UK - Country information

Indicators on political participation

of persons with disabilities

2014

DISCLAIMER: The background country information reports contain background material for the comparative report on *The right to political participation for persons with disabilities: human rights indicators* by the European Union Agency for Fundamental Rights (FRA). The bulk of the information in the background country information reports comes from ad hoc information reports prepared under contract by the FRA’s research network FRANET. The views expressed in the background country information reports do not necessarily reflect the views or the official position of the FRA. These reports are made publicly available for information purposes only and do not constitute legal advice or legal opinion.

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1. **STRUCTURE INDICATORS**

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| **Structure indicators** | **Source and supporting information** |
| Has the UK ratified the CRPD without a reservation to Article 29? Please give details of any reservation. | Yes, 8 June 2009 |
| Has the UK ratified the CRPD without a reservation to Article 12? Please give details of any reservation. | Yes, 8 June 2009 |
| Has the UK ratified the CRPD without a reservation to Article 9? Please give details of any reservation. | Yes, 8 June 2009 |
| Please indicate the legislation which applies to European Parliament and municipal elections in your country. Please highlight possible amendments in view of the 2014 European Parliament elections.  Does the same law apply for national, federal, local and regional elections, and referendums? | The Electoral Commission has produced a Schedule of Legislation which applies to European Parliament, national and municipal elections in the United Kingdom.[[1]](#footnote-1) Legislation which applies to European and municipal elections (local council elections but not elections to the devolved parliaments of Scotland, Wales, Northern Ireland and the Greater London Authority) is listed separately in Table 2.  In addition to those listed in the Schedule, the following legislative acts are also relevant to the electoral process:   * Adults with Incapacity (Scotland) Act 2000[[2]](#footnote-2) * Mental Capacity Act 2005 (England & Wales)[[3]](#footnote-3)   The following legislation was passed in the 2012-2013 Parliamentary session:   * Electoral Registration and Administration Act 2013[[4]](#footnote-4) * Mental Health (Discrimination) (No. 2) Act 2013[[5]](#footnote-5)   **Draft legislation**:   * European Parliamentary Elections Bill [HL] 2012-13: A Bill to amend the European Parliamentary Elections Act 2002 so as to alter the method used in Great Britain and Gibraltar for electing Members of the European Parliament.[[6]](#footnote-6) * Electoral Register (Access to Public Services) Bill 2013 – 2014: A Bill to introduce a requirement that electoral registration be a condition of access to public services; and for connected purposes.[[7]](#footnote-7) * Equality Act 2010 (Amendment) Bill 2013 – 2014: A Bill to amend the Equality Act 2010 to improve access to public buildings; and to introduce six and twelve inch rules for step free access.[[8]](#footnote-8) * Equality and Diversity (Reform) Bill 2013-14: A Bill to prohibit the use of affirmative and positive action in recruitment and appointment processes; to amend the Equality Act 2010 to remove the special provision for political parties in relation to the selection of candidates; and for connected purposes.[[9]](#footnote-9) * Extension of Franchise (House of Lords) Bill [HL] 2013-14: A Bill to make provision for a Member of the House of Lords to vote at elections to the House of Commons.[[10]](#footnote-10) * Membership of the House of Lords (Elections) Bill [HL] 2012-13: A Bill to provide for the Standing Orders of the House of Lords to designate certain Members of the House of Lords as elected Peers.[[11]](#footnote-11) * Representation of the People Act 1981 (Amendment) Bill 2013-14: A Bill to amend the Representation of the People Act 1981 to amend the period of imprisonment which disqualifies a person from membership of the House of Commons; and for connected purposes.[[12]](#footnote-12) * Voting Age (Comprehensive Reduction) Bill [HL] 2013-14: A Bill to extend the franchise for parliamentary and other elections, and for referendums, to all citizens over the age of 16 years.[[13]](#footnote-13) |
| Is there a requirement under law to register to vote? If so, please specify the relevant legislation. | S 1(1) of the Representation of the People Act 1983 (RPA 1983) for national parliamentary elections and s 2(1) of the Representation of the People Act 1983 for local government elections.[[14]](#footnote-14) Section 8(2), European Parliamentary Elections Act 2002 (EPE 2002).[[15]](#footnote-15)  A person is entitled to be registered as a parliamentary elector under Section 4(1), (4), (5) and (6), RPA 1983. A person is entitled to be registered as a local government elector under Section 4(3), (4), (5) and (6), RPA 1983.  Update from the FRA Annual Report 2013[[16]](#footnote-16):  On 31 January 2013 the Electoral Registration and Administration Act 2013 was enacted. This legislation amends electoral law and introduces Individual Electoral Registration. Under the current system, the head of a household is responsible for declaring the names of those residing at the household who are entitled to vote. Under the Electoral Registration and Administration Act 2013, in order to vote an individual must personally register to vote, and provide identification such as a National Insurance number. This policy arguably has the potential to disenfranchise disabled voters who could previously vote by post or by proxy but who will now need to re-register in order to vote under the new system. There have been no other significant developments in the past year and no meaningful discussion from disability groups on the impact on voting rights. |
