying for universal credit on the Department for Work and Pensions website, they would be asked, at the end of the application process, if they wished to apply for a free electoral ID. Of course, this is assuming that people will be able to apply online. There has not been clarity from the Minister so far this afternoon on that, so perhaps this is an opportunity for her to make it a little clearer.

Kemi Badenoch: The amendment would place a legal obligation on the Government to create a new digital application system, specifically on the gov.uk website, to enable eligible electors to apply for either the voter card or the anonymous elector's document. We cannot agree to the amendment, although we recognise the positive intentions behind it. The issue of online applications was raised earlier. I want to reassure hon. Members that the Government share the aim of ensuring that the process for applying for these documents is highly accessible. We are working with numerous partners to ensure that is achieved. In particular, I would like to highlight the excellent work done by the various charities and organisations that advise us through the Government's accessibility of elections working group.

However, the amendment would not help us achieve our goal. First, it is pre-emptively prescriptive. We need to be able to evaluate and consider the best vehicle for online applications. It may be better for online applications to be done via local authorities' individual websites, or perhaps even a website specially designed for this purpose. We do not want to be restricted at this point, or to be required to fund a particular approach now, when there might be a much better option later. I have been clear that the Government's intention is to continue working up the best model for implementing these measures. I acknowledge very much the arguments made for an online solution. I used to be a tech developer myself, so I completely see why this amendment was tabled, but for now we cannot support such a narrowly drawn approach.

Cat Smith: I am pleased to hear about the Minister's tech background. I hope that in this new role she might find ways to make many aspects of the electoral system more digital friendly—something for which the Opposition have been calling for a long time. Although I do not feel that her response fully grasps the seriousness of the situation or the passion by which we want to make things more accessible, this was a probing amendment and I do not wish to push it to a vote. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Fleur Anderson: I beg to move amendment 43, in schedule 1, page 66, line 5, at end insert—

“13BF Prohibition of outsourcing of administration and production of electoral identity documents

The administration or production of an electoral identity document under section 13BD or an anonymous elector's document under section 13BE may not be outsourced to a private company.”

This amendment would prohibit outsourcing. It would stop outsourcing being built into the way in which the Bill is administered. So many things are being left to secondary legislation, but not this. The amendment also comes from the evidence we heard from Northern Ireland especially. If we are to mitigate the worst effects of the introduction of voter ID, we have to learn from experience and follow best practice, and all the best practice and experience that we have available points to bringing the administration and production of voter ID in-house from the start. The Northern Ireland example demonstrates that beyond doubt. We heard from our witness last week that initial records showed that the outsourced cost per card in Northern Ireland was £14. It was then brought in-house at a cost of £2 a card, which was found to be a much better way of running the elections. That is an impressive reduction, brought about by the in-sourcing of a key public service.

3.15 pm

More widely, a positive, sensible and pragmatic case is developing for in-sourcing. Several Departments are slowly facing up to that fact and bringing some outsourced services back in-house, including HMRC and the Driver and Vehicle Licensing Agency, owing to the poor performance of their contractors. We should learn from that and not build outsourcing into the Bill.

With billions having been spent on contracts issued without tender by this Government, I have only scratched the surface of some of these issues. But this cannot be just another opportunity to print money for private companies. Three and a half years ago, Carillion went into liquidation, buckling under the crippling weight of its £1.5 billion debt and costing the UK taxpayer an estimated £148 million as well as costing 800 jobs. Why is that relevant to the Bill? It is relevant because, at that time, Carillion had in the region of 450 public sector contracts on its books, including school meal provision, prison maintenance, in-patient bed provision and so on. I shudder to think what would have happened to our democracy if Carillion had had the contract for voter ID processing on its books. We really would not increase confidence in and the integrity of our voting system if that happened. It would result in millions of votes being lost and throw our democracy into chaos. There would be a lot more international reports looking at our democracy very disparagingly if that happened.

This is about much more than just value for money and shock-proofing. It strikes at the heart of what we are here to discuss: the integrity of our electoral system.

Patrick Grady: This is an incredibly valuable amendment, and the hon. Lady can be sure of the SNP's support if she presses it to a vote. We have seen in recent months the Government handing out private contracts in a quite relaxed way to people they are particularly friendly with. That is absolutely the last thing we would want to see happen in the production of voter ID cards.

Fleur Anderson: I thank the hon. Member for his intervention. Trust in outsourcing has recently been shaken among the electorate and constituents. Building it into the Bill would be a mistake.

The voter ID card will be an individual's ticket to democratic participation, which is their voice; it is sacrosanct. It is therefore a process that the Government and the public sector must retain control of. Otherwise, we risk undermining trust in the entire system.

Tom Randall: Is it not the case that we outsource some quite important documents, such as our passports and banknotes, which are produced by De La Rue? If we can trust those things to the private sector, why could something like an electoral document also not be outsourced, if necessary?

Fleur Anderson: I thank the hon. Member for his intervention. Given recent examples, I just do not think we can trust this to external contracts. Why not build the best into our system? Why not learn from Northern Ireland, where that in-sourcing really worked? That is the closest example we have for this contract, so why not look to the experience there and learn from it?

Jerome Mayhew: If the financial information from Northern Ireland had been the other way around, would the argument not also have been reversed? In other words, are we not really worried about value for money and not whether this is in-sourced or outsourced, and should not the Bill remain silent on the matter?

Fleur Anderson: When secondary legislation is developed, which will probably cover this matter, perhaps we can see what the evidence base is. We can then look at different potential contracts and what the costs would be, and the hon. Member is correct that that should inform our decision.

Most recently, there was real concern about sharing our NHS data and GP surgery data with a private company. That had to be scrapped during the summer, because there was so much concern about sharing that data. I think we should learn from that experience as well. With voting, people are even more concerned about where their data goes, who will be producing the voter ID card and what will be done in that area, so we have to be even more concerned to ensure that the Government are in control of the matter. That is the way to keep our integrity.

I shall finish my remarks by asking the Minister some questions. Does her Department plan to outsource the administration and production of voter ID to private companies? Have there been some pre-contracting conversations already? If she does not know, will she commit to following best practice in Northern Ireland

and ensuring that this essential service is kept in-house, or at least to making that the default position in future negotiations?

