

Research Briefing

27 November 2023

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# Absent voting



## Summary

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- 2 Applying for an absent vote
- 3 How do postal votes work?
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## Summary

This briefing provides information on the arrangements for absent voting. It also outlines the changes resulting from the [Elections Act 2022](#).

### What is absent voting?

If a voter cannot get to the polling station on the day of the election, they can apply for an absent vote. There are two types of absent vote:

- Postal votes: where you fill in your ballot in advance and send it back to be counted
- Proxy votes: where you ask someone to vote on your behalf on polling day

The rules on who can apply for an absent vote vary depending where in the UK the voter lives, and on which type of election they are trying to vote in.

Absent votes can be requested at any time but there are deadlines for setting up absent voting arrangements for a specific election. Again, these vary depending where in the UK a voter lives.

The Electoral Commission [I am a voter](#) website provides current information for all parts of the UK, including how to apply.

### How popular is absent voting?

At the 2019 General Election, 17.2% of voters across the UK were issued with a postal ballot and 0.6% of voters appointed a proxy.

Turnout tends to be higher for postal voters than those who vote at polling stations. This means that 21.0% of all valid votes at the 2019 General Election were postal votes. Before postal voting rules were changed in 2001, this was around 2%. The changes in 2001 allowed voters in Great Britain to request a postal vote for any reason, known as postal voting on demand. Postal voting on demand is not available in Northern Ireland.

## Elections Act 2022

The [Elections Act 2022](#) has made some changes to the arrangements for absent voting. Changes to the rules about absent voting only apply to certain elections. These will be UK Parliament elections, local elections in England, police and crime commissioner elections in England and Wales, sometimes referred to as reserved elections.

Voters can apply for absent votes online for reserved elections from 31 October 2023 using the [Apply for a postal vote service](#) or the [Apply for a proxy vote](#) hosted on the Gov.UK website. Until now applications had to be made using a printed form. For elections in Northern Ireland and for devolved elections in Scotland and Wales applications must still be made in writing.

The application process will change so voters will be required to provide a national insurance number, whether applying online or in hard copy. There will be additional ways for people without a national insurance number to apply. This mirrors the existing application process for [registering to vote](#).

The changes will require voters in Great Britain to reapply for postal voting arrangements every three years for UK Parliament elections and other reserved elections in England and Wales.

Other changes to absent votes will take effect for a UK Parliament election or recall petition from 12 December 2023 and for other reserved elections in England and Wales from 2 May 2024. A person will only be able to act as a proxy for up to four other voters in reserved elections in Great Britain. Of these four only two can be 'domestic' voters. The other two may be overseas or service electors.

It will be an offence for a campaigner to handle someone's postal vote or postal vote documents. There will also be a limit of five on the number of postal vote packs that anyone can hand in to a polling station in Great Britain. If handing in someone else's postal ballot the person handing in will be required to fill in a declaration. Failure to make the declaration as required or an attempt by a campaigner to hand in a postal vote will lead to the ballots being rejected and they cannot be included in the count. Northern Ireland voters cannot hand in postal votes at polling stations or council offices.

Absent voting arrangements for devolved elections in Scotland and Wales, for Senedd Cymru, Scottish Parliament, and local council elections will not change.

# 1

## What is absent voting?

If someone knows they cannot go to their allotted polling station on the day of an election, they can apply for what is known as an absent vote.

There are two types of absent vote:

- Postal votes: where you fill in your ballot in advance and send it back to be counted
- Proxy votes: where you ask someone to vote on your behalf on polling day

The rules on applying for an absent vote vary depending on where someone is living in the UK and what election they are trying to vote in.

The rules for absent voting are included in both primary and secondary legislation. Some of the rules, particularly those in secondary legislation, are specific to the part of the UK someone lives in or to a particular election.

## 2

# Applying for an absent vote

The requirements for applying for an absent vote are set out in various pieces of complex legislation.

The information set out in this section is mostly taken from publicly available information provided by the [Electoral Commission](#) or the [Electoral Office for Northern Ireland](#). Every effort is made to ensure this briefing is accurate at the time of publishing, but voters in England and Wales with specific queries or requirements are advised to check with their [local authority's electoral service team](#). Voters in Scotland should contact their electoral registration officer via the [Scottish Assessors Association](#) website. Voters in Northern Ireland should contact the [Electoral Office for Northern Ireland](#).

Until changes introduced by the Elections Act 2022 (see section 4) applications for absent votes had to be made in writing. From 31 October 2023 there are online '[Apply for a postal vote](#)' and '[Apply for a proxy vote](#)' services on Gov.UK. These run alongside the UK Government's existing online [register to vote service](#) and can be used for applying for absent votes for voters in Great Britain applying for absent votes for UK Parliament elections and recall petitions, local elections in England, and police and crime commissioner elections in England and Wales. Overseas voters registered in Northern Ireland cannot register to vote or request absent votes online.

## 2.1

### Postal votes

#### Great Britain

Anyone who is registered to vote in Great Britain can ask for a postal vote at any time. They do not need to give a reason. This is called postal voting on demand.

This includes someone who has been appointed as a proxy voter for someone else, but who cannot get to the appropriate polling station.

When requesting a postal vote, someone can request to vote by post indefinitely, for a certain election, or for all elections and referendums in a given period. The rules vary depending on the election.

Rules about indefinite postal voting for reserved elections are from 31 October 2023. See section 4 for more information.



## Northern Ireland

In Northern Ireland, postal voting on demand is not available. Voters in Northern Ireland can apply for a postal vote if they cannot get to a polling station because of:

- Illness
- Disability
- Holiday
- Work or education arrangements

Postal votes for voters in Northern Ireland cannot be sent outside the UK. Voters registered in Northern Ireland but based outside the UK must appoint a proxy.<sup>1</sup>

Indefinite postal voting is available for those applying on grounds of disability. It is also available if education or employment means a voter is likely to be away from their usual home address for at least two years.<sup>2</sup>

Voters in Northern Ireland who have registered to vote online are required to provide a [digital registration number](#) (DRN) when applying to vote by post or proxy. The DRN is intended to be a digital replacement for the wet ink signature that is required on paper registration applications, and both are a security measure used to link the person applying for the absent vote to their registration.

## 2.2

### Proxy votes

Proxy voting is not available on demand but only under certain conditions. Voters must give a reason to apply for a proxy vote.

The person acting as a proxy must be registered and eligible to vote in the election being held.

A proxy voting on someone's behalf votes in the same way as normal voter. They must go to the polling station allocated to the person who requested the absent vote. Proxy voters will receive a polling card saying which polling station they must vote in.

If the person appointed as the proxy cannot get to the allocated polling station they may apply for a postal vote to act as a proxy. The normal

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<sup>1</sup> Electoral Commission, [Apply to vote by post](#)

<sup>2</sup> Electoral Office for Northern Ireland, [Voting by post or proxy](#)

deadlines for applying in advance of a particular election will apply (see below).

## Great Britain

In Great Britain someone must give a reason for requesting a proxy vote. This may be because they are away for work, education, holiday, or based overseas on the day of the election.

## Northern Ireland

In Northern Ireland the reasons for applying for a proxy vote are the same as for applying for a postal vote. Indefinite proxy arrangements are available on grounds of disability, education or employment on the same basis as postal votes.

As with postal votes, voters who registered online are required to provide a [digital registration number](#) when applying for a proxy vote.

## Voter ID

Voters in polling stations are required to show photographic ID for some elections. Someone voting as a proxy must show the appropriate photographic ID to prove who they are, and that they are the correct proxy. They do not need to show ID for the person who appointed them as a proxy. Photo ID is required for UK Parliament elections and by-elections, recall petitions, all local government elections in England and all elections in Northern Ireland.<sup>3</sup>

## 2.3

## Personal identifiers

Applications for absent votes require the voter to supply their date of birth and a signature.

These are known as the personal identifiers.

For postal votes they are used as a security measure. When postal votes are returned the identifiers are checked to ensure they match. See section 3 for more information.