| Is there any limitation foreseen by law which could affect the right of persons with disabilities to vote in European Parliament and municipal elections? Please give details of any restrictions on the right to vote of persons with disabilities, including any link between a particular type of impairment (e.g. psychosocial/intellectual disability) or substituted decision making (e.g. loss of legal capacity, placement under guardianship)and the right to vote in elections.  Does the same law regarding voting rights apply for national, local/regional elections and referendums? | In the United Kingdom, the Electoral Administration Act 2006 abolished the common law rule that a person lacks legal capacity to vote by reason of mental health problems.[[17]](#footnote-17) |
| Do all persons with disabilities have the right, under law, to stand for and be elected to public office, in municipal elections, on an equal basis with others? And in elections to the European Parliament?  Does the same election law apply for other elections (e.g. national, local and regional) and referendums? | No other specific reference (except indicator below) was made to persons with intellectual disabilities or mental health problems, as addressed specifically in the FRA 2010 report. No data was available on good practice or problems of access to voting.[[18]](#footnote-18)  In a response to the Thematic Study on Participation of Persons with Disabilities in Political and Public Life of the OHCHR[[19]](#footnote-19), the government of the UK stated that “there are no restrictions on disabled people being elected”:  *In February 2011 the UK Government announced its intention to repeal Section 141 of the Mental Health Act 1983 which set the process by which Members of Parliament were required to vacate their seats if they had a mental health condition and were authorised to be detained under mental health legislation for a period of six months or more. Although these provisions had never been used, Section 141 was felt to be symptomatic of an outdated attitude towards mental illness which was out of touch with the modern understanding of mental health. It treated mental ill health differently from physical ill health and sent out the message that people with mental health conditions are not welcome in public life*.  In September 2011 the UK government published a summary of responses to a consultation run between 16 February and 11 May on its proposals for providing additional support for disabled people who are seeking elected positions as MPs, councillors or other elected officials, which included the government’s response.[[20]](#footnote-20) The consultation also considered ways of promoting opportunities for disabled people to realise their potential to become MPs.  In a joint statement[[21]](#footnote-21) in 2011, the Scottish Human Rights Commission (SHRC) and the Equality and Human Rights Commission stated that  “*The position regarding the eligibility of persons with mental health problems to stand for public office is more problematic. A legal opinion on the compatibility of the law of Scotland with the Disability Convention concluded on this point that that the lack of clarity may itself suggest an incompatibility with Article 29 of the Disability Convention. A member of the UK or Scottish Parliament who is detained because they have or have had a mental health problem must be reported to the Speaker (of the House of Commons) or Presiding Officer (speaker of the Scottish Parliament) and this may lead to the member’s seat being declared vacant.”* |
| Is there legislation in place regulating how people living in long-term institutions may vote? | Provided a person living in a long-term institution is not subject to a legal incapacity to vote and meets the age and residence requirements to register to vote (Section 1 of the RPA 1983), people living in long-term institutions are entitled to vote. If a person is subject to a legal incapacity to vote, their name cannot be included on the register of electors (Section 4 RPA 1983). The specific legislation dealing with people living in long term institutions is: Prisoners (Section 3 of the RPA 1983) and offenders detained in mental institutions (Section 3A RPA 1983) are not entitled to vote, they are regarded as being subject to a legal incapacity to vote. Patients in mental hospitals who are not detained offenders or on remand are entitled to vote (Section 7 RPA 1983). A person who has legal capacity to vote at a parliamentary or local government elections (or at both) or at European parliamentary and has registered to vote, can apply to the registration officer to vote by proxy or by post.[[22]](#footnote-22)  There is no specific legislation regulating how people in living in long term care may vote. Voting in the UK is carried out at designated polling stations only. There is no provision for mobile polling stations, voting booths in a care home or transportation to polling stations. People living in long term care are entitled to appoint a proxy or apply for a postal vote if they are unable to attend the polling station in person[[23]](#footnote-23). Guidance for applying to vote by proxy or by post is provided on the Citizen’s Advice Bureau’s (CAB) website.[[24]](#footnote-24) The CAB is a UK NGO which provides free independent and confidential advice. If the individual requires transport to a polling station, the onus is on them to arrange for this provision. |