I hope that the Government will support the amendment, which is not controversial. It is in line with best electoral reform practice in our kingdoms, as shown in Northern Ireland, and most importantly it is the right thing to do for our democracy.

Kemi Badenoch: The amendment would ensure that private companies could not take any part in any aspect of producing or administering voter cards and anonymous elector's documents. We cannot agree to the amendment. It is an entirely unnecessary restriction, clearly raised for ideological reasons, with no consideration for the practicalities. I remind Opposition Members that the private sector already plays numerous roles in elections—it prints documents, ballot papers and poll cards; it manufactures equipment such as ballot boxes and polling booths; and it delivers poll cards and postal votes. My hon. Friend the Member for Gedling made the point well; we on the Conservative Benches can spot socialism coming from a mile away, and this is nationalisation through the back door.

Brendan O'Hara (Argyll and Bute) (SNP): Whether this is about socialism or whatever else—we can debate that—we have just come out of a personal protective equipment scandal. So much of this Bill has been predicated on public trust and on building public trust. In light of the fact that the public have been so horribly stung in that PPE scandal, we have to rebuild trust. The idea of the landlord of a Minister's local boozer saying, "I can make those cards for you," runs a shiver down our spines. In the interests of building public trust, this surely has to be taken in-house, because if it is not we will be in grave danger of repeating the scandal we have seen with PPE.

Kemi Badenoch: I thank the hon. Gentleman for that straw man argument, which shows that he did not listen to what I just said. Does he seriously think that all the ballot papers and poll cards that are being printed are being produced by mates—

Brendan O'Hara *rose*—

Kemi Badenoch: No, I am not giving way any more. I would say that he does not think that. An ideological point is being made, and we will not have it.

The hon. Member for Putney made a point about GP surgeries having our data. GPs are private contractors. This conflation of what is private and what is not, and this lack of understanding of how services are delivered, is poor. The Carillion argument in particular is a specious one. Many organisations both private and public fail occasionally. We have debated these issues on the Floor of the House many times, and there is no point in my repeating them, but public sector organisations also fail. We do not then decide that we are going to rip up everything and that they will no longer provide any services; we try to fix what has gone wrong. I do not accept those arguments at all.

Government and local authorities will, as ever, and as my hon. Friend the Member for Broadland said, seek to ensure best value for money for the taxpayer. That is the right thing to do, rather than the ideological ping-pong

[Kemi Badenoch]

that we are seeing here. I say to the hon. Member for Putney: nice try, but we are not accepting the amendment. If any aspect of the production or administration of either of these documents could best be served in the private sector, then that must be an option that is available. We are not being prescriptive about how we are going to do this.

Aaron Bell: The implication of how the amendment has been drawn up is that we would need a Government factory to produce the plastic and another Government factory to produce the ink. It is absolutely ludicrous.

Kemi Badenoch: I completely agree. That is what the wording of the amendment would mean. It would ensure that private companies cannot take part in any aspect of producing or administering voter cards, so my hon. Friend is absolutely right to make that point.

It is also possible that the private sector will have expertise or capabilities, or could offer innovative solutions, that do not currently exist in the public sector but would be of great benefit to the elector. The private sector has long held an important role in supporting the effective delivery of elections. I have mentioned some examples showing that it is already a valuable and capable partner for electoral registration officers and returning officers, and there is no good reason why it should be prevented from contributing in this instance.

Fleur Anderson: I would say that the whole Bill is ideological, so it is ridiculous just to take one part of it. It is ideological from start to finish, and especially in these provisions on voter ID. We must get this right from the start. We cannot go to an outsourced private company, get it botched, cause people not to trust it, and then insource it. Why not learn from Northern Ireland and get it right from the start? I am disappointed by the Minister's lack of reflection on the Northern Irish experience. I still hope that this will be insourced from start to finish when it comes into play, and that the £120 million estimated cost will not go to line the pockets of individuals but stay within the system, where it should be. For all those reasons, we will press the amendment to a vote.

Question put, That the amendment be made.

The Committee divided: Ayes 6, Noes 9.

Division No. 3]

AYES

Anderson, Fleur	Hollern, Kate
Furniss, Gill	O'Hara, Brendan
Grady, Patrick	Smith, Cat

NOES

Badenoch, Kemi	Harris, Rebecca
Bell, Aaron	Kruger, Danny
Bristow, Paul	Mayhew, Jerome
Clarkson, Chris	Randall, Tom
Gibson, Peter	

Question accordingly negatived.

Cat Smith: I beg to move amendment 44, in schedule 1, page 66, line 5, at end insert—

“13BF Public consultation on regulations under sections 13BD and 13BE

The Secretary of State may not lay before Parliament a draft of a statutory instrument containing regulations under section 13BD or section 13BE unless they have first undertaken public consultation on those regulations for a period no shorter than 28 days.”

This amendment would require the Government to consult for at least 28 days on regulations made about electoral identity documents and anonymous elector documents before they are laid before Parliament for debate and approval.

The amendment would require the Government to publish the details of the free elector IDs at least 28 days before they are laid in Parliament for debate, scrutiny and approval. It would be outrageous and unacceptable were they to fail to give us information about how the ID cards are administered before the legislation is laid. It is yet another example of how the Government continue to try to dodge scrutiny. It reminds me very much of the voter ID pilots. I appreciate that today's Minister was not the Minister at the time, but the legislation for the pilots was rushed through Parliament in secondary legislation. All 650 MPs were denied the opportunity to scrutinise the Government's plans. The Government appear to have some kind of allergy to scrutiny and accountability. I cannot understand why they would have any issue with the amendment, which would increase the confidence of the public and the whole House that the regulations would be workable, fair and proportionate.

Since the policy was first announced in December 2016, the Government have received multiple warnings from charities, civil society figures and campaign groups on the use of voter ID cards if they are rolled out nationally, and the threat that they could be a drawbridge for millions of voters. I remind the Committee that Neil Coughlan has a case in the Supreme Court challenging the pilots, which of course were rushed through by secondary legislation. I certainly would not want that to be the situation for the consultation on the regulations.

