



**INFORMATION ON REGISTRATION AND VOTING
FOR THOSE WITH A DISABILITY**



CUSTOMER SERVICE EXCELLENCE

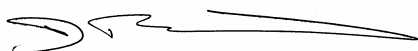
FOREWORD BY THE CHIEF ELECTORAL OFFICER

I am publishing this booklet today to coincide with the coming into force of important changes to electoral law a number of which are intended to make it easier for those with a disability to play their full part in our democratic process by registering as electors and, if they wish, by voting.

People with disabilities make up around 26% of the Northern Ireland population and it is essential that they are able to have their say in how we are governed by registering and voting for their representatives on district councils, the Assembly, the European Parliament and at Westminster.

The changes coming into force today which cater particularly for those with a disability include the abolition of the out of date common law rule on mental incapacity to register and to vote, additions to the list of the acceptable forms of photographic identification to be produced at the polling station and simplification of the process for applying for an absent vote. Those with a disability will, of course, also benefit from the other changes made to electoral law including the ability to register as an elector until much closer to polling day.

This booklet describes all the reasonable adjustments to electoral law and practice made to help those with a disability to exercise their democratic rights. I hope it will be useful both to them and to those who work with them.



Douglas Bain CBE TD Advocate
Chief Electoral Officer for Northern Ireland

1 July 2008

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INTRODUCTION

This booklet outlines the reasonable adjustments made to electoral law and practice to enable those with disabilities to play their full part in our democratic process by registering as electors and by voting at elections and referendums. It also gives brief details of the individuals and organisations involved in the electoral process.

Persons with a disability are just as entitled to register as electors and to vote as people without a disability. Their right to do so has increasingly been recognised and on 1 July 2008 the last remaining legal barrier, the out of date law which restricted registration and voting to those with the required mental capacity, ceased to apply.

Individuals, whatever the effects of their disability, are now equally entitled to register and to vote and can be assisted to exercise these rights by the provision of the reasonable adjustments described in this booklet.

The booklet is available in other formats and languages by contacting the Electoral Office. (Please see Contacts Details section below).

ROLES AND RESPONSIBILITIES

The Chief Electoral Officer for Northern Ireland is the electoral registration officer for all 18 constituencies in Northern Ireland and the returning officer for all elections and referendums held there. He has sole responsibility for all aspects of the registration of electors and the conduct of free and fair elections. He is independent and not accountable to the Government, the Electoral

Commission or any of the political parties for the way in which he performs his statutory duties.

He is assisted in carrying out these duties by his staff in **the Electoral Office for Northern Ireland** who are based at 8 Area Electoral Offices across Northern Ireland and at the Headquarters in Belfast. Each Area Electoral Office is led by an Area Electoral Officer who is both the deputy electoral registration officer and the deputy returning officer for the constituencies for which they have responsibility. As deputy returning officers it is their duty to appoint presiding officers and other temporary staff for polling stations and count centres.

The Electoral Commission is a quite separate UK wide body which has no responsibility for the operational aspects of electoral registration or the conduct of elections. Its main responsibilities in Northern Ireland are limited to the regulation of the political parties and their funding, the promotion of public awareness of the electoral process and the production of reports on how elections run.

The Road Service has responsibility for enforcement of the law on the removal of posters following any election or referendum.

The political parties play an important role in encouraging individuals to register and to vote but unlike the other individuals and organisations mentioned are, for obvious reasons, not always neutral in their approach.

COMPLETING THE ELECTORAL REGISTRATION FORM

If you are resident in Northern Ireland, aged 17 years or over and meet the nationality requirements you are entitled to register as an elector irrespective of any disability you have. The electoral registration form is now straightforward and is available in a range of languages other than English. It is also available, on request, in large print and in other accessible formats. If because of the effects of your disability you are unable to sign the form it can be signed by a witness on your behalf. When this is done you will be registered in exactly the same way as any other elector.

VOTING WITHOUT GOING TO A POLLING STATION

If you are blind or have a disability which makes it unreasonable to expect you to go in person to your allotted polling station or to vote unaided you are entitled to a permanent absent vote.

To obtain a permanent absent vote you need to complete an application form which must, unless you are registered as a blind person or are in receipt of higher rate disability living allowance, be counter-signed by a doctor, a nurse or certain other persons to say that they believe the information given on the form is true. The person counter-signing the form no longer has to be treating you or caring for you for the condition in question. Full details of who can counter-sign such applications are given on the form.

Some doctors charge a fee for counter-signing such applications. Although the Chief Electoral Officer deplores this practice and has written to the British Medical Association asking them to

discourage it, he is powerless to prevent it. You may wish to ask a nurse rather than a doctor to counter-sign the form for you.

If you are registered as a blind person or in receipt of higher rate disability living allowance please send evidence of this, such as the original (not a photocopy) of an official letter or other documents, with your application.

Applications for a permanent absent vote may be made at any time up to 14 days before an election. There is no need to wait until just before an election to apply. It is better to do so as early as possible so that any difficulties can be sorted out in good time.

There are two types of absent vote and you must decide which is most suitable for you. Where the application is for a postal vote, a ballot paper will be posted to you before the election. You mark the ballot paper and return it to the Electoral Office in the prepaid envelope provided. Your ballot paper will be mixed with other ballot papers before the counting of votes begins so there is no possibility of anyone being able to work out how you voted.

Alternatively, you can appoint another person to vote on your behalf. This is known as a proxy vote. Your ballot paper is sent to the person you appoint ("the proxy") who votes on your behalf. You do not have to do anything.

Application forms for both postal and proxy votes can be obtained by contacting the Electoral Office Helpline or by downloading and printing them from the website (please see Contact Details section below).