| Is there a duty under law to provide reasonable accommodation for persons with disabilities in voting procedures? For example, is there a duty to provide assistance at the polling station (e.g. braille or large print ballot papers, independent support person to assist with voting chosen by the person with a disability) or to allow for alternative means of voting (e.g. postal ballots, voting in advance, home-based voting, voting at institutions, mobile voting)? | A new fact sheet entitled ‘Disabled People’s Voting Rights’ was issued by the UK Electoral Commission in April 2011. [[25]](#footnote-25)  It states that local authorities in the UK “now have to take proactive steps to ensure that polling stations do not disadvantage disabled people”. It also states that (i) “a person who is registered to vote or who has been officially appointed as a proxy voter cannot be refused a ballot paper or the opportunity to vote on the grounds of mental or physical incapacity” and (ii) “polling station staff must ensure that disabled voters are not offered a lower standard of service than other voters and should be able to explain what assistance is available to disabled voters wishing to vote in person at a polling station”. Disabled voters “may request the assistance of the Presiding Officer to mark the ballot paper for them” or “they can bring someone with them to help them vote (this person must be an immediate family member over 18 years old or a qualified elector)”. A tactile voting device “is fixed on to the ballot paper so visually impaired people or those with limited dexterity can mark their ballot paper in secret.”[[26]](#footnote-26) In addition, “a large-print version of the ballot paper should be clearly displayed inside the polling station and a copy can be given to voters to take with them into the polling booth;”[[27]](#footnote-27) although a voter cannot vote on the large-print version, “it can be used for reference.” Finally the fact sheet states that “in designating polling places, the council must have regard to accessibility for disabled voters” and that “if an elector is unable to enter the polling station because of physical disability, the Presiding Officer may take the ballot paper to the elector.” |
| Is there a duty under law for public and private providers of internet and web-based information to ensure that public information is subject to accessibility requirements (e.g. equivalent to Web Content Accessibility Guidelines (WCAG) 2.0 AA standard) | There is no specific provision but covered by public sector equality duty which applies to public and private providers when carrying out a public function.  Section 69 of the Electoral Administration Act 2006 (EAA)[[28]](#footnote-28) gives Electoral Registration Officers a duty to take such steps as they think appropriate to encourage the participation of electors in their area in the electoral process. In doing this, Electoral Registration Officers are required to have regard to any guidance issued by the Electoral Commission.[[29]](#footnote-29) Part I of the Electoral Registration Officer’s Guidance is relevant to the participation of disabled electors.  Section 149 of the Equality Act 2010 (EA)[[30]](#footnote-30) enacts a Public Sector Equality Duty (PSED), which means that public bodies have to consider all individuals when carrying out their day-to-day work – in shaping policy, in delivering services and in relation to their own employees. S 149 EA states:*(1) A public authority must, in the exercise of its functions, have due regard to the need to—*  *(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*  *(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*  *(c)f oster good relations between persons who share a relevant protected characteristic and persons who do not share it.*  The aforementioned PSED includes making accessible information provided on the web by public authorities. In 2011, the government produced guidance for public authorities to explain the PSED and its impact on them entitled *Equality Act 2010: Public Sector Equality Duty What do I need to know? A quick start guide for public sector organisations*. The guidance states that communications staff needs to be aware of the PSED so that “they ensure equality information is available and accessible.”[[31]](#footnote-31) In addition, there is a duty under the Representation of the People Regulations 2001 and the Electoral Administration Act 2006 to provide electoral materials in an alternative format and an additional duty on local authorities to ensure that guidance documents are translated into Braille and other accessible formats.  There is no mandatory requirement for public authorities’ websites to comply with the Web Content Accessibility Guidelines (WCAG) 2.0, but many public authorities’ websites follow best practice and comply with a minimum of level AA compliance as specified in Web Content Accessibility Guidelines (WCAG) 2.0. For example, the Electoral Commission’s website under ‘Accessibility’ states:  “*Wherever possible, our pages conform at a minimum to Level AA compliance as specified by the Web Content Accessibility Guidelines and endorsed by the Royal National Institute for the Blind (RNIB). The majority of AAA requirements are also me*t.”[[32]](#footnote-32)  Private providers of internet and web based information are not under the same duty as public authorities, only when they are carrying out a public function. The PSED as outlined by section 149 Equality Act 2010, above, extends to those persons who exercise a public function:  *(*2*) A person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1).* |