For people unable to provide a signature there is a 'waiver' provision for postal votes because of disability or inability to read or write. The applicant must provide the reason for the request and the name and address of any person who has assisted them with completing the application.

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<sup>3</sup> Commons Library research briefing CBP09187, [Voter ID](#)

From 31 October 2023, postal vote applications for reserved elections in Great Britain must be renewed every three years. Indefinite postal votes will no longer be allowed. Reserved elections and the changes are explained in section 4. Indefinite absent

Postal votes for devolved elections in Scotland and Wales may continue on an indefinite basis. Voters with an indefinite postal vote are required to ‘refresh’ their signature every five years. By providing a new signature every five years the risk of a postal vote being rejected because the signature does not match is reduced. The rules are different in Northern Ireland.

## 2.4 Deadlines

### Postal votes

Someone can apply for an absent vote at any time.

In the run up to an election there are deadlines if someone wants to apply for postal voting arrangements to take effect for that election. These are:

- 5pm, 11 working days before the poll in England, Scotland, and Wales
- 5pm, 14 working days before the poll in Northern Ireland

Someone with an indefinite postal vote or who has chosen to vote by post for a set period can cancel their postal vote or apply to change to a proxy vote up to the same deadline. The exception is if they have already returned their postal vote.

Someone who has chosen a postal vote for a single election cannot cancel their postal vote but may apply to change to a proxy vote by the same deadline.

### Proxy votes

Applying for a new proxy voting arrangement must be done by 5pm, 6 working days before polling day.

The deadline for changes to existing proxy arrangements is the same as the deadline for applying for a postal vote, 5pm, 11 working days (England, Scotland, and Wales) or 14 working days (Northern Ireland) before the poll.

Changes might include cancellation of the proxy vote arrangement, changing who someone wants to act as their proxy, or changing a postal vote.

If someone decides to cancel their proxy vote so they can vote in person, the deadline is the same. However, if someone does not cancel their proxy arrangement, they may still vote at the polling station if their proxy has not already voted for them.

## Concerns about time available for the return of postal votes

The deadline for the return of a postal ballot to be included in the count is 10pm on polling day, the same time polling stations closed.

Postal ballots handed in at polling stations, or to the returning officer at the local council offices by this deadline can be included in the count. This is subject to them passing the normal security checks outlined in section 3.

Some postal votes are not included in the count because they are returned after the deadline. Electoral registration officers must notify those whose postal vote has been rejected, and explain why, within three months of the date of the poll.

People who apply for a postal vote close to the application deadline have less time to receive and return their ballot. Also, the law does not allow lost or undelivered postal votes to be reissued until four working days before polling day.

The Association of Electoral Administrators (AEA) reported that local elections in England in 2023 saw higher than normal levels of postal vote applications:

Some political parties at local levels encouraged electors to apply for a postal vote to avoid needing to show ID in the polling station.

This contributed to a measurable increase in postal vote applications received shortly before the deadline in some areas. Late applications take time to manually process, especially if additional verification is required. They are also more labour intensive to print and post out at the busiest point of the election timetable. This can reduce the time electors have to receive and return their vote, which can be further compounded by supplier issues.<sup>4</sup>

The AEA also reported what it said was a “worrying trend” that postal vote delivery issues are more prevalent and risk disenfranchising electors. Some returning officers have reported it is difficult to “work out where the problem lies – with their printer or with Royal Mail”.<sup>5</sup>

In August 2023 it was reported that 1,400 postal votes in May’s local election in Brighton and Hove were not counted because they were delivered the day after polling day. By law they could not be counted. However, a Royal Mail investigation concluded that all election mail was sorted, cleared and delivered appropriately as it came into their network.<sup>6</sup>

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<sup>4</sup> Association of Electoral Administrators, [AEA 2023 Post Polls Review Under pressure: increased demand on the UK electoral system](#), June 2023, page 9

<sup>5</sup> As above, p9

<sup>6</sup> Local government Chronicle, Over 1,000 late postal votes not counted in city’s elections, 8 August 2023

Some overseas voters also experience significant problems with returning their ballot paper. The Electoral Commission report on the 2019 General Election noted there had been some improvements in 2019:

At the 2019 general election, the Cabinet Office and Royal Mail put in place a system for faster delivery of postal ballot packs to overseas electors. This does appear to have improved the experience for some electors, but there was still not enough time for overseas electors in some countries to return their votes in time for them to be counted.<sup>7</sup>

The AEA has called for a longer electoral timetable, including for UK Parliament elections, and for earlier absent voting deadlines.<sup>8</sup>

The timetable for a UK Parliament general election was extended to 25 working days by the Electoral Registration and Administration Act 2013. It had previously been 17 working days. The provision was included in the Act to allow more time for postal vote packs to be sent out, 19 days before the poll, and sent out as soon as possible after nominations closed.

The Fixed-term Parliament Act 2011 was abolished by the [Dissolution and Calling of Parliament Act 2022](#) there was some discussion about returning the timetable for a UK Parliament election to 17 days. During pre-legislative scrutiny of the draft Bill by the Joint Committee on the Fixed-term Parliament Act recommended that a cross-party working party should be established to consider how the election timetable could be shortened.<sup>9</sup> Backbench amendments were tabled during the passage of the Bill to shorten the timetable.<sup>10</sup>

Electoral administrators and returning officers issued an open letter to the UK Government saying reducing the timetable from 25-days is, “simply not achievable within our current electoral system”.<sup>11</sup> In October 2021, electoral suppliers also wrote an open letter to the Minister expressing concerns about any attempt to shorten the timetable.<sup>12</sup>

During the passage of the Bill, the minister said:

I am happy to confirm from this Dispatch Box that the Government’s position is to maintain the electoral timetable as it stands—I am not proposing an extension or reduction<sup>13</sup>

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<sup>7</sup> Electoral Commission, [UK Parliamentary General Election 2019](#), April 2020, p7-8

<sup>8</sup> Association of Electoral Administrators, [AEA 2023 Post Polls Review Under pressure: increased demand on the UK electoral system](#), June 2023, page 25

<sup>9</sup> Commons Library Research Briefing CBP 09267, [Dissolution and Calling of Parliament Bill 2021-22](#)

<sup>10</sup> Commons Library research briefing CBP 09308, [Dissolution and Calling of Parliament Act 2022: Progress through Parliament](#)

<sup>11</sup> [Open letter from the Association of Electoral Administrators and the Society of Local Authority Chief Executives](#), 9 September 2021

<sup>12</sup> [Open letter from electoral suppliers across the UK](#), 13 October 2021

<sup>13</sup> [HC Deb 13 September 2021 \[Dissolution and Calling of Parliament Bill\]. c731](#)

## 2.5 Emergency proxies

In some circumstances someone can apply for an emergency proxy. These vary depending which part of the UK the voter live in.

The deadline for applying for an emergency proxy in Northern Ireland is 5 pm on the sixth day before polling day.

In Great Britain someone can apply for an emergency proxy if, after the normal deadline for appointing a proxy, they have an emergency that means they are unable to vote in person.

Application for emergency proxies in Great Britain can be made up to 5pm on polling day.

The emergency may be medical, or someone has had to travel for work, or they have lost the voter ID they need for certain elections. The emergency must have happened to the voter, for example a medical emergency. A companion accompanying someone affected by a medical emergency would not be entitled to an emergency proxy. In some cases, the application must be endorsed by a declaration, for example form a medical professional or an employer.

The Scottish Government has consulted on whether emergency proxy voting should be extended to the companions of those who are required to travel for medical appointments or treatment at short notice.<sup>14</sup>

The precise eligibility varies depending which part of the UK someone is in and which election someone wants to vote in. The Electoral Commission [I am a Voter](#) website provides more information.

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<sup>14</sup> Scottish Government, [Electoral reform consultation](#), December 2022, Chapter 2: Voting

## 3 How do postal votes work?

### 3.1 When are ballots sent out?

Postal ballots cannot be sent out until the returning officer knows who the candidates will be, and the ballot papers can be printed.