VOTING AT AN ALTERNATIVE POLLING STATION

Although everything possible is done to find polling stations that are accessible for wheelchair users and others with mobility disabilities there are some parts of Northern Ireland where no suitable buildings are available.

If you are due to vote at such a polling station you will receive a letter from the deputy returning officer about 8 weeks before an election or referendum warning you of the restricted access and telling you of your right either to apply for an absent vote (see above) or to ask to vote at an alternative polling station.

You will have to name the alternative polling station that you would like to use. Only you will know the one that would be best for you – it may not be the one nearest to your home. You can apply to vote at any polling station provided it is in the same constituency as your normal polling station or, for district council elections, in the same district electoral area.

Once your application to vote at an alternative polling station is granted you will be sent a poll card for the alternative polling station and you will be able to vote there in the normal way. You will not be able to vote at your original polling station if you change your mind.

Applications to vote at an alternative polling station must be received by the deputy returning officer at least 14 days before polling day.

An application form can be obtained by contacting the Electoral Office or downloading and printing it from the website (please see Contact Details section below).

HELP WHEN VOTING

If because of blindness or any other disability you cannot mark the ballot paper yourself you are entitled to have it marked for you either by the presiding officer or by a companion.

The presiding officer is employed by the deputy returning officer to run the polling station and is independent of any of the political parties. Presiding officers are bound by a strict requirement of secrecy.

If you wish the presiding officer to mark the ballot paper for you, you must tell him that you need his assistance and explain why. When you tell him how you wish to vote he will mark the ballot paper for you and put it in the ballot box along with all the other ballot papers.

If you wish a companion to mark the ballot paper for you, you must tell the presiding officer and explain why you need this assistance.

A companion must be your father, mother, brother, sister, husband, wife, civil partner, son or daughter or a person entitled to vote at the election. In all cases the companion must be over 18 years of age. They will have to complete a form for the presiding officer giving their relationship to you. Once that is done they will mark your ballot paper in whatever way you tell them and place it in the ballot box along with all the other ballot papers.

ACCEPTABLE PHOTOGRAPIC IDENTIFICATION

Since 2002 it has been necessary to produce a current passport, driving licence, Senior Citizens SmartPass or Electoral Identity Card before you could be issued with a ballot paper.

On 1 July 2008 the law was changed to add a War Disabled SmartPass and a Blind Person's SmartPass to the list of acceptable documents. In addition, the need for the document produced to be current was removed. So, provided you still look like the photograph, it does not matter if the document you produce is out of date.

LARGE PRINT BALLOT PAPER

A large print version of the ballot paper will be displayed at each polling station to help you if your eyesight is poor.

VOTING DEVICE

If you are visually impaired a device is available at every polling station to help you mark your ballot paper. If you wish to use it please tell the polling staff when they give you your ballot paper.

Whilst the device is straightforward to use at a first-past-the-post election where you put an "X" against the candidate of your choice, you need to have a very good memory to use it effectively at a single-transferable-vote election where you can vote for as many candidates as you like in order of your preference. You may find it

easier to ask the presiding officer or a companion to mark the ballot paper for you.

ADAPTED POLLING BOOTHS

Polling booths are designed so that voters standing can mark their ballot paper on a shelf at average waist height.

At each polling station there will be at least one polling booth with a shelf at a height suitable for use by wheelchair users and people of restricted height.

Except where the lighting is of a high standard, at least one polling booth at each polling station will be equipped with additional lighting to assist those with poor vision.

If you need help to find the polling booth with a low shelf or the one with additional lighting please ask any of the election staff to help you.

ACCESSIBILITY OF ELECTORAL OFFICE SERVICES

You can call in person at any of the 8 Electoral Offices in Northern Ireland. Their address and opening hours are available from our Helpline or our website (please see Contact Details section below).

There is a central freephone Helpline where staff will be ready to answer all your questions. A textphone is also available.

The Electoral Office website has been designed for ease of use by those with disabilities. It has a Browsealoud facility.

This booklet and all Electoral Office publications are available, on request, in large print and a range of other formats.

FUTURE CHANGES

Further adjustments currently under consideration include the colour printing of party emblems on ballot papers which would be of particular benefit to some visually impaired people and the inclusion on ballot papers of a colour photograph of each candidate. The latter would require an amendment to the law and is unlikely to take place in the short term.

If you have any ideas for changes to electoral law or practice to help those with a disability registering and voting please contact the Chief Electoral Officer by writing to him or emailing him at the Electoral Office for Northern Ireland (see Contact Details section below).

ELECTORAL LAW

The information given in this booklet is not a definitive statement of the law on the registration of electors or the conduct of elections. That can be found in a number of statutory provisions including –

- ◆ the Representation of the People Act 1983
- ◆ the Representation of the People Act 1985
- ◆ the Electoral Administration Act 2006
- ◆ the Representation of the People Act (Northern Ireland) Regulations 2008
- ◆ the Northern Ireland Assembly (Elections) Order 2001

- ◆ the European Parliamentary Elections (Northern Ireland) Regulations 2004.

These provisions can be viewed on the UK Statute Law Database www.statutelaw.gov.uk.

The law and practice is stated as it was on 1 July 2008.

CONTACT DETAILS

The staff of the Electoral Office will do everything possible to help you exercise your right to register and to vote and to answer any questions you have about the process.

They can be contacted as follows:

By post: Information Officer
Electoral Office for Northern Ireland
St. Anne's House
15 Church Street
Belfast
BT1 1ER

By phone: 0800 4320 712

By text phone: 0800 3284 502

By email: info@eoni.org.uk

By fax: 028 90 235612

Further information about the electoral process and the work of the Electoral Office is available on www.eoni.org.uk.