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CABINET

ELECTORAL ABUSE IN NORTHERN IRELAND

Memorandum by the Lord President of the Council

The Home and Social Affairs Committee (H) discussed on 26 July a proposal by the Secretary of State for Northern Ireland that legislation should be introduced this autumn to deal with electoral abuse in the Province.

2. Personation (stealing votes by pretending to be a person on the electoral register) has long been a feature of elections in Northern Ireland, but the scale on which it is currently practised by Sinn Fein is of an entirely different order from that which has taken place previously. About 25 per cent of Sinn Fein's vote at the General Election was probably personated and all the other political parties in Northern Ireland, especially the Social Democratic and Labour Party (SDLP), consider that action should now be taken.
3. The Secretary of State for Northern Ireland wishes a Bill to be passed by January, so that new arrangements can be in force for the European Assembly elections in June 1984. He considers that Sinn Fein, who obtained 43 per cent of the nationalist vote in the General Election, have a good chance of overtaking the SDLP in June 1984 unless action against personation is taken, and that if Sinn Fein obtain more than 50 per cent of the nationalist vote the constitutional nationalists in Northern Ireland could be destroyed politically. The rest of the world would conclude that the majority of nationalists supported violence and terrorism, and any hope of co-operation between the two communities might well disappear. The Secretary of State for Northern Ireland proposes that a short Bill should be introduced giving him power to provide by Order (a) that no elector should be given a ballot paper until he has produced proof of his identity by means of one of a number of specified documents (such as birth certificate or driving licence); and (b) that a mark should be made on the voter's hand, with a substance invisible to the naked eye but which showed up clearly under ultra-violet light, so that it could be established before he is handed a ballot paper whether he has already voted. The Bill would also allow the rules on postal voting to be tightened by removing the right to a postal vote on grounds of change of address.
4. H Committee did not dispute the Secretary of State for Northern Ireland's estimate of the extent of electoral abuse by Sinn Fein or the potential seriousness of its consequences if it is not checked. A majority, however, had grave doubts about proceeding at this stage with the measures which he proposes.

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5. There is currently great interest in electoral matters generally: the House of Commons Select Committee on Home Affairs has made a number of recommendations, and there is strong pressure for change from the Government's supporters, particularly with regard to British citizens resident abroad and postal votes for holidaymakers. The Home Secretary intends to bring forward in due course proposals for a Representation of the People Bill, but some of our supporters are impatient of the delay, and the introduction of a Bill dealing only with Northern Ireland could be embarrassing. The Bill might well be controversial - for example, the issue of identity cards could be raised - and it is not clear that it could be passed by the end of January as the Secretary of State for Northern Ireland requires. It might be better to wait until the measures could be included in the Home Secretary's Bill. Some members of H Committee also had doubts about the efficacy of the proposed measures, in view of the intimidation practised in Northern Ireland and the possibility of other kinds of electoral abuse. The Committee thought that the importance of the matter was such that it should be decided by the Cabinet.

6. I invite the Cabinet to consider whether it is desirable to introduce the measures which the Secretary of State for Northern Ireland proposes to control electoral abuse; and if so, whether they should be introduced as a separate Bill in the current Session, or in the Representation of the People Bill which the Home Secretary will bring forward in due course.

W W

Privy Council Office

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