Elections follow a set timetable. For most elections, including UK Parliament elections, the timetable is 25 working days. The notice of the election must be published not later than 25 working days before polling day. Some, including local elections in Scotland and elections to the Scottish Parliament and the Greater London Assembly, have slightly longer timetables.

For UK Parliament elections the timetable is triggered by the issue of a writ calling for an election to take place (each constituency has a writ issued). Day zero is the issue of the writ and day one is the receipt of the writ in the constituency. Day 25 is polling day.

Nominations for elections normally close a few days after the election timetable starts. It means postal ballot packs cannot be sent until the nomination period has closed and ballot papers have been printed.

### 3.2 What does the voter need to do?

When the voter receives their ballot pack it will contain a ballot paper, instructions, a postal voting statement, and two return envelopes.

When the voter has placed their mark on the ballot paper, usually an 'X', it is placed in one of the return envelopes, marked envelope A. Only the ballot paper goes in this envelope.

The second envelope, marked B, is the pre-paid addressed envelope to return the sealed ballot paper to the returning officer. The voter must also use the second envelope to send back their postal voting statement, which includes the voter's personal identifiers – their date of birth and signature.

Envelope B must include envelope A and the postal voting statement. Envelope A and the postal voting statement will both have the same reference number. This ensures that if the two are inadvertently separated, or are sent back separately by mistake, they can be reunited and included in the postal voting opening process.

### 3.3 What happens when the postal vote is returned?

Returning officers must store envelopes they receive back securely until they are opened.

At a postal vote opening session staff will open envelope B, which contains the sealed ballot in envelope A and the postal voting statement.

They will ensure the reference numbers on envelope A and the postal voting statement match. Staff will then check that the personal identifiers on the postal voting statement match what is kept on record. If they match the postal ballot can be accepted.

Once the security checks have been made and the ballot can be accepted. The envelope containing the ballot paper is opened and the ballot paper is removed. It must be kept face down at all times. If the ballot paper is genuine (it possesses the official mark and the number on the ballot paper matches a corresponding number on envelope A) it is placed in a ballot box.

There is usually more than one opening session. Agents acting for the candidates, or the candidates themselves, can witness opening sessions.

Ballot boxes containing postal votes are then included in the count.

Postal ballot packs can be handed in on polling day. As long as this is done by 10pm then the ballots can be processed. Postal ballots handed in on polling day still need to be verified and security checked before being included in the count.

### 3.4 Are postal votes secret?

Yes.

Postal ballots should remain face down at all times during a postal vote opening session. This means that no one processing the postal votes should see how anyone has voted.

All ballot papers have an official mark and a number. Ballot papers are issued in numerical order. When someone votes in a polling station their electoral number from the register is noted against the corresponding number list. This system is designed to ensure no fake ballots can be included in the count and no ballots are unaccounted for. A similar process is used for postal votes.



Although it is theoretically possible for ballot papers to be traced to the person who filled them in, it is virtually impossible to marry up the voter to a particular ballot paper.

When ballots are transported to the count ballot the ballot boxes are verified to ensure the correct number of ballots are in the box. Before counting, ballots from a ballot box must be mixed with at least one other ballot box.

When being verified and counted ballots should remain face up at all times. This means no one at the count should see the official mark or the ballot paper number. Once ballot papers have been counted and a result declared the ballots are sealed.

Another measure to help ensure secrecy is that corresponding number lists from polling stations and the equivalent documentation from postal voting sessions are sealed at the end of polling day or the postal ballot opening session.

Corresponding number lists cannot be unsealed, even at the count. It is this separation and sealing of the ballots and the corresponding numbered lists that makes it virtually impossible to link an individual ballot paper with the voter that filled it out.

All sealed documents are then stored by the electoral registration officer for a year and then destroyed. They can only be opened by order of a court.

Anyone at a polling station, postal vote opening session, or at the final count has a legal responsibility to maintain the secrecy of the vote. It is an offence to break the secrecy requirements.

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## 4 Elections Act 2022

The [Elections Act 2022](#) was passed in July 2022. As noted in section 1 the Act is making some changes to the rules around absent voting, primarily in England. The UK Government say that the new safeguards are part of its manifesto commitment to protect the integrity of the voting process.<sup>15</sup> The changes were not implemented immediately, and some required additional secondary legislation before being implemented.

The draft regulations to apply the rules for applying for absent votes and acting as a proxy (see sections 4.1 to 4.3) were published in May 2023. They were approved by both Houses of Parliament in September 2023 and took effect from 31 October 2023.<sup>16</sup>

Draft regulations on postal vote handling and secrecy of the vote for postal votes (sections 4.4 and 4.5) were laid before Parliament in September 2023 and approved by both Houses in October and November 2023.<sup>17</sup>

The changes only apply to 'reserved' elections. These are elections where the devolved administrations in Scotland and Wales cannot make changes. Some of the changes will also affect elections in Northern Ireland.

The reserved elections affected are:

- UK parliamentary elections
- Recall petitions held anywhere in the UK
- Local government elections in England (including mayoral, London Assembly and combined authority elections, and parish councils)
- Local referendums in England
- Police and Crime Commissioner elections in England and Wales.

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<sup>15</sup> HM Government, [Elections Act: postal and proxy voting safeguards](#), 23 May 2023

<sup>16</sup> UK Parliament SI tracker, [Representation of the People \(Postal and Proxy Voting etc.\) \(Amendment\) Regulations 2023](#)

<sup>17</sup> UK Parliament SI tracker, [draft Representation of the People \(Postal Vote Handling and Secrecy\) \(Amendment\) Regulations 2023](#)

The changes will not affect parish polls in England. A parish poll can be held if it is called for at a parish meeting.<sup>18</sup> There is no provision for absent voting at a parish poll.

## 4.1 Absent voting applications

From 31 October 2023 voters will be able to apply for absent votes online using the ‘[Apply for a postal vote](#)’ and ‘[Apply for a proxy vote](#)’ services on Gov.UK. These run alongside the UK Government’s existing online [register to vote service](#) and can be used for applying for absent voters in Great Britain for UK Parliament elections and recall petitions, local elections in England, and police and crime commissioner elections in England and Wales. Overseas voters registered in Northern Ireland cannot apply to register to vote or apply for absent votes online.

The Association of Electoral Administrators (AEA) had called for the introduction of the online application portal for absent votes to be delayed. On 5 October 2023 it issued a statement saying it believed launching in November was a mistake, saying:

We support OAVA [Online Absent Vote Applications] being introduced – but only once a fully functioning and end-to-end tested system is ready. This is the universal view of the electoral sector.

Returning Officers, Electoral Registration Officers and electoral administrators will do their best to implement the new system, but we worry the current agile iterative approach exposes them to untenable levels of risk.<sup>19</sup>

### National Insurance numbers

Applications for absent voting for reserved elections, whether made online or in writing now need to be accompanied with someone’s National Insurance Number (NINo). NINos are already used to verify someone’s identity when registering to vote.

The Government says this will strengthen the security and improve the accessibility and efficiency of the absent voting process. The changes allow information provided as part of a Register to Vote application to be used to pre-populate an absent vote application.<sup>20</sup>

In Great Britain, the NINo is automatically checked against data held by the Department for Work and Pensions (DWP). The DWP can verify that the NINo and the other information provided for the voter, name and address, and

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<sup>18</sup> Commons Library research briefing CBP 04827, [Parish and town councils: recent issues](#), section 3.2

<sup>19</sup> AEA, [Comment on Online Absent Vote Applications being launched from 31 October 2023](#), 5 October 2023

<sup>20</sup> Representation of The People (Postal And Proxy Voting Etc.) (Amendment) Regulations 2023, [Explanatory memorandum](#) (PDF), paragraph 6.4

verify the identity and let the relevant electoral registration officer know. If there is no match the electoral registration officer may ask for additional documentation. In Northern Ireland a similar check is made manually against locally held DWP data.

There is an exception process for people who do not have a NINO and who may be able to verify their identity using other documentation. For those that still cannot verify their identity there is a process where they can get someone to attest to their identity.

