



**Public Prosecution
Service**

Belfast Chambers
93 Chichester Street
Belfast BT1 3JR

[REDACTED]
[REDACTED]
21 May 2018

Dear [REDACTED],

I refer to your email dated 18 April 2018 in which you asked for information about statistics regarding electoral fraud.

Your request has been dealt with under the terms of the Freedom of Information Act 2000.

Freedom of Information Act 2000

The Freedom of Information Act creates rights of access for any person making a request for information to a public authority. The rights of access are twofold. First, to be informed by the public authority if it holds information of the description specified in the request, and if that is the case, secondly, to be provided with that information. These rights are subject to important limitations, which are designed to achieve a proper balance between the right to know and considerations of law and policy in the broader public interest.

You had asked for the following;

How many cases have been passed to the PPS for consideration on possible charges in relation to electoral fraud from 2007 to 2017 inclusive broken down by a) year b) relevant election c) relevant constituency?

In how many of these cases did the PPS go ahead with a charge related to electoral fraud broken down by a) year b) relevant election c) relevant constituency? How many of these cases led to conviction broken down by a) year b) relevant election c) relevant constituency?

How many, if any, cases are still being considered by the PPS broken down by a) year b) relevant election c) relevant constituency?

In response, please see attached tables 1-4 detailing files received, prosecutorial decisions issued and related election information in respect of cases involving electoral fraud over the period in question.

Please note that a manual check has been conducted of the relevant electronic records on the PPS Case Management System to determine the elections to which the offences related. Where recorded, this information has been presented at Table 3.

Please note that the PPS records do not include information in respect of the constituency in which the incident/offence occurred. Therefore in terms of Section 17 of the Freedom of Information Act 2000 the information request is not held.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review in accordance with our review procedure. You should do this as soon as possible or in any case within two months of the date of this response and you can do so by writing to the Head of Policy and Information Unit, Public Prosecution Service, Belfast Chambers, 93 Chichester Street, BELFAST, BT1 3JR or alternatively by sending an e-mail to info@ppsni.gov.uk. You should state clearly the grounds on which you are requesting the review.

Alternatively, you may wish to apply directly to the Information Commissioner for a decision.

The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

PPS FOI Section

Table 1:**(a) Files received by PPS in respect of Electoral Fraud 2010 – 2017****Based on First Papers Received Date*

| Calendar Year (Files Received) | Number of Cases | Number of Suspects |
|-----------------------------------|-----------------|-----------------------|
| 2010-2017 | 41 | 41 |

*Note: Decisions have been issued in relation to all 41 suspects.***(b) Prosecutorial decisions Issued for offences of electoral fraud**

| | Prosecution | Diversion | No prosecution | Total |
|-------|-------------|-----------|----------------|-------|
| Total | 0 | 5 | 28 | 33 |

**(c) Prosecutorial decisions issued for other offences
i.e. other than offences of Electoral Fraud**

| | Prosecution | Diversion | Total |
|-------|-------------|-----------|-------|
| Total | 5 | 3 | 8 |

** Please see Table 4, 'Offences considered'*

Table 2:**(a) Files received by PPS in respect of Electoral Fraud 2010 – 2017****Based on First Papers Received Date*

| Calendar Year (Files Received) | Number of Cases | Number of Suspects |
|-----------------------------------|-----------------|--------------------|
| 2010 | 11 | 11 |
| 2011 | 26 | 26 |
| 2014 | 4 | 4 |
| Total | 41 | 41 |

*Note: Decisions have been issued in relation to all 41 suspects.***(b) Prosecutorial decisions issued for offences of Electoral Fraud**

| Calendar Year (Files Received) | Prosecution | Diversion | No prosecution |
|-----------------------------------|-------------|-----------|----------------|
| 2010 | 0 | # | - |
| 2011 | 0 | - | 24 |
| 2014 | 0 | 0 | - |
| Total | 0 | 5 | 28 |

**(c) Prosecutorial decisions issued for other offences
i.e. other than offences of Electoral Fraud**

| Calendar Year (Files Received) | Prosecution | Diversion |
|-----------------------------------|-------------|-----------|
| 2010 | # | - |
| 2011 | 0 | - |
| 2014 | - | 0 |
| Total | 5 | 3 |

*"-" refers to a count less than 3.**"#" refers to a number ≥ 3 which has been suppressed to prevent disclosure of small numbers elsewhere.*** Please see Table 4, 'Offences considered'***Table 3:**

(a) Files received in respect of Electoral Fraud 2010-2017 – analysis of elections to which the offences referred

| Election | Total |
|---|-----------|
| European Parliamentary Election June 2009 | 3 |
| Westminster Election May 2010 | 6 |
| Unknown | 32 |
| Total | 41 |

(b) Diversionary decisions issued for offences of Electoral Fraud - analysis of elections to which the offence(s) referred

| Election | Total |
|---|----------|
| European Parliamentary Election June 2009/Westminster Election May 2010 | 4 |
| Unknown | 1 |
| Total | 5 |

Note: In relation to the 28 'no prosecution' decisions issued, it has only been possible to determine the election in question for fewer than 3 cases/suspects. Therefore this information cannot be provided as it may identify individuals.

**Table 4:
Electoral Fraud - Offences Considered**

| Complaint Offence Description |
|--|
| PROVIDING FALSE INFORMATION IN CONNECTION WITH AN APPLICATION FOR AN ELECTORAL IDENTITY CARD |
| FAILING TO PERFORM FUNCTIONS OF ELECTORAL CANVASSER |
| FALSE PROVISION OF IDENTITY (VIA FORM/APPLICATION) TO ELECTORAL OFFICER |
| AUTHORISING EXCESSIVE ELECTORAL SPENDING |
| FAILURE TO TRANSMIT ELECTORAL DECLARATION |
| FAILING TO PERFORM FUNCTIONS OF ELECTORAL CANVASSER |
| FAIL TO DELIVER ELECTORAL RETURNS |