| Is there a duty under law for public and private providers of media (including newspapers, TV, radio and internet) to ensure that their information and communications are subject to accessibility requirements? | Yes for public media providers, no for private media providers.  Under the Equality Act 2010 (EA), only the British Broadcasting Corporation (BBC) and Channel 4 are defined as public authorities[[33]](#footnote-33) and subject to the PSED under section 149 EA 2010. In line with their PSED the BBC published *Telling our Story: 2011 Equality Information Repor*t,[[34]](#footnote-34) Within this report the BBC outlines the measures taken to ensure that their broadcast services are accessible to persons with disabilities.[[35]](#footnote-35) The report also refers to the accessibility guidelines that are adhered to by the web content developers and content writers. These guidelines comply with the Ofcom accessibility guidance. [[36]](#footnote-36)  Channel Four have also published a report: “Channel 4: Equality Objectives” which outlines their equality policy in line with their PSED.[[37]](#footnote-37) An accessibility statement was made in the Channel Four Annual Report 2012 which outlined their policy to ensure that their website meets recognised international standards for accessibility and to ensure it is accessible to all. There are a number of other statements made by Channel Four which outlines their commitment to provide accessible broadcast services, including a commitment to 100% subtitling on their main broadcast channels[[38]](#footnote-38). Channel Four provides audio description and signing for a number of their broadcasts every week. On the Channel Four website, a list of audio described and signed programmes is given for each week. The page also indicates their commitment to provide audio described programming[[39]](#footnote-39).  Under s 3(4) (i) of the Communications Act 2003 (CA)[[40]](#footnote-40), Ofcom must have regard, in performing their duties to “*the needs of persons with disabilities…”* In addition under Sections 303 to 305 CA, Ofcom is required to draw up a code giving guidance as to the extent to which television services should promote the understanding and enjoyment by persons who are deaf or hard of hearing, as well as those who are blind or partially sighted, or who have a dual sensory impairment (deafblind). This code is also required to be revised and updated from time to time. Paragraph four of the Ofcom code of guidance states that the code applies to licensed public service channels, digital television programme services, television licensable content services (TLCS), and restricted television services, as well any digital television programme services (DPS) provided by the Welsh Authority (including S4C Digital). The BBC Agreement also requires the BBC to observe the code in respect of its public television services subject to any exclusions agreed between Ofcom and the BBC having regard to the considerations set out in section 303(8). The code is not to apply to electronic programme guides provided under a TLCS or DPS licence, or to services comprising advertising (teleshopping), which is excluded from the definition of programme for the purpose of section 303.[[41]](#footnote-41) The code is not explicitly clear whether paragraph 4 covers private media providers, however, the aforementioned paragraph applies to all digital service providers and thus would cover all private media providers with a broadcasting license.  The latest Code on Television Access Services was published by Ofcom in December 2012.[[42]](#footnote-42) The Code sets out the requirements for television access services under the CA, the Broadcasting Act 1996, or the Broadcasting Act 1990. Ofcom also produces guidance on practices to be followed which is appended to the Code (Annexes 3 & 4). |
| Is there legislation requiring that polling stations and voting processes be accessible to persons with disabilities (e.g. a certain percentage of polling stations must be accessible, one polling station per electoral district must be accessible etc)?  Please indicate whether the legislation requires that polling stations and voting processes are accessible for all persons with disabilities or for particular impairment groups (e.g. persons with visual, hearing, physical impairments etc). | A new fact sheet entitled ‘Disabled People’s Voting Rights’ was issued by the UK Electoral Commission in April 2011 [[43]](#footnote-43).  It states that local authorities in the UK “now have to take proactive steps to ensure that polling stations do not disadvantage disabled people”. It also states that (i) “a person who is registered to vote or who has been officially appointed as a proxy voter cannot be refused a ballot paper or the opportunity to vote on the grounds of mental or physical incapacity” and (ii) “polling station staff must ensure that disabled voters are not offered a lower standard of service than other voters and should be able to explain what assistance is available to disabled voters wishing to vote in person at a polling station”. Disabled voters “may request the assistance of the Presiding Officer to mark the ballot paper for them” or “they can bring someone with them to help them vote (this person must be an immediate family member over 18 years old or a qualified elector)”. A tactile voting device “is fixed on to the ballot paper so visually impaired people or those with limited dexterity can mark their ballot paper in secret.”[[44]](#footnote-44) In addition, “a large-print version of the ballot paper should be clearly displayed inside the polling station and a copy can be given to voters to take with them into the polling booth;”[[45]](#footnote-45) although a voter cannot vote on the large-print version, “it can be used for reference.” Finally the fact sheet states that “in designating polling places, the council must have regard to accessibility for disabled voters” and that “if an elector is unable to enter the polling station because of physical disability, the Presiding Officer may take the ballot paper to the elector.” |