## 4.2 Postal vote reapplication every three years

From 31 October 2023 applications for indefinite absent voting arrangements for reserved elections in Great Britain are no longer permitted. The five-yearly refresh of signatures will also no longer be required for reserved election postal votes.

Instead, voters will be asked to reapply for a postal ballot every three years. This does not affect devolved elections in Scotland or Wales or voters in Northern Ireland.

This was a recommendation from the Pickles report. The [Pickles Report of 2016](#) (PDF) followed a review into electoral fraud conducted by the then Government's Anti-Corruption Champion, Sir Eric Pickles, now Lord Pickles (see section 6.7 for more).

The UK Government accepted the recommendation, and in its response to the Pickles report said the measure would:

...strengthen the current arrangements through a more regular review and assessment and help to address postal voting being inappropriately intercepted by unscrupulous activists, or simply stop the expense of postal votes being sent to defunct addresses. It would also ensure that the data held on postal voters by Electoral Registration Officers is more up to date, which may help to reduce the instances of postal votes being rejected at polls due to mismatched personal identifiers.<sup>21</sup>

The new requirement will be that every affected voter who held a postal vote for a reserved poll as of 31 October 2023 will need to reapply by 31 January 2026. Electoral registration officers in Great Britain will be required to contact affected voters informing them of the need to reapply.

Age UK have voiced concerns that it may create additional barriers to older people exercising their right to vote. The Charity's director, Caroline Abrahams, acknowledged the need for secure elections but said:

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<sup>21</sup> Cabinet Office, [A democracy that works for everyone: a clear and secure democracy](#), 27 December 2016, p15

Rather than strengthening our democracy our worry is that it will weaken it, if some older people with postal votes find it too hard to submit their ID, or to re-register every three years, and simply give up.<sup>22</sup>

## Overseas voter postal votes

Overseas voters who apply for a postal vote will also need to reapply every three years for a postal vote. This change does not affect overseas voters registered to constituencies in Northern Ireland as they are ineligible to vote by post.

This will align with other changes to overseas voter applications resulting from the Elections Act 2022. Renewals to be registered as an overseas voter will be required every three years rather than annually.<sup>23</sup> Overseas voters who apply or renew a postal vote after 16 January 2024 will have their postal vote arrangement directly linked to their electoral registration.

## 4.3

## Proxy voting

From 31 October 2023 someone will only be able to act as a proxy for up to four other voters in reserved elections. Of these four only two can be 'domestic' voters. The other two may be overseas or service electors. From 31 January 2024, it will be an offence for a proxy to vote for more than two domestic electors.

This implements one of the recommendations of the Pickles report. The review heard concerns relating to proxy votes for a particular election, rather than arrangements for indefinite proxy arrangements. One of the concerns was in the provision for a proxy to act at a particular election for an unlimited number of close relatives.

Initially the UK Government decided to give this recommendation further thought.<sup>24</sup> The Government noted the Electoral Commission's response to the Pickles review did not support the proposed limit. The Commission considered the recommendation may disadvantage some electors with a genuine need to appoint a proxy.<sup>25</sup>

For non-reserved elections in Scotland and Wales someone will continue to be able to act as a proxy for an unlimited number of close relatives and up to two other voters.

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<sup>22</sup> Guardian, [Postal ballot ID may lead some voters to 'give up', says Age UK](#), 24 May 2023

<sup>23</sup> Commons Library research briefing, [Overseas voters](#)

<sup>24</sup> Cabinet Office, [A democracy that works for everyone: a clear and secure democracy](#), 27 December 2016, p17-8

<sup>25</sup> Electoral Commission, [Electoral Commission response to Sir Eric Pickles' review and recommendations on electoral fraud](#) (PDF), p15

The Scottish Government consultation on electoral reform of December 2022 proposed no change to the arrangement in Scotland. It asked for comments and said:

We are ... not aware of any concerns amongst election officials in Scotland that individuals are acting as proxy for significant numbers of close relatives.<sup>26</sup>

The Welsh Government has also consulted on electoral reform. Its consultation did not contain specific proposals on absent votes but asked for views on the divergence of the rules between reserved elections and devolved elections in Wales.<sup>27</sup>

## 4.4 Handling postal ballot packs

Measures in the Act are designed to prevent so-called postal vote harvesting, where unscrupulous individuals can gather multiple postal votes and submit them on someone else's behalf.

The draft legislation to make the necessary changes for all affected reserved elections was laid before Parliament on 11 September and approved by both Houses of Parliament.<sup>28</sup>

The Scottish Government has consulted on whether similar for devolved elections in Scotland would be desirable. The Scottish Government's is not proposing to make any changes. In their view:

...the personal identifier checks are sufficient to confirm that a postal ballot has been completed by the correct voter and so the danger of someone, including political activists, voting on behalf of others is very unlikely.<sup>29</sup>

### Handling of postal ballots by campaigners

Fraudulently applying, tampering with, or using someone else's vote – postal vote personation – is already a criminal offence in electoral law.<sup>30</sup> A person convicted of personation or postal voting offences (which are corrupt practices) can be disqualified from standing for and voting in elections for five years.

Campaigners have been subject to a voluntary code of conduct issued by the Electoral Commission. It said campaigners should never handle anyone else's

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<sup>26</sup> Scottish Government, [Electoral reform consultation](#), December 2022, Chapter 2: Voting

<sup>27</sup> Welsh Government, [Consultation on the electoral administration and reform White Paper](#), October 2022, chapter 6: modernising Welsh elections.

<sup>28</sup> The [UK Parliament Statutory Instrument Tracker](#) sets out the stages of the draft Representation of the People (Postal Vote Handling and Secrecy) (Amendment) Regulations 2023

<sup>29</sup> Scottish Government, [Electoral reform consultation](#), December 2022, Chapter 2: Voting

<sup>30</sup> Sections 60, 62A and 62B of the Representation of the People Act 1983, as amended.

ballot pack or ballot paper, observe someone completing their ballot, or encourage a person to have their ballot sent to another address.

The Elections Act 2022 prohibits party campaigners from handling the postal ballot pack or a postal ballot of an absent voter. [Section 4](#) of the Act inserted a new section 112A into the Representation of the People Act 1983. The section includes the definition of a campaigner, which is a:

- Candidate, agent, or sub-agent
- Someone employed or engaged by a candidate, agent, or sub-agent for the purposes of that person's activities as a candidate
- A member of a political party engaged by a political party who carries on an activity designed to promote a particular outcome at a relevant election or in connection with the party's political activities
- Any person employed or engaged by one of the above types of campaigner to promote a particular outcome at a relevant election.<sup>31</sup>

It will be an offence for any campaigner to handle a postal voting document that has been issued to another person for a reserved election. A conviction could lead to a maximum penalty of up to two years in prison, a fine or both.

The ban will not apply if someone is the person's spouse, civil partner, parent, grandparent, brother, sister, child or grandchild, or carer. The new offence is brought into force from 12 December 2023 for UK Parliament elections,<sup>32</sup> and from 1 May 2024 for local elections and parish polls in England.<sup>33</sup>

A postal ballot pack handed in by a campaigner who is suspected of committing an offence under this new provisions must be rejected and will not be included in the count.<sup>34</sup>

The Pickles report heard the voluntary code was considered inadequate by a significant number of respondents and recommended campaigners and political activists should be banned from handling completed postal votes and postal vote envelopes. He also recommended that the provisions should not be extended to family members and carers.<sup>35</sup>

The Law Commission review of electoral law had said there was strong support for increased regulation of campaigner behaviour but concluded that

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<sup>31</sup> New section 112A of the Representation of the People Act 1983 as inserted by section 4 of the Elections Act 2022

<sup>32</sup> The [Elections Act 2022 \(Commencement No. 10 and Savings\) Regulations 2023](#)

<sup>33</sup> The [Overseas Electors, Postal Vote Handling and Secrecy \(Amendment\) Rules 2023](#)

<sup>34</sup> The [Representation of the People \(Postal Vote Handling and Secrecy\) \(Amendment\) Regulations 2023](#)

<sup>35</sup> Cabinet Office, [Securing the ballot: Report of Sir Eric Pickles' review into electoral fraud](#), August 2016, p26

the measures would criminalise helpful and otherwise unavailable assistance to those voters who need it.<sup>36</sup>

When the draft secondary legislation applying the changes was considered by a delegated legislation committee in the House of Commons, Opposition parties questioned the clarity of the definition of a campaigner. The Labour spokesperson, Florence Eshalomi, warned the risk of party members unaware of the rules falling foul of the rules:

It is easy to imagine that a party member, for example, who does not generally involve themselves in day-to-day campaigning and has therefore never seen this guidance and who simply wants to hand in a postal vote for a sick housemate or partner could end up being caught by the regulations.<sup>37</sup>

## Handing in postal ballots

The Elections Act 2022 makes provision for restrictions on the number of ballots that can be handed in to a polling stations.

