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The  
Electoral  
Commission

Janet Finch-Saunders MS  
Chair, Petitions Committee  
Senedd  
Cardiff Bay  
Cardiff

05 February 2021

Dear Janet,

**Reference: P-05-1081**

Many thanks for your letter.

It is an offence under Section 12 of the Government of Wales Act 2006 to vote more than once at the Senedd election. This offence carries an unlimited fine.

Under The Representation of the People Act 1983, Part 1, Section 2(2), people who are lawfully registered to vote in two different local authority areas are entitled to vote in local government elections at each of those addresses.

#### **Role of Electoral Registration Officers and the electoral register**

Electoral registers are held and maintained by Electoral Registration Officers (EROs) appointed by each local authority in Wales. There are therefore 22 separate local government registers which include the details of those who can vote in Senedd elections.

We have previously recommended that a single electronic register would make it easier for EROs not only modernise the electoral system but also help ensure that duplicate entries could be identified, thus improving the accuracy of the electoral register.

#### **Investigating breaches and the guidance provided to police**

The Electoral Commission does not have a role in investigating allegations of electoral fraud under the RPA 1983 and breaches are a matter for the police. We advise anyone who has evidence that someone may have voted twice in an election to report it to the relevant police force

We have provided advice to UK police forces about how to investigate allegations that an individual may have voted twice, including obtaining from relevant Returning Officers the marked copy of the register. The marked register records those electors who have been issued with and returned a postal ballot pack and those who have been issued with a ballot paper in a polling station. This information can be used by the police to investigate whether someone may have committed the offence of voting twice. Where there are any

allegations involving potential criminal offences, it would be for the relevant local police force to consider and take appropriate steps to investigate any allegations.

We work with the National Police Chiefs' Council to provide guidance to police forces, including developing the Authorised Professional Practice on policing elections, which has been published by the College of Policing on their website at [www.app.college.police.uk/appcontent/policing-elections/](http://www.app.college.police.uk/appcontent/policing-elections/).

**Our statutory duty to report on the Senedd election**

The Commission in Wales has a statutory responsibility to publish a report on all relevant elections and this includes the Senedd election in May 2021. This will look at how well-run the election was and will make recommendations for improvements at future polls. This report will be published and provided to the Senedd as well as to Welsh Government.

Finally, we produce comprehensive guidance on voter registration which can be found here: [Can electors register to vote at more than one address?](#)

We trust that this information is useful and would be glad to answer any further questions, as required.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Rhydian Thomas', written in a cursive style.

Rhydian Thomas.  
Head of the Electoral Commission, Wales.