| Does the law foresee training for election authorities and election officials on non-discrimination on the grounds of disability, accessibility and reasonable accommodation? | No but a handbook for polling station staff specifically considers disabled voters.  Under the Electoral Administration Act 2006, the Electoral Commission was given the power to determine the performance standards for returning officers in Great Britain (the standards do not apply to Northern Ireland). The current performance standards were published in December 2011.[[46]](#footnote-46) They indicate the requirement of Returning Officers to provide “*A training plan which identifies the training needs of permanent and temporary staff.*”[[47]](#footnote-47)  There is no specific reference to training election authorities or election officials on non-discrimination on the grounds of disability, accessibility and reasonable accommodation. However, all election officials are subject to the PSED under s 149 of the Equality Act 2010 and are required to have due regard to the need to eliminate discrimination. Additionally, Returning Officers must consider access needs when setting up a polling station (performance standard 2a)[[48]](#footnote-48) and “*Provide all materials in accessible formats that are easy for voters to use and understand”*(performance standard 2b).[[49]](#footnote-49)  The Electoral Commission also publishes the Handbook for Polling Station Staff which states that all Acting Returning Officers should provide training and briefing sessions for polling staff in advance of the election.[[50]](#footnote-50) The handbook states that:  *“Polling station staff must ensure that disabled voters are not offered a lower standard of service than other voters. Reasonable adjustments to practices and procedures must be made so that people with a range of disabilities are not disadvantaged in any way”[[51]](#footnote-51).*  It is the responsibility of the Returning Officer to ensure that disabled voters have the same access to the electoral process as everyone else.  The Electoral Commission’s Guidance on Electoral Registration aims to assist Electoral Registration Officers (EROs) with particular points of practice and procedure in relation to electoral registration.[[52]](#footnote-52) The Guidance on Electoral Registration has a section on ‘Accessibility and Participation’.[[53]](#footnote-53) Electoral Registration Officers, because they are employed by the local authority, should attend any disability equality training provided by the local authority. There is detailed guidance on supporting persons with disabilities on registering to vote in the section on ‘Accessibility and Participation’. The Guidance has not been updated to include the PSED.  The Electoral Commission provides a number of resources to assist Returning Officers with training. In its report on the conduct of the 2010 general election, the Electoral Commission states:  *“We publish a range of manuals, circulars, templates and online resources. We also provide briefings and seminars, and an enquiries service, for those who run elections. Our guidance is advisory rather than binding, and there is no legal requirement for Returning Officers to follow the guidance that we provide”[[54]](#footnote-54)* |
| Are all persons with disabilities, including those who have been deprived of their legal capacity, able to access redress and complaint mechanisms in cases where they have not been able to exercise the right to vote? | The grounds upon which persons with a disability maybe deprived of their legal capacity to vote are if they are under the age of 18, do not meet the residency requirements, have been convicted of a criminal offence (see Sections 1 – 4 of the Representation of the People Act 1983) or if they are a Member of the House of Lords.  All persons with a disability are entitled to apply to vote by proxy or by post.[[55]](#footnote-55) If the registration officer (chief electoral officer in Northern Ireland) refuses an application for a postal or proxy vote, the applicant will be notified of this decision and the reasons for it. An appeal, against any decision of the registration officer disallowing a person's application to vote by proxy or by post as elector in any case where the application is not made for a particular election only, can be made to the county court.[[56]](#footnote-56) In principle access to this process is available to persons with disabilities.  Maintenance of the electoral roll is the responsibility of the Electoral Registration Officer (ERO) at the local authority. The Returning Officers in each local authority are responsible for the administration of elections. In principle a person with a disability can access the complaints mechanisms of their local authority if they have not been able to exercise the right to vote.  In a Freedom of Information response dated 19th August 2013, the Electoral Commission stated:  *“Complaints about electoral registration, voting or polling station issues people have experienced are the responsibility of the relevant local authority (or in Northern Ireland, the Chief Electoral Officer) so[complainants] should contact them directly. However, where we are made aware of such issues, we may monitor them and refer them to relevant colleagues.”*  The Electoral Commission did not indicate if they have been made aware of any such complaints and if they have been monitored or if any have been referred to the relevant local authority.  The Law Commission are reviewing the law on elections and are reviewing complaints mechanisms for people who have been deprived of their right to vote.[[57]](#footnote-57) Following a Freedom of Information request, Scope (a UK disability charity that supports disabled people and their families in England and Wales) provided the following response on the 5 August 2013:  *“The review that the Law Commission is undertaking in relation to electoral law has identified the current complaints system as inadequate in that the only grounds for complaining are whether an election’s outcome has been affected. For disabled voters, this means where the voting process was inaccessible to them, they are left with no option for seeking redress*. *The review is likely to recommend establishing a complaints procedure that allows challenging how an election has been administered without challenging the outcome of the poll*.” |

1. **PROCESS INDICATORS**

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| **Process indicators** | **Source and supporting information** |