Aaron Bell: The shadow Minister makes a reasonable request about secondary legislation. I am sure that she is aware of the evidence that the previous Minister, my hon. Friend the Member for Norwich North (Chloe Smith), gave to the Public Administration and Constitutional Affairs Committee. She said:

“I am keen to be able to bring forward as much of that secondary legislation as early as possible so that parliamentarians can scrutinise it. That is only fair. In particular, in terms of the passage of the Bill, I am hoping to be able to do that ahead of the Lords stages. That is a reasonable ask of those who are doing the work behind the scenes, balanced with making sure that Parliament can see the detail that is contained.”

I hope that those assurances have been heard by the Opposition.

3.30 pm

Cat Smith: I am aware of those comments. Perhaps my amendment gives the Minister the opportunity to confirm that it is her intention to keep to the commitment made by the previous Minister.

The free ID cards will be the linchpin upon which all the Government's arguments rest. Every time the Minister, or her predecessor, was asked about voter ID plans, I have had it explained to me that everyone will be able to access the free ID cards. In July 2020, the House of

Lords Select Committee on the Electoral Registration and Administration Act 2013 recommended that the Government needed to

“clarify how local elector cards will be funded and how it will ensure that local elector cards are easily accessible for everyone who needs one.”

In the Committee’s view,

“local elector cards will be crucial to ensuring that voter ID does not deter or prevent any eligible elector from voting.”

We are yet to hear any clarification from the previous Minister or the Minister on these matters—I appreciate that the Minister is only a few days into this role. The Bill does not contain any information about how the process will work.

I have a number of questions for the Minister, and I hope she will be able to respond. She said that the free ID cards issued by a local authority would be valid in other local authorities. For instance, if someone registers in Westminster but then moves to Lambeth, their ID card would still be valid for elections there. How would that work for anonymous electors who, instead of having a name on a polling card, have a polling number? Would they be the exception? For instance, victims of domestic violence who appear anonymously on the electoral roll will not have their names on their ID cards. How will those cases work across boroughs or council areas in different parts of the country?

Will the Minister explain where voters will be able to apply for their free ID cards? Does it have to be done in person? Will electors be able to apply for a free ID card on the day of poll? If an elector loses their ID card before the election, will they be able to collect another one on the day or would it be the day before polling day, if they are already in the system as having a free voter ID card? I have asked this previously, but will ask it again, and would be very happy to receive a more detailed answer in writing: will voters be able to apply for the cards online? That is a crucial issue and I will keep pushing it.

How long will one voter ID card take to process? How much will one ID card cost the taxpayer? Will it be the same ballpark figure as we have seen in Northern Ireland? Has the Minister considered how the Government will ensure that additional trained staff are available to process applications? What sort of equipment will be needed to verify applications and issue cards? Will local authorities need to purchase new printers? Will the Minister ensure that voters who want to apply for a free ID card on the day of poll can still vote? How many additional staff on average will be needed in each local authority to process this extraordinary change?

There are a lot of detailed questions there. I would appreciate it if the Minister could respond to what she can in the debate, but I would also be happy to receive something in writing during conference recess.

I could go on. There are an awful lot of questions about this policy—I have just scratched the surface. We have no detail on this policy, which is why the amendment is so important. It would provide time for the Opposition and the public to see the details and scrutinise them, and hopefully help the Government by making sure that the legislation is workable and fair.

Patrick Grady: Will the hon. Lady give way?

Cat Smith: I was about to finish, but the hon. Gentleman is just in time.

Patrick Grady: It is either that or the Committee gets a separate speech. We fully agree with the amendment and the hon. Lady’s point. Does this not go to the heart of what the Bill is allegedly trying to achieve, which is greater participation, greater trust in the process and greater political engagement, in which case why not have a full public consultation period of no shorter than 28 days, so that everyone with a stake in the matter is able to contribute? That would boost confidence in the system.

Cat Smith: The hon. Member is absolutely right. Light is a very good source of scrutiny. A public consultation, as the amendment suggests, would bring in the expertise of more than just Members of this House. Obviously, we all engage with the process, but our electoral administrators might well have points to add. It would give them the opportunity to contribute, as it would political parties who are not represented in this House. Smaller parties would be able to have their say. It would give the Government far more credibility on what is, at the moment, quite a flaky policy.

Kemi Badenoch: Amendment 44 would ensure that any regulations made under proposed new sections 13BD or 13BE to the Representation of the People Act 1983 would first require a public consultation period of at least 28 days. The powers in those sections are for setting out the form of the voter card and the anonymous elector’s document, and the processes for both applying for them and issuing them.

We cannot agree to the amendment; it is an unnecessary administrative burden. Any regulations made under the new sections will be subject to consultation with the Electoral Commission, followed by significant parliamentary scrutiny under the affirmative statutory instrument procedure. Parliament would naturally want to ensure that any future changes are appropriate and based on contemporary evidence. Given the feisty debate that we have had—[*Laughter.*] The hon. Member for Glasgow North is laughing, but the fact is that we are having a lot of scrutiny on this Bill. We cannot pretend that we are not, and everyone can see that MPs are pleased to scrutinise this issue more than many others.

Patrick Grady: I was particularly amused by the notion that affirmative instruments are subject to detailed scrutiny. Anyone with experience of the SI process in this House could see that comment in the wider context in which it should be judged, and that provoked my laughter. The reality is that the Government rely increasingly on these kinds of statutory instruments and secondary legislation regulations, partly because they do not seem to have done their homework in preparing the primary legislation and precisely because they want to avoid the kind of scrutiny that the hon. Member for Lancaster and Fleetwood talked about—the opportunity for smaller parties who are not represented on Delegated Legislation Committees to have their say and the opportunity to amend regulations introduced in statutory instruments. This speaks to the power grab at the heart of the Bill, no matter what the purported purposes of it are.

Kemi Badenoch: I thank the hon. Gentleman for that intervention. If he feels there are issues with the SI process, he should take it up with the Procedure Committee, but I am sure I have sat in a room just like this one when he has been keen to get out to have his lunch. I think that for those of us—

Patrick Grady: On a point of order, Sir Edward. I am happy to go back and look at the *Hansard* record, but I have no recollection of serving on a Delegated Legislation Committee with the Minister, whether she was a member of it or a Minister. The record will show that at any time when I have represented the SNP on a Delegated Legislation Committee, I have made every effort to speak and to scrutinise the Government. Most of those Committees have been early in the morning, anyway, so we would not have been leaving for lunch.