From 12 December 2023 the number of postal voting packs someone can hand in at a UK Parliament election will be limited.<sup>38</sup> Voters will not be allowed to hand in more than five postal ballot packs (in addition to their own) and they will be required to sign a declaration in the polling station where they hand in the ballots. Similar restrictions will take effect in reserved local elections and polls in England and police and crime commissioner elections in England and Wales from 2 May 2024.<sup>39</sup>

Only voters, a family member or a designated carer will be able to hand in someone's postal vote.

If someone fails to fill in the declaration correctly or where it is suspected that the person handing in the postal ballot papers is doing so on behalf of more than five other electors then the ballots must be rejected and cannot be included in the count.

The Pickles review noted that removing the opportunity to hand completed postal ballot packs in at polling stations would not be helpful to voters in general. It concluded that restricting the ability to hand in a postal vote should be restricted to your own vote or those of immediate families or designated carers. This would prevent campaigners from handing in large numbers of postal ballots and the suspicion that this may not have been done with innocent intent.<sup>40</sup>

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<sup>36</sup> Law Commission and Scottish Law Commission, [Electoral Law: a joint final report](#), March 2020, paragraph 66

<sup>37</sup> [Delegated Legislation Committee 13 November 2023, c6](#)

<sup>38</sup> The [Elections Act 2022 \(Commencement No. 10 and Savings\) Regulations 2023](#)

<sup>39</sup> The [Representation of the People \(Postal Vote Handling and Secrecy\) \(Amendment\) Regulations 2023](#)

<sup>40</sup> Sir Eric Pickles, [Securing the Vote](#), August 2016, p10



The Electoral Commission supported further consideration of this recommendation. It said the UK Government should consider whether this would be sufficient to deter potential fraudsters, and whether a limit on the categories of people who can hand in completed postal ballot packs (and a limit on the number which can be handed in) would disadvantage voters who have a genuine need for assistance.<sup>41</sup>

## 4.5 Secrecy of the vote

It has always been a requirement to maintain the secrecy of the vote in polling stations. No similar provisions existed for postal votes. The Law Commission recommended that the secrecy of the vote should be extended to postal voting. The recommendation was repeated by the Pickles review.<sup>42</sup>

Section 7 of the Elections Act makes this provision. The legislation making changes to postal vote handling will also commence the provisions on secrecy. The secrecy provisions come into force for UK Parliament elections and recall petitions on 12 December 2023 and for on 2 May 2024 for other reserved elections in England and police and crime commissioner elections in England and Wales.<sup>43</sup>

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<sup>41</sup> [Electoral Commission response to Sir Eric Pickles' review and recommendations on electoral fraud](#) (PDF), 17 October 2016, p6

<sup>42</sup> Law Commission and Scottish Law Commission, [Electoral Law: a joint final report](#), March 2020, p48

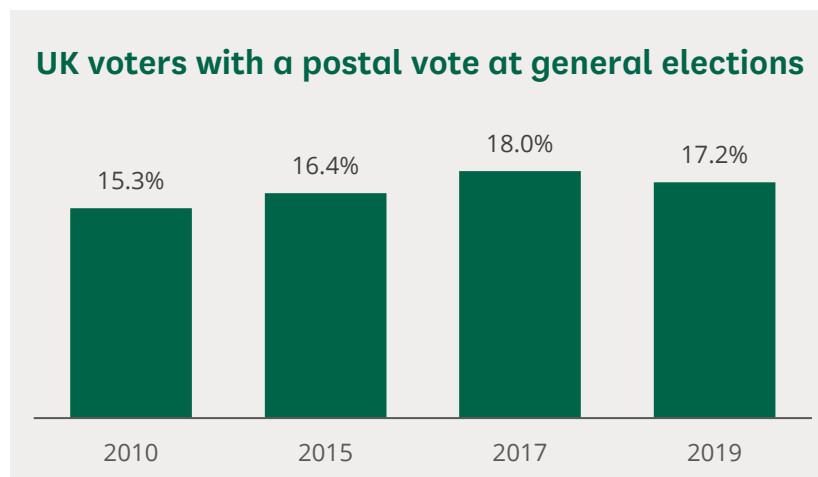
<sup>43</sup> The [Representation of the People \(Postal Vote Handling and Secrecy\) \(Amendment\) Regulations 2023](#)

## 5 Postal and proxy voting data

Postal voting is much more common than proxy voting, with around 17% voting by post and 0.6% voting by proxy at the 2019 General Election.<sup>44</sup>

### 5.1 Postal voting

As shown below, at the 2019 General Election, 17.2% of voters across the UK were issued with a postal ballot. This compares with 18.0% of all voters in 2017, 16.4% in 2015 and 15.3% in 2010.



Source: Electoral Commission, [Electoral data 2019](#) [spreadsheet] and [website](#) for earlier years

Meanwhile, 21.0% of all valid votes at the 2019 General Election were postal votes, compared with 21.7% in 2017 and 20.5% in 2015. Before postal voting rules were changed in 2001, this was around 2%. For more information, see Library Briefing Paper 7529 [UK election statistics: 1918-2023 A long century of elections](#), Section 2.5.

The most recent data on postal votes is for December 2022. Across England and Wales, 18.4% of voters registered on the local elections registers had a postal vote. This includes people registered for a postal vote only for local elections and only for parliamentary elections, and people registered for both.

<sup>44</sup> Electoral Commission, [Electoral data 2019](#) [spreadsheet]

This figure hides substantial variation by constituency, as shown in the tables below. The first table shows the ten constituencies with the highest and lowest proportion of postal voters in England. English areas with higher proportions of registered postal voters have tended to be in the North East and Yorkshire and the Humber, two of the four regions that had piloted all postal voting elections in 2004.

Constituencies with highest and lowest proportion of postal voters in England, December 2022			
Constituency	Region	% with postal vote	General election turnout 2019
<b>Highest</b>			
Blaydon	North East	43.6%	67.3%
Houghton and Sunderland South	North East	43.4%	57.8%
Newcastle upon Tyne North	North East	42.9%	68.6%
Washington and Sunderland West	North East	41.5%	56.6%
Sunderland Central	North East	41.2%	59.8%
Elmet and Rothwell	Yorkshire and The Humber	37.9%	71.9%
Gateshead	North East	37.7%	59.2%
Pudsey	Yorkshire and The Humber	37.4%	74.1%
Newcastle upon Tyne Central	North East	35.6%	64.8%
Stockton South	North East	34.9%	71.3%
<b>Lowest</b>			
Stoke-on-Trent Central	West Midlands	10.5%	57.9%
Birmingham, Erdington	West Midlands	10.4%	53.3%
Barrow and Furness	North West	10.3%	65.6%
Oxford East	South East	10.3%	63.0%
Birmingham, Selly Oak	West Midlands	9.9%	59.8%
York Central	Yorkshire and The Humber	9.2%	66.1%
Brent Central	London	9.0%	58.5%
Birmingham, Perry Barr	West Midlands	8.9%	58.5%
Birmingham, Hodge Hill	West Midlands	8.6%	57.5%
Birmingham, Ladywood	West Midlands	7.6%	56.2%

Source: ONS, custom dataset

Areas with the lowest proportions of postal voters have tended to be areas with lower turnout levels at the last general election. Turnout across the UK was 67.9%; all constituencies with low postal vote rates also had below average turnout rates. This was also true in Wales, as shown in the table below, which shows the five constituencies in Wales with the highest and lowest proportion of postal voters.

