

Voting in prison

ENGLAND AND WALES

Guidance on your voting rights should be available at reception and other appropriate locations around the prison and should be given to you if you ask for it. *Restrictions on Prisoner Voting Policy Framework* also has information about this subject.

Who can vote in prison?

If you are convicted serving a custodial sentence are not allowed to vote whilst you are detained in custody. You may be able to vote if you are:

- *Unconvicted* (also called 'on remand')
- *Convicted but not yet sentenced*
- *A civil prisoner*
- *serving a default term for non-payment of a fine.*
- *committed to prison for contempt of court.*
- *in the community on home detention curfew (HDC) or released on temporary licence (ROTL)*

Prisoners on HDC and ROTL are only eligible to register to vote once they are in the community and become ineligible again upon return to prison.

Getting on the Electoral Register

Your name must be on a list called the electoral register before you can vote.

If you are unsure whether you are registered, you can contact your local Electoral Registration Office. Staff should be able to help you find the correct details for this – further information about this is provided in the Policy Framework.

If your name is not on the electoral register already you will need to fill in a form and send it to your local Electoral Registration Office. Prison staff should be able to provide you with the voter registration form and the address to send it to.

Please note that it is the legal responsibility of the Electoral Registration Officer to decide whether to accept applications to register to vote.

The deadline to get this to your local Electoral Registration Office is usually 12 working days before an election.

***** The deadline for registering for the 2024 General Election is
11.59pm on 18 June 2024 *****

How to vote

If you are eligible to vote and on the electoral register you can apply to vote in the following ways:

1. By post

This means postal ballot papers will be sent to you and you will have to complete and return them. They must arrive by 10pm on the day of the election otherwise your vote won't be counted.

2. By proxy

This means someone you choose will be allowed to vote for you. A proxy voter's poll card will be sent to the person you choose to do this.

3. At a polling station (HDC/ROTL only)

If you are eligible because you have been released on HDC or are in the community on ROTL, you may also vote in person by attending a polling station as long as it meets the conditions of your release. Please remember that you now need to take ID when you vote at polling stations.

You cannot get ROTL specifically for the purpose of voting.

How to apply for postal or proxy votes

You will need to complete an application if you want to vote by post or by proxy.

You should ask staff for the correct form and for help with completing the form if you need it. You should also be able to get help if you have difficulty reading or filling in forms

If you are eligible because you have been released on HDC or are in the community on ROTL you can vote by post or by proxy from the address you are released to but not from the prison address.

If you do not have a fixed or permanent address you may be able register in the area you have spend most of your time by making a 'declaration of local connection'.

The deadline to get this application to your local Electoral Registration Office is usually 11 working days before the election.

The deadline for returning applications for postal or proxy votes for the 2024 General Election is 5pm on 19 June 2024

You can also submit an application for a proxy vote online until 5pm 26 June 2024

SCOTLAND

The electoral commission website says the following about voting from prison in Scotland:

If you have been convicted and are serving a prison sentence of 12 months or less in a UK prison, and you would usually be resident in Scotland, you can register to vote.

You will be able to vote in:

- Scottish Parliament elections
- council elections

To register to vote, you'll need to download and complete an electoral registration and postal/proxy application form for prisoners.

You should use the address in Scotland where you would be living if you were not in prison, or an address where you have lived in the past.

If you can't give either of those addresses because you were homeless or are not allowed to return to your previous address, you can give the address of the prison in the UK where you are detained.

Prisoner voting and human rights

The European Court of Human Rights has previously ruled against the UK's blanket ban on giving convicted prisoners the vote and called for a change in the law.

We can send you more information about this if you are interested.

Further information

The following may be of interest to you.

Useful PSIs and PSOs (these should be available in the library):

Restrictions on Prisoner Voting Policy Framework

Other

The Prison Rules (1999)

Representation of the People Act (2000)

House of Commons briefing Paper '*Prisoners' voting rights*' (August 2023)

Contact our Advice and Information Service

We are a small service which provides information and advice for people in prison. We are independent of the prison service.

Our freephone information line is **0808 802 0060**.

This number is **free** and you do not need to put it on your PIN.

This number is open:

Monday	3pm – 5pm
Wednesday	10:30am – 12:30pm
Thursday	10:30am – 12:30pm

When we are not taking calls you can still leave a short voicemail. Please give your name, prison number, the prison you are in and what information you are looking for. Voicemails will be checked during working hours Monday to Friday and we will respond as soon as possible by post or email a prisoner.

You can write to us at:

**Prison Reform Trust
FREEPOST ND 6125
London
EC1B 1PN**

You do not need to use a stamp.