The Chair: Mr Grady, you are a very effective and much-loved Member.

Kemi Badenoch: I will leave the hon. Gentleman's comments without reply, as we need to get back to the point.

I have talked about the Electoral Commission and the affirmative SI procedure, but there is a further issue with the amendment, of which I think we are all aware. It would require a significant mandatory time delay in making any regulations in future, no matter how small or technical. That could prevent a Government from making essential changes in time for an election if they needed to adapt the processes for issuing voter cards. The Government have worked and will continue to work closely with a wide range of organisations in the development and implementation stages of these measures. Adding a formulaic approach would be prohibitive to the system developing intuitively and responding quickly to evidence that comes out of implementation.

The hon. Member for Lancaster and Fleetwood asked whether I agreed with the remarks made by my predecessor in this Committee. Of course; I am keen to bring secondary legislation to the House as quickly as possible. She asked a lot of detailed questions, many of which I have answered before, and I am conscious that there is much still to work out as we go through further stages of the Bill. The questions that I can answer I will write to her about, but for many of them I am afraid I will refer to my responses to similar questions that have been asked previously. This will have to wait until secondary legislation, so we will not support the amendment.

Cat Smith: I am very disappointed that the Minister has not been able to cover at least some of my questions. I am particularly concerned about victims of domestic violence, who are anonymous on the electoral roll if they have a letter from their local police. I urge the Minister to look seriously at that issue because some of the most disadvantaged and vulnerable people in our communities are likely to disproportionately face barriers because of their ID cards. Presumably it will be difficult to make them valid. The Minister has failed to reassure me that there will be true public scrutiny of the regulations, so I wish to press the matter to a vote.

Question put, That the amendment be made.

The Committee divided: Ayes 6, Noes 9.

Division No. 4]

AYES

Anderson, Fleur	Hollern, Kate
Furniss, Gill	O'Hara, Brendan
Grady, Patrick	Smith, Cat

NOES

Badenoch, Kemi	Bristow, Paul
Bell, Aaron	Clarkson, Chris

Gibson, Peter
Harris, Rebecca
Kruger, Danny

Mayhew, Jerome
Randall, Tom

Question accordingly negated.

Cat Smith: I beg to move amendment 45, in schedule 1, page 73, line 9, at end insert

“, or another eligible voter who has produced a specified document to the presiding officer or clerk on that day attests to the identity of the voter.”

This amendment would allow another voter who has provided ID at a polling station to attest to the identity of a voter who does not have a specified ID with them.

The Chair: With this it will be convenient to discuss amendment 46, in schedule 1, page 73, line 9, at end insert

“, or signs an affidavit in a manner and form as may be prescribed by regulations in the presence of the presiding officer or a clerk.”

This amendment would allow a voter to sign an affidavit confirming their identity in order to vote.

Cat Smith: The amendments would allow voters who do not have ID to still vote, by other means—either through attestation of their identity from another voter or by signing an affidavit to confirm their identity. They would allow voters who are on the electoral roll to still participate when they do not have ID to show. This takes place in other countries that require ID. Indeed, the amendments were very much inspired by conversations with campaigners in the United States, where, in some states, this has gone some way towards ensuring that voters are not excluded when voter ID requirements are in place.

Throughout Second Reading and so far in Committee, we have discussed the vanishingly rare amount of voter personation fraud that occurs in the UK. I need not remind the House that somebody is more likely to be struck by lightning three times than to become a victim of voter personation fraud.

Aaron Bell: The shadow Minister will know that just because there are very few convictions does not mean that there is not a bigger funnel of fraud at the top. The purpose of the amendments is to frustrate the entire purpose of voter ID. The assumption that everybody in the electoral process is a good actor is not one that we can make and not one that Government Members do make. The shadow Minister is talking about allowing somebody to attest to somebody else's identity; there will be no follow-up check to see whether the right people have been marked off. All the issues that we heard about in the evidence from Peter Golds and others last week would still be permissible under this attestation process. It would still leave open the window for fraud that Government Members are seeking to close.

Cat Smith: I feel like we have rehearsed these arguments quite a few times already, but I will just say this: personation is incredibly rare. We heard that consistently from across the witnesses. Requiring an attestation is another barrier, in the same way as asking for ID is, but it is one that is more easily met by electors who, for whatever reason, do not have ID.

We know that there are some bad actors. If a bad actor is seeking to cast a vote that is not theirs, but they know that they have to have an attestation, that is a

further barrier, because it is another chance of being caught out. This is another safety measure that could be brought in that is not as prescriptive and discriminatory, I would argue, as requirements for ID. If I am asked for a form of ID, I may or may not have it, but anyone can make an attestation if they turn up to vote. It would give the polling clerks opportunities to do further checks. It is just a way of ensuring, should voter ID come into force, that we do not exclude people who, for whatever reason, do not have ID or, as in the example I gave earlier, lose their ID on the day, and that they do not lose their right to vote.

I believe that this is a proportional and tried and tested measure that we could bring in to ensure that people are not disenfranchised and do not lose their vote.

Chris Clarkson: I appreciate that, with this amendment, the shadow Minister is attempting to ensure that as many people as possible can access the process, but does she really think that it would act as a deterrent to somebody who had got it in their mind to go through the process of looking at who does and does not vote? I could present myself at the polling station in Lancaster and say, “I’m Cat Smith; I’m here to vote.” Does she think I am then going to sign myself “Chris Clarkson” there? I will simply write that I am Cat Smith and go and cast the hon. Lady’s vote, and then she may turn up later and find out that I have stolen her identity. I have got away with it—I have cleared off.

Cat Smith: The hon. Member makes such a ridiculous point that I do not know where to begin. He highlights just how difficult personation at a polling station is. Were he to turn up at my polling station in Lancaster and claim to be me, I suspect that for several reasons he would probably not get away with it. I do not share his youthful good looks, clearly.