## Constituencies with the highest and lowest proportion of postal voters

Wales, December 2022

	% with postal vote	General election turnout 2019
<b>Highest</b>		
Carmarthen East & Dinefwr	24.7%	71.4%
Llanelli	23.4%	63.2%
Vale of Glamorgan	22.7%	71.6%
Ceredigion	21.9%	71.3%
Ynys Môn	21.3%	70.4%
<b>Lowest</b>		
Ogmore	15.1%	61.5%
Islwyn	14.8%	62.0%
Merthyr Tydfil and Rhymney	14.6%	57.3%
Newport East	14.5%	62.0%
Cardiff Central	14.3%	65.3%

Source: ONS, custom dataset

Overall, turnout among postal voters at the 2019 General Election was higher than the overall turnout rate (67.9%): 83.9% of postal votes were returned (and 2.2% were rejected).<sup>45</sup>

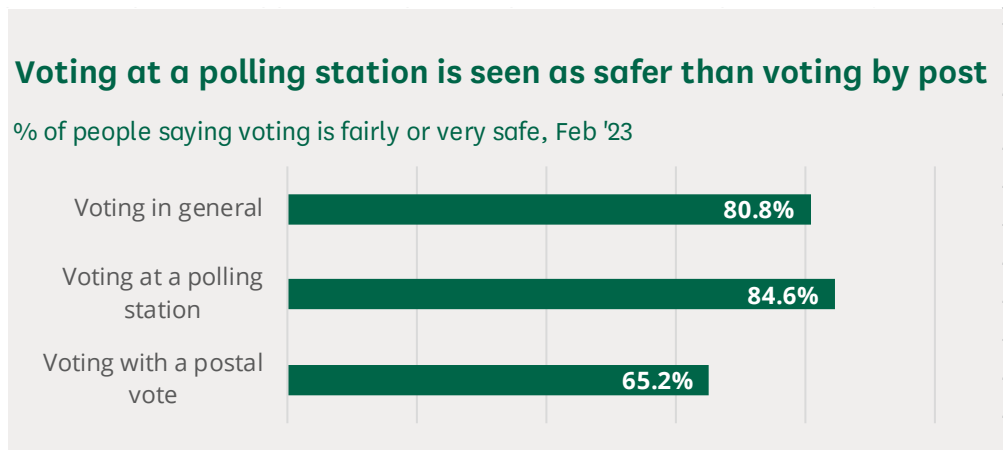
Some commentators have warned about the risk postal voting on demand poses for electoral fraud.<sup>46</sup> There were three allegations of personation (pretending to be someone else to use their vote) related to postal votes in 2022, two of which resulted in no further action (with the other one still under investigation).<sup>47</sup>

The Electoral Commission's public opinion research shows that in February 2023, a majority of people (52.8%) thought that introducing postal voting on demand makes voting in elections a little or much less secure (compared with 9.8% who think it makes voting a little or much more secure). Meanwhile, 62.6% said it made voting a little or much more convenient, with 4.6% saying it made voting a little or much less convenient. Overall, 66.2% said that introducing postal voting on demand made no difference to whether they would vote or not. The chart below shows the proportion of people who thought different ways of voting were fairly or very safe from fraud and abuse.

<sup>45</sup> Electoral Commission, [Electoral data 2019](#) [spreadsheet]

<sup>46</sup> For example, Joseph Rowntree Reform Trust, [Purity of Elections in the UK](#) [PDF], 2008, p2

<sup>47</sup> Electoral Commission, [Electoral Fraud Data 2022](#)



Source: Electoral Commission, [Public attitudes 2023](#), 2018-2023 Data table public opinion tracker

## 5.2

### Proxy voting

At the 2019 General Election, 0.6% of voters appointed a proxy, the same as in 2017 and up from 0.3% in 2015. This figure was 0.6% across Great Britain and 0.7% in Northern Ireland and the total number of proxies appointed across the UK in 2019 was 274,700. Among these were 10,100 emergency proxies appointed in Great Britain.<sup>48</sup>

As the table below shows, six out of the top 10 constituencies with the highest proportion of proxy voters were in London.

<sup>48</sup> Electoral Commission, [Results and turnout at the 2017 General Election](#), [Electoral data 2019](#) [spreadsheet]

## Constituencies with the highest and lowest proportions of proxy voters

UK, 2019 General Election

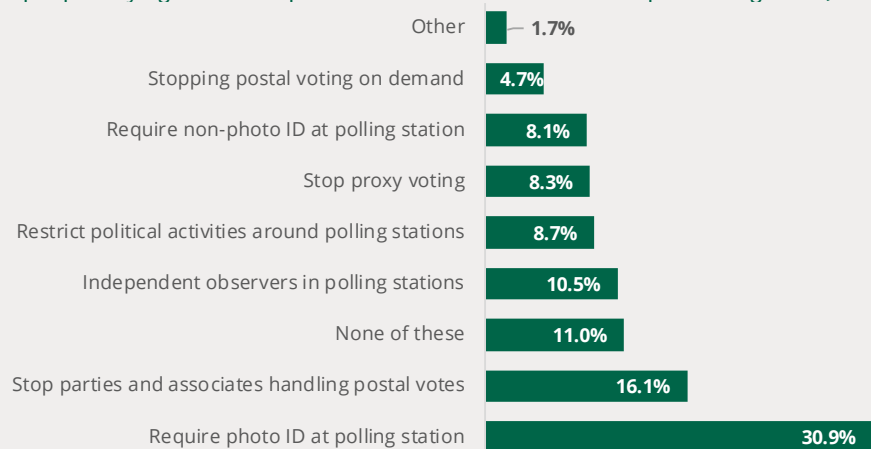
Constituency	Region	% with proxy vote
<b>Highest</b>		
Fermanagh & South Tyrone	Northern Ireland	2.1%
Finchley and Golders Green	London	2.0%
Carshalton and Wallington	London	2.0%
Kensington	London	1.7%
Bristol West	South West	1.6%
Oxford West and Abingdon	South East	1.6%
Cambridge	Eastern	1.6%
Cities of London and Westminster	London	1.5%
Twickenham	London	1.5%
Chelsea and Fulham	London	1.4%
<b>Lowest</b>		
Luton South	Eastern	0.1%
Luton North	Eastern	0.1%
Rotherham	Yorkshire & the Humber	0.1%
Birmingham, Hodge Hill	West Midlands	0.1%
Rochford and Southend East	Eastern	0.1%
Spelthorne	South East	0.1%
Sheffield Central	Yorkshire & the Humber	0.1%
Ayr, Carrick and Cumnock	Scotland	0.0%
Central Ayrshire	Scotland	0.0%
Sheffield, Heeley	Yorkshire & the Humber	0.0%

Source: Electoral Commission, [Electoral data 2019](#) [spreadsheet]

The chart below shows that restricting the use of absent voting (both by post and by proxy) is not seen as a very effective option to reduce the risk of electoral fraud by the Commission's public attitudes survey. Requiring photographic ID at polling stations (30.9%) and stopping parties, candidates, canvassers and campaigners from handling postal votes (16.1%) were seen as the most effective options.

### Stopping postal and proxy voting not seen as most effective against electoral fraud

% of people saying different options would be most effective in preventing fraud, Feb '23



Source: Electoral Commission, [Public attitudes 2023](#), 2018-2023 Data table public opinion tracker

## 5.3

### Rejected applications in Northern Ireland

The Electoral Commission has commented on the level of rejected absent vote applications in Northern Ireland. Its statutory report on the local elections in May 2023 noted a third of all applications for an absent vote were rejected.