| Are there mechanisms in place to ensure that disabled people’s organisations (DPOs) are consulted and involved in the development of laws and policies in electoral matters? Please give details of the mechanisms through which DPOs are involved. | The government does not have a legislative duty to consult DPOs such as Scope will be consulted by the government when there is a policy review affecting disabled people. In their response to a freedom of Information request dated 5 August 2013, they said:  *“We have engaged with the Cabinet Office in the development of the plans to introduce the new individual electoral registration system around the potential impact on disabled electors.”*  The Cabinet Office Guidance on Consultation Principles outlines the principles that Government departments and other public bodies should adopt for engaging stakeholders when developing policy and legislation. The Consultation Principles do not have legal force. Certain legislative frameworks will impose requirements for Government to consult with certain groups on certain issues.[[58]](#footnote-58)  The main mechanism by which DPOs are consulted and involved in the development of laws and policies in electoral matters in the UK would be the PSED imposed on all Public Authorities under the Equality Act 2010. The PESD requires Public Authorities to consider how their policy and decision making will impact on disabled persons. Therefore, there is no formal requirement to consult with disabled persons; however, failure to fulfil the aforementioned PSED could be challenged through an application for Judicial Review made by an individual or the Equality and Human Rights Commission. The decision not to consult falls within the remit of unfairness grounds, “Failing to consult those who the public body had a duty to consult, or those who had a “legitimate expectation” that they would be consulted before the decision was made, perhaps because they had been consulted in the past or because it would seem obvious that someone has an interest in a matter and should be consulted.”[[59]](#footnote-59)  The Office for Disability issues (ODI) advises that one of the ways that government departments can fulfil their PSED is by engaging with disabled persons when developing policies, strategies and services.[[60]](#footnote-60) The ODI suggests that this engagement may be best achieved by working in partnership with DPOs.[[61]](#footnote-61).  The ODI has produced guidance which provides an introduction to involving disabled persons in policy making.[[62]](#footnote-62)  In addition to consultation with DPOs, in 2005 the ODI established Equality 2025, an advisory non-departmental public body which ensures input from disabled people in the development of Government policy and strategy[[63]](#footnote-63). The advisory group was recently reviewed as part of the ODI’s new Action Plan Fulfilling Potential (published in August 2013)[[64]](#footnote-64). The Equality 2025 Review was published in July 2013, and affirmed the continuing need to engage with disabled persons[[65]](#footnote-65)  Following the 2010 General Elections, a group of disabled people’s organisations, headed by Scope (England and Wales) carried out a review of the accessibility for disabled voters to the relevant information.  In Scotland, the survey was supported by Capability Scotland and in Northern Ireland by the Disability Action Northern Ireland. The report *Polls Apart 5: Opening Elections to Disabled People* outlines the challenges that are still being faced and some of the models of good practice that exist.[[66]](#footnote-66) The government responded to this research (in parallel with other reports by the Electoral Commission, Association of Electoral Administrators and the Greater London Authority’s Elections Review Working group) in their report: The UK Government’s Response to Reports on the Administration of the 2010 UK Parliamentary General Election.[[67]](#footnote-67) |
| Have national judicial redress mechanisms considered any cases related to the right to political participation of persons with disabilities?  Please give details of relevant case law and any available data on the number of such cases. | There have been no judicial decisions dealing with the right to political participation of persons with disabilities.[[68]](#footnote-68) |
| Have national non-judicial redress mechanisms (e.g. National Human Rights Institutions, Equality Bodies, Ombuds institutions) considered any cases related to the right to political participation of persons with disabilities?  Please give details of relevant case law and any available data on the number of such cases. | In 2012, the Equality and Human Rights Commission (Karon Monaghan QC) submitted written legal advice about job sharing for MPs to Disability Rights UK who put forward the Representation of the People (Members' Job Share) Bill, the aim of which is to enable more people to become MPs who may not be able to do so at present because of their disabilities or their caring responsibilities. [[69]](#footnote-69)  In November 2012, the Bill failed to complete its passage through Parliament before the end of the session. This means the Bill will make no further progress.[[70]](#footnote-70) |