3.45 pm

Patrick Grady: The other point, of course, is that if someone was going to all that hassle to cast a vote in the name of the hon. Member for Lancaster and Fleetwood, why would they not just print out a fake passport or one of the other forms of ID in the Bill? If that would be an offence under the Bill, so would making a false declaration—even more so, because the voter would potentially be asking their colleague to sign the attestation that the voter is who they say they are, or the voter would sign an affidavit. That would be an offence; they would still be personating.

Given that the Committee has agreed to the principle of voter identification, should we not look at finding ways to make that as inclusive as possible? I do not understand the hostility from the Government Benches when the Committee has accepted the principle of the need for increased safeguards and identification of voters. Let us find ways to make it as open and inclusive as possible. Once again, the hon. Lady can be confident of the support of the Scottish National party.

Cat Smith: I thank the hon. Member. We are finding an awful lot of common ground on the legislation. In the 2018 and 2019 pilots, we found that when voters were asked for a restrictive form of ID, hundreds of people who did not have it and did not understand that

it was needed were turned away. This is a safeguard to ensure that those legitimate voters who were turned away would get a chance to cast a ballot.

Tom Randall *rose*—

Cat Smith: One of the witnesses in our evidence sessions—I cannot remember who it was; perhaps someone can intervene and share it with us—was very clear that no matter what legislation we bring in and how hard we try, bad actors will find a way around it to commit fraud. Even requiring ID at polling stations is not watertight. The hon. Member for Glasgow North made the point very clearly that if someone prints out a fake driving licence or passport, they can suddenly claim to be someone else because they have shown ID, even though it is a forgery. The legislation is not watertight against fraud, so it is about being proportionate.

I believe that the amendment is a proportionate safeguard to ensure that constituents who, for whatever reason on the day, are unable to provide ID are not denied the opportunity to cast a vote. It is used in many US states that have what I would call non-strict ID. It provides some level of protection, but not one that results in people being denied their vote.

Kemi Badenoch: Amendment 45 would allow a voter who has provided a specified form of identification at a polling station to attest to the identity of another voter who does not have a specified identification with them, and therefore enable a ballot paper to be issued to them. Amendment 46 would allow a voter who signs an affidavit confirming their identity to be issued with a ballot paper, even if they have not produced a specified form of identification. We cannot agree to the amendments because they would undermine the entire purpose of the voter identification measure in the Bill: that voters should show photographic identification in order to vote at an election. My hon. Friend the Member for Heywood and Middleton made an excellent intervention on that, which I will come to in a moment.

I remind Members that the principle underpinning the policy is to give voters confidence that their vote is theirs and theirs alone. Personation is by definition a crime of deception. It is very difficult to identify and prove. Photographic identification, more than attestation, virtually removes any risk of it occurring. It is a tried and tested model in the UK. As I said, the 2018 and 2019 pilots found that public confidence in the integrity of elections was higher. Attestation is just nowhere near the level that we need. People being able to create other documents easily is a weak argument. Fake passports and IDs are very difficult, complex things to create. Someone cannot just print a fake passport at their local library. The weakness of the examples that are being given shows that attestation is nowhere close to photographic identification.

We also consider that the decision to issue a ballot paper in a polling station to a voter should rest squarely with the presiding officer or a clerk. We do not consider that it would be appropriate for a voter to have a role in the issue of ballot papers to other voters, in particular as the ballot paper would be issued to a voter who has not shown a required form of identification. We should recognise that there would also be a risk that these provisions could be exploited by the unscrupulous to allow a ballot paper to be issued to a person who is

[Kemi Badenoch]

ineligible to vote at an election. Any eligible voter who does not have one of the required forms of photographic identification can apply for a voter card. We will continue to work with multiple stakeholders—local authorities, the Electoral Commission, charities and civil society organisations—to make sure that reforms are delivered in a way that is inclusive for all voters.

I urge Opposition Members not to press the amendment.

Cat Smith: The Minister was obviously not present for our evidence sessions, but it strikes me that, as our witnesses told us that postal voting is where the largest amount of fraud takes place, and as that is a form of voting where photo ID is not required, she is leaving a gaping hole in the risks that she outlined. I am not convinced by her arguments and I would like to press the amendment to a vote.

Question put, That the amendment be made.

The Committee divided: Ayes 6, Noes 9.

Division No. 5]

AYES

Anderson, Fleur	Hollern, Kate
Furniss, Gill	O'Hara, Brendan
Grady, Patrick	Smith, Cat

NOES

Badenoch, Kemi	Harris, Rebecca
Bell, Aaron	Kruger, Danny
Bristow, Paul	Mayhew, Jerome
Clarkson, Chris	Randall, Tom
Gibson, Peter	

Question accordingly negated.

Amendment proposed: 46, in schedule 1, page 73, line 9, at end insert

“, or signs an affidavit in a manner and form as may be prescribed by regulations in the presence of the presiding officer or a clerk.”—(Cat Smith.)

The Committee divided: Ayes 6, Noes 9.

Division No. 6]

AYES

Anderson, Fleur	Hollern, Kate
Furniss, Gill	O'Hara, Brendan
Grady, Patrick	Smith, Cat

NOES

Badenoch, Kemi	Harris, Rebecca
Bell, Aaron	Kruger, Danny
Bristow, Paul	Mayhew, Jerome
Clarkson, Chris	Randall, Tom
Gibson, Peter	

Question accordingly negated.

Cat Smith: I beg to move amendment 47, in schedule 1, page 73, line 9, at end insert—

‘(1AA) The presiding officer or clerk must—

- (a) deliver a provisional ballot paper to a voter who is unable to produce a specified document,

- (b) take reasonable steps as may be prescribed by regulations to establish if the voter, had they been able to produce a specified document, would have been entitled to a ballot paper, and

- (c) if the voter would have been so entitled, covert the provisional ballot paper to a ballot paper in a manner as may be prescribed by regulations.”

This amendment would allow a voter who does not have a specified ID with them to cast a provisional ballot pending checks on their identity.