As noted in section 2, voters in Northern Ireland who registered to vote online need a digital registration number (DRN) when applying to vote by post or proxy. The Commission has expressed its concern over the barrier this DRN is creating for voters wanting an absent vote:

In total there were 14,286 postal and proxy vote applications approved for the 2023 local council elections, with 7,014 applications rejected. Of those rejected applications, 5,118 (73%) were rejected because there was no DRN. This is a significant increase from the 2022 Assembly election in which 3,636 applications were rejected because there was no DRN, which equated to 60% of all rejected applications.<sup>49</sup>

The Commission has recommended that the UK Government urgently reviews the operation of the DRN to ensure that these barriers are removed, while also maintaining the integrity of the absent voting process.

<sup>49</sup> Electoral Commission, [Report on the May 2023 local elections in Northern Ireland](#), The digital registration number continues to be a barrier to voters, July 2013

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## 6 A brief history of absent voting

### 6.1 War time absent votes for service voters

In the UK, absent voting was first introduced in 1918. Measures were introduced by the [Representation of the People Act 1918](#) (PDF). In the immediate aftermath of the First World War the Act made absent voting possible for servicemen and others prevented “by reason of the nature of their occupation...from voting at a poll”.

Armed forces still serving overseas at the end of the First World War were allowed to vote by post, and permanent arrangements were made for proxy voting by servicemen. They had to vote in the constituency where they would have normally been registered had it not been for their service posting.

The arrangements stemmed from a Speaker’s Conference on electoral law held towards the end of the war. The Conference was a way of reaching cross-party agreement on reform of electoral law.<sup>50</sup> It was established to examine the problem of updating electoral registers to include service personnel. The recommendations on absent votes for service personnel were then incorporated into the 1918 Act.<sup>51</sup>

The postal voting arrangements for service personnel overseas were abandoned in 1920:

In 1920 after some agitation, the Government decided to abandon the postal voting provisions laid down in the Act of 1918. The special provisions delaying the count for eight days to allow for the return of ballots from servicemen overseas had been necessary enough at the end of the war, but, in subsequent by-elections, there had been a steadily diminishing number of postal votes, and annoyance at the delay in announcing the result had grown.<sup>52</sup>

The Representation of the People (No2) Act 1920 provided that postal voting should be limited to the United Kingdom; servicemen abroad could appoint proxies who would be able to vote for them on their behalf.

A later Speaker’s Conference, in 1944, was established in similar circumstances to the 1916-17 conference. The conference examined the suspension of wartime electoral registration and how to register people in light of the movement of large numbers of people, this time both civilians and

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<sup>50</sup> There is more information in the Commons Library research briefing CBP 4426, [Speakers’ Conferences](#)

<sup>51</sup> Commons Library research briefing CBP 04426, [Speakers’ Conferences](#), section 2.1

<sup>52</sup> The Electoral System in Britain Since 1918 by David Butler, O.U.P, 1963, p49



troops. The Representation of the People Act 1945 made temporary provision for postal voting by service voters (proxy voting was already in place for service voters).

## 6.2 Extension of absent votes to some non-service voters

Absent voting arrangements were then extended to civilians by the [Representation of the People Act 1948](#). Sections 9 to 11 of the Act extended proxy voting to those who were physically incapacitated, those unable to vote without making a journey by sea or air or because of the nature of their occupation, and those who were no longer residing at their qualifying address.

Absent voters had to provide an address in the UK to which ballot papers could be sent or could appoint a proxy to vote on their behalf. Service voters on duty overseas still needed appoint a proxy as ballot papers could not be sent to overseas addresses.

The Speaker's Conference of 1965-68 rejected the idea of extending absent votes for holidaymakers, but did recommend extending absent voting for the spouses of service voters and Crown servants (for example diplomatic or overseas civil servants) and their spouses working overseas on the same basis as service voters.<sup>53</sup> This recommendation was implemented by the Representation of the People Act 1969.

## 6.3 Home Affairs Select Committee report 1982-83

The arrangements for absent voting included in the 1948 Act remained largely the same until 1985. The [Representation of the People Act 1983](#), which remains the principal piece of legislation for UK electoral law, was passed as a consolidation measure. It was uncontroversial and tidied up statute law on elections on the recommendations of the Law Commission. It meant there was no substantive debate in Parliament when the Bill went through its stages.<sup>54</sup> The 1983 Act has been significantly amended since.

The Home Affairs Select Committee examined electoral law in the 1982-83 session of Parliament. Its report was published after the consolidation in the 1983 Act.

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<sup>53</sup> Commons Library research briefing CBP 04426, [Speakers' Conferences](#), section 2.5

<sup>54</sup> See [HC Deb 2 February 1983, c391](#), where the Bill passed its Commons second reading, committee and third reading stages in one go

On absent voting, the Committee did not advocate postal voting on demand, but it did recommend absent voting facilities should be made available to more categories of people. The main category was holidaymakers, but it also recommended the Home Office should review the entitlement to absent vote by “reason of employment”. The Committee had been critical of the necessity to distinguish between one type of employment or another.<sup>55</sup>

The Government response to the report expressed concern at the opportunities for electoral abuse offered by absent voting for an indefinite period, but agreed to extending absent voting arrangements for a particular election to those likely to be away on polling day for any reason. The Government said:

This would benefit holiday makers, people who are away in the course of employment and all other electors who although prevented from voting in person on polling day may not apply under existing provisions.<sup>56</sup>

The [Representation of the People Act 1985](#) subsequently made provision for these extensions to the right to apply for an absent vote in Great Britain. The proposals did not apply to Northern Ireland where there was already widespread concern, shared by the UK Government, at the extent and nature of electoral abuse at the time, including the abuse of postal voting. It was these concerns that led to the introduction of voter ID for voters in Northern Ireland in 1985.

The 1985 Act also extended absent votes to a new category of voter introduced by the Act, overseas voters. These are British citizens that no longer live in the UK but who retain a right to vote in UK Parliament elections.<sup>57</sup>

The restriction on sending a postal ballot pack to an address in the UK remained. Postal ballots could not be sent overseas. This restriction meant service voters based overseas and overseas voters had to appoint a proxy.

## 6.4 Postal voting on demand

The Representation of the People Act 2000 made various changes to the administration of absent votes, primarily postal votes. Many of the changes came from the Working Party on Electoral Procedures chaired by George Howarth, Minister of State at the Home Office, which published its report in October 1999.<sup>58</sup>

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<sup>55</sup> Representation of the People Acts, Report of the Home Affairs Select Committee, HC 32 1982-83, para 54

<sup>56</sup> The government reply to the first report from the Home Affairs Committee. Session 1982-83. HC32-1 Representation of the People Acts, Cmnd 9140, paras 3.11-12

<sup>57</sup> Commons Library research briefing CBP 05923, [Overseas voters](#)

<sup>58</sup> Home Office, Final report of the Working Party on Electoral Procedures, October 1999

Its key recommendation was to make postal voting available on demand in Great Britain. The report acknowledged the differing circumstances in Northern Ireland and left it for the Secretary of State for Northern Ireland to decide which, if any, of the recommendations were taken forward in Northern Ireland.

The 2000 Act also simplified the application process for postal votes and extended the choice of whether to vote by post indefinitely, for a specific period of time, or for specific elections to a wider category of postal votes in Great Britain. Until that stage only certain categories could request an indefinite postal vote. It also allowed the sending of postal ballot packs to addresses overseas. Postal votes for voters in Northern Ireland did not change. A voter in Northern Ireland can still only have a postal vote sent to an address in the UK.

The Home Affairs Select Committee had reviewed electoral law in the 1997-98 session of Parliament. It too had recommended absent voting on demand should be available to voters.<sup>59</sup> The Committee had also highlighted concerns about the extension of absent voting. It said there was no firm evidence of any widespread voter fraud related to postal voting, but recommended research be conducted.<sup>60</sup>

## 6.5

### All-postal voting pilots

The Representation of the People Act 2000 allowed for local authorities to pilot new electoral arrangements for local elections. Several electoral pilot schemes were held between 2000 and 2007, some of which included all-postal voting polls.

