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### UK politics

# What is the significance of the Elections Act 2022?

In April 2022, the Conservative government passed the Elections Act 2022. It had two key impacts:

- It made photo identification compulsory, in order for a person to be able to vote across the whole of the UK.
- It changed the electoral system for mayors and police and crime commissioners from supplementary vote (SV) to first-past-the-post (FPTP).

## The controversy over voter ID

From the outset, the requirement for voter identification drew criticism. Government research suggested that only 91% of people had an approved form of ID in 2021. Controversy was caused by the acceptance of an over-65s Oyster Card as recognised ID, whereas a student Oyster Card – which looks almost identical – would not be accepted. This led to challenges that the government was making it more difficult for minority and marginalised groups to vote. The government was accused of trying to ‘gerrymander’ voting groups, making it harder for groups less likely to vote Conservative to be able to vote. At a National Conservatism conference, Conservative MP Jacob Rees-Mogg said:

‘Parties that try and gerrymander end up finding their clever scheme comes back to bite them, as dare I say we found by insisting on voter ID for elections. We found the people who didn't have ID were elderly and they by and large voted Conservative, so we made it hard for our own voters and we upset a system that worked perfectly well.’

The requirement for voter ID was criticised as the Electoral Commission reported that ‘there is no evidence of large-scale electoral fraud’ in the last 5 years, with only 11 convictions and four police cautions issued.

## The impact of voter ID in 2024 elections

### May 2024 local elections

In May 2024 the local elections for police and crime commissioners, mayors, and some local councils, were the first elections at which voter ID was required. According to the Electoral Commission’s polling the night before these elections:

- 87% of voters knew they needed ID. This varied by age and ethnicity groups: the lowest awareness was among 18–25-year-olds and members of minority communities, both of which had 82% awareness.
- Awareness was lower among those who lacked suitable ID: only 74% of people in this group knew they needed ID, versus 94% of those that already possessed suitable ID.

- Awareness of the existence of Voter Authority Certificates – a certificate which is free to apply for, to allow those without ID to vote – was only 57%.
- 4% of people said they did not vote because of the new ID requirement.
- 0.25% of voters were turned away from polling stations. Of this group, only two-thirds of them subsequently returned to vote.

This reality reflected many of the concerns that were raised both before and after the passing of the Elections Act 2022. A memorable headline of the day was that former Prime Minister Boris Johnson – who was in power when the act was passed – turned up to vote without his ID, and tried to use an envelope with his address on in place of accepted ID.

### July 2024 general election

At the time of writing, the full assessment of the impact of voter ID at the general election is yet to come out. However, early reports suggest that hundreds of thousands of people were turned away at least once. A survey sample by polling company More in Common suggested that 3.2% of voters had been turned away for reasons including lacking ID, lack of accepted ID, or their name being different to the polling register. This figure, extrapolated across the UK, would mean that about 800,000 people were turned away from polling stations, and the sample suggested that over half of them either did not return or did not have the necessary ID – potentially disenfranchising 445,000 people.

## The impact of changing to FPTP

### May 2024 mayoral and police and crime commissioner elections

Two contrasting examples presented themselves on the impact of changing from SV – in which voters had both a first and second choice in their vote – to FPTP for mayoral and police and crime commissioner elections.

First, the Conservative Party lost the seat of West Midlands Mayor. Their incumbent candidate Andy Street gained 37.5% of the vote, compared to Labour's Richard Parker who gained 37.8% of the vote. Had this election been contested under SV instead of FPTP, with no candidate having an overall majority, the election would have moved to the second round. In the 2021 election, Street gained 49% of first-choice preferences but 54% in the second round, after reallocation. It is possible, therefore, that under the old system of SV, which would have eliminated all but the Labour and Conservative candidates, Andy Street may have retained his mayoral seat. In which case, the Elections Act passed by the Conservatives might actually have cost the party this seat.

Second, however, the change to FPTP may have benefited the Conservative Party in the police and crime commissioner (PCC) elections. Second-preference data from the British Election Study suggested that Conservatives would have won few of the 36 PCC seats under SV. However, they ended up taking 19 of these seats, needing only a plurality under FPTP. Eight of these seats saw the Conservatives win with less than a 3% lead over the Labour candidate in second place. The Institute for Government commented:

'In these contests, the remainder of the vote was split between the Liberal Democrats, the Greens and some independent candidates – most of which under an SV system would again likely have cast their second preference vote for Labour.'

Of course, there must be some context on these elections. The low turnout may have also influenced the outcome. Nonetheless, the impact of a change to FPTP does seem to have had an impact.

## Links to A-level specifications

The Elections Act 2022 is a crucial constitutional change for A-level students to understand. It is most effectively understood in action. Voter ID regulations can be linked to the democracy and rights topics, leading to questions over voter rights and disenfranchisement. The changes of SV to FPTP not only link elections topics, but also show the flexibility of the UK Constitution, and the potential power of a strong government to shape it as they wish, using a parliamentary majority and electoral mandate.

## Conclusion

The impact of the Elections Act 2022 is still being explored, but it is assumed that this significant piece of legislation is here to stay. The new Labour government, while exploring automatic voter registration and voting at 16, has not committed to removing voter ID requirements.

### *Student task*

**Answer:** In what ways can the Elections Act 2022 be argued to both strengthen and undermine UK democracy?

**Discuss:** What does this Act suggest about the location of sovereignty in the UK?

**Research:** What was the impact of the requirements for voter ID in the 2024 general election?

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