The amendment would allow a voter who does not have the specified ID with them to cast a provisional ballot pending checks on their identity. It is another example of an approach used successfully in the United States to ensure that as many people as possible who are legitimate electors are able to cast their vote in an election. In some states, such as Colorado, Florida, Montana, Oklahoma, Rhode Island, Utah and Vermont, voters who do not show required identification may vote on a provisional ballot, and after the close of election day, election officials will determine via a signature check or other verification whether the voter was eligible and registered, and whether the provisional ballot should be counted or be excluded. No action on the part of the voter is required.

Tom Randall: This is the same intervention that I was going to make earlier. The hon. Lady gives some good examples from the United States. I just wondered, as we are a European country, whether there are any examples from European countries that use voter ID. Do they have any of these measures that the Opposition are proposing?

Cat Smith: The reason why I draw examples from the United States is that it does not have a national ID card, in the same way that we do not, whereas the European examples tend to have a national ID card. In that sense, we are more similar to the United States than to the European countries that the hon. Gentleman tempts me to talk about.

In New Hampshire, election officials will send a letter to anyone who has signed a challenged voter affidavit because they did not show an ID. These voters must return the mailing confirming that they are indeed in residence as indicated on the affidavit.

That method has allowed many successful elections to take place without fraud becoming an issue. There have been so many inventive ways to ensure that people do not lose their right to vote under that legislation. I urge the Government to share that imagination and perhaps to listen to some of those examples of good practice from the United States and incorporate them into the UK legislation. I hope the Minister will consider looking at the proposals and at the ways in which some US states do that to support our attempts not only to stamp out fraud, but to ensure that no elector is disenfranchised unduly.

Kemi Badenoch: The amendment would provide that a person who is unable to produce one of the required forms of photographic identification is able to cast a provisional ballot pending checks on their identity. We cannot agree to the amendment. It would mean that the counting of votes and announcement of the final result at an election might have to be delayed while the eligibility of such persons to vote at the election is checked and resolved by elections staff.

Brendan O’Hara: On the length of time, so much of what we heard on Second Reading and today was about the integrity of the ballot and about ensuring that every vote counts and that no vote is there wrongly, but suddenly we seem to have a pivoting on this point, with convenience somehow trumping democracy. The Minister accepted that queues will be longer, because people will have to produce a voter ID card, so are we really saying that the inconvenience of having to check the veracity of somebody’s vote—that it is absolutely correct—is more important than them actually having that vote?

Kemi Badenoch: No, I do not think so. I do not think that the point the hon. Gentleman is making applies to this amendment. Of course, we want every single vote to be counted, but as the amendment is drafted, how long would we have to wait, and what would the procedure be under it?

Brendan O’Hara: The answer would be that we wait as long as we need to get the right result.

Kemi Badenoch: Exactly—that is the point I was coming to. As the amendment is drafted, it could be a way in a marginal election of unduly delaying the announcement of a result. We want to ensure that people do not have their votes taken away and used by others who should not be using them. The examples we saw in Tower Hamlets and so on are part of the reason for the Bill.

Patrick Grady: Will the Minister give way?

Kemi Badenoch: No, I need to make progress—I am looking at the time.

The examples that we gave show why the Bill is needed, and that is not what the amendment would do. It would create an unnecessary administrative process. The focus of the Bill is on ensuring that everyone who is eligible and wants to cast their ballot in person can do so. We are talking about a situation in which someone does not have any photographic identification or a voter ID card, but puts in a provisional ballot only to disappear for who knows how long. Someone refused a ballot paper because they do not produce a required form of photographic identification may try again. If they return with identification, they will get a ballot, and they may make any number of attempts to do so.

Patrick Grady: That does not answer the point that I made on Second Reading and earlier today about what happens if a voter turns up too late in the process, say about quarter to 10 at night, at the last minute, but realises that they have left their photographic identification at home. By the time they get back, they might not be able to get inside to cast their ballot. This nonsense of, “How long would it take?”, could perhaps be addressed in regulations, as that seems to be the Minister’s solution to most of our other problems and questions. Or, if she does not like the competency or the wording of the amendment, is she suggesting that she would be open to a more clearly prescriptive amendment to address some of the points on Report? Perhaps that will be tabled and the Government will consider it at that stage.

Kemi Badenoch: I do not think that the hon. Gentleman has improved his argument by saying that we should not have the legislation because someone might turn up

with five minutes left and something could wrong. We do not say that border control should not look at passports because someone might have left theirs at home, so might miss their flight.

The hon. Gentleman’s argument is, I am afraid, weak. We are improving and strengthening the process. There will of course be scenarios that are unpreventable. We have all seen them before, when someone is unable to vote. One of those scenarios, I repeat, is when someone tries to vote and their vote has been taken by someone else. The Bill will fix that, and the amendment would not help.

Points were made about what happens when people change their names. An elector who has changed their name since their photographic identification was issued will be able to bring additional documentation to polling stations to satisfy the presiding officer that they are on the register. The amendment would lead to the creation of an entirely new concept of a provisional vote that would be new to UK elections. It would therefore not be a straightforward process. That could impact on the result being announced in good time, as I have already said, potentially undermining public confidence in the outcome of the poll—something that we cannot have. We are therefore not persuaded of the merits of the arguments or the proposed changes, and we would be concerned about the potential harm they could do to the successful delivery of elections. I urge the hon. Member for Lancaster and Fleetwood to withdraw the amendment.

Cat Smith: I am not entirely reassured by the Minister’s remarks. I know that our Liberal Democrat colleague, the hon. Member for Edinburgh West (Christine Jardine), has a different surname on the electoral roll. The issue of names on documents is a huge problem, particularly for women. It would be good to see an impact assessment, given the Minister’s dual role. I will not press the amendment to a vote, but I ask the Government to look seriously at ways in which we can be more innovative about being inclusive in our actions. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Cat Smith: I beg to move amendment 48, in schedule 1, page 73, line 14 at end insert—

“(1BA) The presiding officer must ensure that a woman presiding officer or clerk is available to confirm privately the identity of a woman voter if that voter so requests.”

This amendment would give someone choosing to cover their face for religious or cultural reasons the option of removing their face covering in the presence of a woman presiding officer or clerk when confirming their identity.