A total of 32 authorities ran 38 pilot schemes in May 2000. In a review of these pilots the Local Government Association found that all-postal voting was the only new electoral arrangement to have significant potential for increasing local election turnout.<sup>61</sup> In 2002, 30 pilots were run. The Electoral Commission reported that postal voting had again improved voter turnout, although not in all pilots that used it.<sup>62</sup>

In 2003 there were a further 59 pilots to test alternative voting methods at local elections, including postal voting. The Electoral Commission published an evaluation July 2003. It found that all-postal schemes were effective at

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<sup>59</sup> Home Affairs Select Committee, [Fourth Report Electoral Law and Administration](#), HC 768 1997-98, paragraph 70

<sup>60</sup> As above, paragraph 98

<sup>61</sup> Elections – the 21st Century Model: an evaluation of May 2000 local election pilots. Local Government Association, 2000

<sup>62</sup> [Modernising Elections A Strategic Evaluation of the 2002 Pilot Schemes](#), Electoral Commission, 1 August 2002

boosting participation rates and concluded that all-postal elections were ready to be made available for local elections.

It also made further recommendations on improving the security of elections, including a new offence of applying for absent voted fraudulently, including secrecy warnings on absent voting literature, an audit process to check for fraud in absent votes, and it should develop a code of practice in relation to the handling of postal ballots by representatives of political parties. The Commission also considered that an integral component of all-postal elections would be a move to individual, rather than household, registration.<sup>63</sup>

Four regions of England used all-postal voting in 2004 in combined European and local government elections on 10 June 2004 and an all-postal voting referendum was held in the North East region in November 2004 on proposals for an elected regional assembly.

The Electoral Commission evaluation of the June 2004 election showed turnout increased significantly in part to structural factors, such as combination of elections and increased postal voting, but noted political and cultural issues were also significant.<sup>64</sup> Both all-postal voting regions and the other regions saw an increase although non-pilot areas the increase was lower.

The Housing, Planning, Local Government and the Regions Select Committee published a report on the June 2004 elections and postal voting in September 2004. had written to each of the Regional Returning Officers and Local Returning Officers involved in the pilots and asked them for their observations. The Royal Mail and the Association of Electoral Administrators were also consulted. Despite press reports of increased fraud the Returning Officers reported little difference from the levels of allegations in the pilot all-postal ballots to the levels experienced in a traditional poll.<sup>65</sup>

The Commission published a policy paper on the future of postal voting in August 2004. It concluded that postal voting on demand was popular and should remain available to voters in Great Britain, but that there should be improvements in security. It continued to recommend that individual electoral registration was the “key building block” to secure absent voting.<sup>66</sup> The Commission also noted that public confidence had been weakened:

...by a range of genuine concerns exacerbated by a concentration in the media on negative stories. On the other hand, these issues of loss of confidence are

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<sup>63</sup> Electoral Commission, *The Shape of Elections to Come: a strategic evaluation of the 2003 electoral pilot schemes*

<sup>64</sup> Electoral Commission, [The 2004 European Parliamentary elections in the United Kingdom The official report](#) (ODF), December 2004, p7

<sup>65</sup> Office of the Deputy Prime Minister Housing, Planning, Local Government and the Regions Committee, *Report on postal voting*, HC 400-IV 2003-04

<sup>66</sup> Electoral Commission, [Delivering democracy? The future of postal voting](#), August 2004, p7

not matched by any evidence to suggest any actual increase in the levels of fraud perpetrated in postal ballots.<sup>67</sup>

It also recommended all-postal voting should not be pursued for use at UK statutory elections. Additional evidence since its 2003 recommendation, and public support for voters having a choice of how they vote had led it to change its mind on all-postal voting.<sup>68</sup>

## 6.6 Anti-fraud measures

After the introduction of postal votes on demand several high-profile cases involving postal voting fraud hit the headlines. The elections to two wards in Birmingham in 2004 were declared void in April 2005. In the same month a councillor in Blackburn was jailed for stealing 233 postal votes in an election in 2002. Other allegations were made during the general election campaign taking place at the time.<sup>69</sup>

The Electoral Commission recommended that new security measures should be introduced.<sup>70</sup> These included collecting a signature and date of birth, in addition to a voters name and address when they apply for an absent vote. It recommended a postal vote being returned should also have a statement that included a signature and date of birth that could then be checked with those on file. Voters who have their postal vote rejected must be informed after the election.

Parliament subsequently passed the [Electoral Administration Act 2006](#). It introduced the measure suggested by the Commission and required postal vote applications to provide the new personal identifiers, the signature and date of birth, from 2007. These measures made it harder for people to fraudulently use someone else's postal vote.

Initially this was to England and Wales only and was implemented by secondary legislation. The measures were introduced in Scotland in 2008. Northern Ireland already a system of personal identifiers in place. The 2006 Act allowed for a 'waiver' system for those unable to provide a signature. It also introduced a new offence of falsely applying for a postal vote.

Originally returning officers were required to check at least 20% of the postal ballot papers they receive to ensure that the personal identifiers on the paper correspond to those provided upon application for a postal vote. Many returning officer checked more than the minimum required. Since 2014 returning officers have been required to check all personal identifiers.

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<sup>67</sup> As above, p70

<sup>68</sup> As above, p70-1

<sup>69</sup> Commons Library research briefing, [Postal voting and electoral fraud 2001-09](#), March 2012

<sup>70</sup> Electoral Commission, [Securing the vote - detailed proposals for electoral change announced](#), press release 20 May 2005

Rule changes in 2006 also required postal voters to provide a fresh signature every five years.

## 6.7 Pickles Report

The [Pickles Report of 2016](#) (PDF) followed a review into electoral fraud conducted by the then UK Government Anti-Corruption Champion, Sir Eric Pickles, now Lord Pickles.

The Pickles report noted that the move to individual electoral registration (IER), where each person is responsible for their own registration, had improved the security of the registration process.<sup>71</sup> It is now difficult to create fake registrations that can then be exploited for voting fraud.<sup>72</sup> The report highlighted, though, other potential opportunities to exploit absent votes of genuinely registered voters.

Richard Mawrey QC gave evidence to the Pickles review. He had presided over some of the most high-profile cases involving electoral fraud in recent years. Mawrey noted that whilst the introduction of postal vote identifiers had been “a step in the right direction”, the possibilities of undue influence, theft of postal votes and tampering with them after completion were all still risks.

The Electoral Commission submission to the Pickles report also noted there were opportunities for further improving the security of postal voting processes by preventing undue influence on people who have received a postal ballot:

No absent voting process can be guaranteed to be free from the risk of electoral fraud. By removing the act of voting from the protected public space of a polling station, people who have been sent postal ballot packs may be more vulnerable to undue influence, intimidation, harassment or pressure to vote in a particular way. Because of this vulnerability, electors may also face pressure to apply for an absent vote against their wishes.<sup>73</sup>

Pickles recommended improving the security measures around absent voting. Recommendations included that the option to permanently request a postal vote should be removed, and the option to apply for a postal vote should be limited to three years. He also recommended limiting the number of people a person could act as a proxy for. The Pickles report also recommended changes to electoral law to reduce the risk of people’s postal votes being stolen or tampered with after they had been filled in, reflecting the concerns raised about intimidation of someone to apply for or use an absent vote in a particular way.

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<sup>71</sup> Sir Eric Pickles, [Securing the Vote](#), August 2016, p15

<sup>72</sup> Electoral Commission, [Written evidence submitted by the Electoral Commission to Sir Eric Pickles’ review of electoral fraud](#) (PDF), October 2015, p8

<sup>73</sup> As above, p17-8

The Government supported many of the recommendations made in the Pickles report.<sup>74</sup> It went on to commit to introducing election legislation in its Queen’s Speech of 2019. The [supporting document](#) (PDF) highlighted the measures as part of the Government’s commitment to “protect the integrity of our democracy”, and included the recommendations from the Pickles Report.

The [Elections Act 2022](#) made provision for the latest changes to absent voting (see section 4)

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<sup>74</sup> Cabinet Office, [A democracy that works for everyone: a clear and secure democracy](#), 27 December 2016

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