This amendment would give someone choosing to cover their face for religious or cultural reasons the option of removing their face covering in the presence of a woman polling clerk or presiding officer when confirming their identity. The previous Minister advised colleagues that polling staff will be given appropriate training in the checking of voter ID for individuals who choose to wear face coverings or headscarves. Although the Government have apparently guaranteed the use of privacy screens at polling stations to facilitate private ID checks, many voters will feel uncomfortable about the prospect of having to show their face or hair to a polling clerk of the opposite gender.

[Cat Smith]

In an evidence session we heard from Rob Connelly from Birmingham about how there will be an issue in recruiting polling clerks. He said:

“We will have to start reviewing all our polling stations again to be able to have privacy screens in place”.—[*Official Report, Elections Public Bill Committee*, 15 September 2021; c. 61, Q96.]

I want to acknowledge the fact that there is a lot of pressure on local authorities. It is essential that no one is disfranchised. We also took evidence from Maurice Mcleod, who said:

“It is all very well saying that photo ID should be used, but if you are not supposed to reveal your face to a man who is not in your immediate family, that is really hard. Even if councils say, ‘We’ll make sure there are women, or people who know what should happen, at the polling station,’ there is still that worry in your head, if you are that woman who is not that confident about whatever, and you need to go out and vote. There is still that concern—‘Will I be treated properly? Do they know...my faith needs?’”

—[*Official Report, Elections Public Bill Committee*, 16 September 2021; c. 97, Q152.]

Will the Minister confirm that her plans include provisions to ensure that there are staff of both genders all day at each of the 35,000 polling stations across the country to ensure that voters will not be placed in an inappropriate position? How much does she expect that to cost? Does she share my concern that many women will simply choose not to vote if they perceive that they are faced with the risk of having to remove their headscarf or face covering to a stranger, particularly a male stranger?

Kemi Badenoch: Amendment 48 would require the presiding officer to ensure that a woman presiding officer or clerk is available to confirm privately the identity of a woman voter if that voter so requests. We cannot agree to the amendment because it would not be appropriate for that level of detail about the staffing of polling stations to be set out in primary legislation. It is for returning officers and electoral administrators to manage the resources that they have for the poll, and there is the concern that introducing such a requirement would severely limit flexibility in the deployment of elections staff, which would make it challenging for returning officers to successfully deliver elections.

Before imposing such requirements and additional burdens on polling staff, it is important to conduct research and engagement with the public to find out if this is something they would find beneficial, or something that would need to be done in all areas. A similar policy of voter identification has been operating in Northern Ireland since 2003, and no such requirement exists there. Certainly, we will look to have this approach as best practice, which may be the more sensible approach, and one that provides more flexibility. I reassure the hon. Member for Lancaster and Fleetwood that initial discussions with electoral administrators have identified a significantly higher presence of female than male staff working in polling stations which, anecdotally, has been my own experience.

We consider it impractical to introduce the strict requirement proposed by the amendment, which could potentially prevent polling stations from being able to operate. I have said previously that we are going to be as inclusive as we reasonably can with this legislation. I am happy to reassure the hon. Lady that polling station

staff will be given appropriate training, as she mentioned, and there will be a requirement for privacy screens to be placed in polling stations, allowing for those who wish to have their ID viewed in private. On that basis, the Government cannot support this amendment.

Cat Smith: Without this amendment, I fear we risk a postcode lottery, where many women will be very anxious about the prospect of voting without the guarantee of a female poll clerk to verify their identity. For that reason, we would like to have a vote.

Question put, That the amendment be made.

The Committee divided: Ayes 6, Noes 9.

Division No. 7]

AYES

Anderson, Fleur	Hollern, Kate
Furniss, Gill	O’Hara, Brendan
Grady, Patrick	Smith, Cat

NOES

Badenoch, Kemi	Harris, Rebecca
Bell, Aaron	Kruger, Danny
Bristow, Paul	Mayhew, Jerome
Clarkson, Chris	Randall, Tom
Gibson, Peter	

Question accordingly negated.

Cat Smith: I beg to move amendment 49, in schedule 1, page 75, line 9, at end insert—

“(o) a student ID card;”.

The Chair: With this it will be convenient to discuss the following:

Amendment 50, in Schedule 1, page 75, line 9, at end insert—

“(o) an 18+ Student Oyster photocard;”.

Amendment 51, in Schedule 1, page 75, line 9, at end insert—

“(o) a National Rail Railcard;”.

Amendment 52, in Schedule 1, page 75, line 9, at end insert—

“(o) a Young Scot National Entitlement Card;”.

Amendment 53, in Schedule 1, page 75, line 9, at end insert—

“(o) a firearms certificate granted under the Firearms Act 1968;

(b) a digital ID (such as the NHS app, EU settled status app or Railcard app).”.

Cat Smith: Despite losing many votes this afternoon, I do hope that the Government might be open to the idea of looking at various different IDs that we can add to the list of valid IDs in the Bill.

There are many aspects of the Bill that I find quite shocking and, arguably, undemocratic. The fact that people are unable to use student IDs or 18-plus Oyster cards to vote is an attack on young people’s ability to take part in our democracy. It is something that falls to all of us, as Members of this House, to ensure that the next generation engage with democracy. There is an

oversight, in that, the legislation does allow for travel passes for older voters to be used, but not for younger voters who have similar passes.

The inclusion of student IDs that contain photographs and names would be an improvement to this Bill. I hope the Government considers this, as it is incredibly important that we engage young people in our democracy. We have seen in other parts of the United Kingdom, where 16 and 17-year-olds have a vote, that if they use their vote when they are 16 or 17 they are more likely to develop a habit of voting and taking part in democracy.

This goes back to my first argument: that our democracy is stronger, and it is harder for bad actors to influence it, when we have higher participation. This amendment seeks to increase that participation, to ensure that more forms of ID are included on the list in the Bill. It cannot be right that some IDs seem to be valid and some IDs seem not to be valid.

Patrick Grady: The hon. Lady is absolutely right about the enthusiasm with which 16 and 17-year-olds in Scotland have participated in ballots and plebiscites since they have had the opportunity to do so, and how frustrating many of them have found it when a UK snap election has come along—the pattern in recent years—that they cannot participate in. I particularly welcome amendment 52 including the Young Scot National Entitlement Card as a form of ID, because it is already recognised in law by the Scottish Government and Police Scotland as an acceptable form of proof of age. I will be very interested to hear it if the Government decide that they oppose the suite of amendments that we are currently debating, because why, having accepted the principle of photographic identification, would they then want to narrow the scope and narrow the chances of people being able to demonstrate who they are? It just seems a bit bizarre.

Cat Smith: I completely agree with the hon. Member. His intervention gives me the opportunity to put it on the record that the Welsh Labour Government have also recently extended the franchise to 16 and 17-year-olds and seek to make participation in democracy something that is easy to do yet still secure. On that note, I look forward to hearing the Minister's responses as to why young people are seeing more barriers put up to their voting than already exist.

Kemi Badenoch: The amendment would ensure that further forms of photographic identification would be allowed in order to vote at a polling station. We cannot agree to the amendment, because the forms of identification currently in the Bill were chosen following a detailed assessment of a wide variety of photo identification.

Cat Smith: Would the Minister be willing to publish the detailed assessment of why the Oyster card for older travellers who get free travel in London is valid, yet the 18+ Student Oyster card is not?

Kemi Badenoch: I can actually answer the question, because I asked it myself; I thought it was an interesting point. The reason is that the requirements when applying for those types of card are different. Getting a 60+ Oyster card is a significantly more stringent process. People need a passport, driving licence or combination of different proofs of age and address to apply for the

60+ Oyster card. People do not have to have that for the 18+ Oyster card, for example. We have gone through and looked at what the basis for stringent checks would be. The point I am making is that we considered the level of security checks required to get each type of identification and the likelihood that someone holding further forms of identification would already hold one of the permitted types of identification. That is why this is the case.

Brendan O'Hara: My question is on the specifics. We have been talking about a card that is accepted by the Scottish Government and, indeed, by Police Scotland. Why specifically is the Scottish young person's national entitlement card not accepted for this purpose?

Kemi Badenoch: I am sorry, but I do not know the details of the Scottish entitlement card. Perhaps if I can see the reasons and the application process for that, I might be able to give an example. I have given the basis for how the decisions were made. I cannot comment on various forms of identification used in various places, I am afraid.

The list of identity documents that will be permitted for the purpose of voting at polling stations that is included in the Bill is already broad. That said, it is recognised that available forms of identification will change over time, and that is why the Bill includes provisions to allow the list of acceptable identification to be updated through secondary legislation. For example, there are plans for online provisional driving licences, which will be considered for inclusion if appropriate. We completely understand the need to make sure that as many people as possible are able to get the ID that they need, and we feel that this provision and the free voter card are enough to make sure that voters will have the identification required, so we will not support the amendment.

Cat Smith: As the legislation stands, it is disappointing that the Minister has not been able to present convincing evidence on several forms of identity in this group of amendments. I hope that she takes this opportunity to look particularly at the Young Scot card, which is accepted by the Scottish Government, in order to at least present to the Committee the patterns of thinking as to why that was not as secure as, say, the 60+ Oyster card in London, because I think that would be of benefit to the Committee. I hope that the Government will be looking to make the list, while being secure, as inclusive as possible. And I would wish to have some votes, Sir Edward.

The Chair: You can have whatever votes you like.

Cat Smith: I would like to press amendments 49, 50, 51 and 52, Sir Edward.

Amendment proposed: 49, in schedule 1, page 75, line 9, at end insert—

“(o) a student ID card;”—(*Cat Smith.*)

Question put, That the amendment be made.

The Committee divided: Ayes 6, Noes 9.

Division No. 8]**AYES**

Anderson, Fleur
Furniss, Gill
Grady, Patrick

Hollern, Kate
O'Hara, Brendan
Smith, Cat

NOES

Badenoch, Kemi
Bell, Aaron
Bristow, Paul
Clarkson, Chris
Gibson, Peter

Harris, Rebecca
Kruger, Danny
Mayhew, Jerome
Randall, Tom

Question accordingly negated.

Amendment proposed: 50, in schedule 1, page 75, line 9, at end insert—

“(o) an 18+ Student Oyster photocard;”—(*Cat Smith.*)

Question put, That the amendment be made.

The Committee divided: Ayes 6, Noes 9.

Division No. 9]**AYES**

Anderson, Fleur
Furniss, Gill
Grady, Patrick

Hollern, Kate
O'Hara, Brendan
Smith, Cat

NOES

Badenoch, Kemi
Bell, Aaron
Bristow, Paul
Clarkson, Chris
Gibson, Peter

Harris, Rebecca
Kruger, Danny
Mayhew, Jerome
Randall, Tom

Question accordingly negated.

Amendment proposed: 51, in schedule 1, page 75, line 9, at end insert—

“(o) a National Rail Railcard;”—(*Cat Smith.*)

Question put, That the amendment be made.

The Committee divided: Ayes 6, Noes 9.

Division No. 10]**AYES**

Anderson, Fleur
Furniss, Gill
Grady, Patrick

Hollern, Kate
O'Hara, Brendan
Smith, Cat

NOES

Badenoch, Kemi
Bell, Aaron
Bristow, Paul
Clarkson, Chris
Gibson, Peter

Harris, Rebecca
Kruger, Danny
Mayhew, Jerome
Randall, Tom

Question accordingly negated.

Amendment proposed: 52, page 75, line 9 [Schedule 1], at end insert—

“(o) a Young Scot National Entitlement Card;”—(*Cat Smith.*)

Question put, That the amendment be made.

The Committee divided: Ayes 6, Noes 9.

Division No. 11]**AYES**

Anderson, Fleur
Furniss, Gill
Grady, Patrick

Hollern, Kate
O'Hara, Brendan
Smith, Cat

NOES

Badenoch, Kemi
Bell, Aaron
Bristow, Paul
Clarkson, Chris
Gibson, Peter

Harris, Rebecca
Kruger, Danny
Mayhew, Jerome
Randall, Tom

Question accordingly negated.

Ordered, That further consideration be now adjourned.—(*Rebecca Harris.*)

4.17 pm

Adjourned till Tuesday 19 October at twenty-five minutes past Nine o'clock.

Written evidence reported to the House

EB04 Royal National Institute of Blind People (RNIB)

EB05 Ross Johnson