| Is information about how and where to complain in the case of problems with exercising the right to political participation accessible to all persons with disabilities? | All persons with disabilities are entitled to complain to their local authority’s Returning Officer. In a response to a Freedom of Information request dated 19th August 2013, the Electoral Commission stated that:  *“Statutory Returning Officers based in local authorities are responsible for the administration of elections, including the process for people to be nominated for election and the voting process. Complaints about the accessibility of these processes would be the responsibility of the relevant Returning Officer (although in practice, this process may be managed by the local authority who has appointed them). The Commission does not hold any information about these complaints processes, nor does it monitor the number of complaints made.”*  This position is clearly outlined on the Electoral Commission’s complaint section on their website. Where a complaint is being made about electoral registration, voting or polling station issues people have experienced are the responsibility of the relevant local authority (or, in Northern Ireland, the Chief Electoral Officer) complainants should contact them directly. However, where the Electoral Commission is made aware of such issues, they may be monitored and referred onto relevant colleagues. The Electoral Commission complaints mechanism is accessible on their website and is reproduced here:  “*You can make a complaint in writing or by email using the details below. If you can’t contact us in writing, call on 020 7271 0604, textphone on 18001 7271 0500 or ask somebody to contact us on your behalf to request an alternative format.”[[71]](#footnote-71)*  The review that the Law Commission is undertaking in relation to electoral law has identified the current complaints system as inadequate in that the only grounds for complaining are whether an election’s outcome has been affected. For disabled voters, this means if the voting process was inaccessible to them, there are left with no option for seeking redress.  The review is likely to recommend establishing a complaints procedure that allows challenging how an election has been administered without challenging the outcome of the poll.[[72]](#footnote-72) |

1. **OUTCOME INDICATORS**

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| **Outcome indicators** | **Source and supporting information** |
| What was the voter turnout rate for persons with disabilities in the most recent municipal elections and in the 2009 European Parliament elections? How does this compare with the voter turnout rate among the general population?  What was the voter turnout rate for persons with disabilities in the most recent national elections? How does this compare with the voter turnout rate among the general population? | Ipsos-MORI collates data on voter turnout, but does not identify the number of voters with disabilities. After each election, the Electoral Commission produce tables showing voter turnout.[[73]](#footnote-73) Turnout for recent elections is summarised on the Electoral Commission’s website, but does not show figures of disabled voters:  “*Exact figures are not available because information about the identity of voters is kept secret.”[[74]](#footnote-74)*  Data regarding the turnout rate for persons with disabilities in the most recent national elections is not available. In view of the fact that the identity of voters is kept secret, there is no accurate data on the voter turnout for people with disabilities. The Electoral Commission states:  *“It is not possible to analyse demographic trends in participation using*  *official data, since no personal data such as age or gender is recorded in the electoral register* [[75]](#footnote-75)  Disabled voters can either vote in person at a polling station, vote by post or vote by proxy. Some of the data for these voting procedures is available on the Electoral Commission’s website, however these figures are not disaggregated to show how many of the voters in each category are persons with disabilities.  Postal Voting  Since the Representation of the People Act 2000, there is postal voting ‘on demand’, which means anyone can vote by post provided they are registered to vote. The number of people who voted by post in the 2010 general election: the percentage of postal votes (as a percentage of the total count) was 18.8%[[76]](#footnote-76). In the 2012 Local Elections the percentage of postal votes (as a percentage of the total count) was 34.8%.[[77]](#footnote-77) For the 2009 European Election, 24.9% of the total votes included were postal votes.[[78]](#footnote-78)  Vote by Proxy  Anyone eligible to vote can apply to vote by proxy in a particular election. The categories of people who can apply to vote by proxy for a particular or indefinite period include people who are blind or have some other disability and who, as a result, cannot reasonably be expected to vote in person at the allotted polling station or cannot reasonably be expected to vote unaided.[[79]](#footnote-79). The number of people who voted by proxy, for example, in the 2010 general election was 143,801, which is 0.32% of the electorate.[[80]](#footnote-80) In the 2012, local election the number of people who voted by proxy was 16,000 local electors (0.10% of the total electorate).[[81]](#footnote-81) |
| How many members of the current national parliament identify as having a disability? | Following a Freedom of Information request made to the House of Commons Information Office, the following response was received on 23 July 2013:  “*It is difficult to find statistics for disabled MPs because Members do not have to specify that they have a disability (i.e. it is down to Members themselves rather than it being a mandatory requirement). Currently, David Blunkett MP (Labour) is the only blind MP; Anne Begg MP (Labour) is a wheelchair user and Paul Maynard MP (Conservative) has cerebral palsy*.”[[82]](#footnote-82)  The above statement supports the written response from the government to a consultation on *Access to Elected Office for Disabled People: A Consultation* (February 2011) which suggested that:  “*The number of MPs who have declared themselves as disabled is very low compared to the proportion of disabled people in the population as a whole. To be representative of the population, we might expect 65 MPs to be disabled.”[[83]](#footnote-83)*  An information request sent to the FRA UK National Liaison Officer came to similar conclusions.  *“The number of (declared) disabled MPs is not known, but very low: indeed to be representative of the entire UK population we might expect to see about 100 MPs of 650, or 65 disabled MPs to representative of the working age population. There is no quantitative data for the number of disabled people who failed to be selected as candidates and/or elected, but there is anecdotal evidence about the misperceptions and discrimination that disabled people can face in seeking elected office.*  *A major obstacle faced by some disabled people, which non-disabled people would not face when seeking election, are the additional costs they can incur in order to campaign effectively, e.g. support with transport costs (including for carers too) or British Sign Language interpretation for hearing impaired people. The Government’s pilot Access to Elected Office for Disabled People Fund provides grants to address these barriers, so that disabled people can compete for election on a level playing field with other candidates.”*  In relation to the number of Lords who identified themselves as having a disability, following a request for information made to the House of Lords Information Office, the following response was received on 29 July 2013:  *“The House of Lords Administration neither appoints nor employs Members of the House of Lords.  It does not collect information concerning Members’ disabilities i.e. sensitive personal data.”* |
| How many members of current municipal governments identify as having a disability? | Freedom of Information Requests were made to the following centralised organisations:   * Welsh Local Government Association * Convention of Scottish Local Authorities * Northern Ireland Local Government Association * Local Government Association (England and Wales)   The following responses were received:  Total in Wales: 43  Total in Scotland: 5  Total in Northern Ireland: 3  Total in England: 2,563 councillors: 14.1% of councillors in the 2010 census indicated that they had a long-term illness, health problem or disability that limited the daily activities or work they could do.[[84]](#footnote-84)  Full disaggregated data can be found appended at the end of this report [see table 3 in Annex]. |
| What proportion of polling stations is accessible for persons with disabilities? Please indicate whether polling stations are accessible for all persons with disabilities or for particular impairment groups e.g. persons with visual, hearing, physical impairments etc) | The Handbook for Polling Station Staff indicates in Appendix 1 the adjustments that may be required in order for all polling stations to be made accessible for disabled voters and to accommodate voters of different impairment groups.[[85]](#footnote-85) The Electoral Commission do not produce official data regarding the proportion of polling stations that are accessible for persons with disabilities. In their report on the administration of the 2010 general election, the Electoral Commission used the data from the Scope ‘Polls Apart’ report (which is reproduced below) in their analysis of the accessibility of polling stations. The Electoral Commission assessed that the majority of polling stations are accessible:  *“This meant disabled entrances were well signposted with usable ramps in place, low polling booths were available for wheelchair users, and large-print ballot papers and tactile voting devices were available for voters with visual impairments. We are also aware that many electoral services managers have been more proactive in including access issues as part of their polling station staff training*.”[[86]](#footnote-86)  Scope, in their 2010 report Polls Apart, outlined their findings following a survey of polling stations from the 2010 General Election. The survey addressed physical barriers to voting, such as , steps into the entrance,  narrow doorways and corridors, or the lack of a low-level polling booth, how adequately the polling station provided alternative formats including a large print version of the ballot paper and a tactile voting device and addressed negative attitudes and assumptions.[[87]](#footnote-87) The report covers a wide range of impairments including: physical impairments, visual impairments, co-ordination impairments, learning difficulties, low literacy, mobility limitations and dexterity issues.  In advance of the survey on 6 May 2010, Scope sent a Freedom of Information Request to all Chief Executives of Local Authorities asking if a self-assessment of the accessibility of all polling stations under the section 16 of the Electoral Administration Act 2006 (which placed a new requirement on local authorities to review the accessibility of all polling stations to disabled voters and ensure every polling place, and prospective polling place, for which it is responsible is accessible to disabled voters ‘so far as is reasonable and practicable) had been carried out by the local authority.  Scope received response from 70% of all polling stations, of which 89% had undergone a section 16 review wherein 14% were found not to be accessible to voters. On the day of the 2010 General Election, Polls Apart carried out a survey of 1000 polling stations; it found 67% of polling stations had 1 or more significant access barriers. The main barriers encountered by persons with disabilities included:   * A tactile voting device to help visually impaired * voters vote independently; * A large print version of the ballot paper; * Level access into the polling station; including an adequate ramp when required. * A low level polling booth * Registration documents and a polling card that was easy to read and understand. [[88]](#footnote-88) |
| Does the website to provide instructions for voting and information on candidates run by the ministry responsible for organising elections meet accessibility standards (e.g. equivalent to Web Content Accessibility Guidelines (WCAG) 2.0 AA standard)? | The Electoral Commission provides instruction for voting and information on candidates in an accessible format. This complies with accessibility standards.[[89]](#footnote-89) |
| What proportion of main public and/or private television broadcasts providing instructions for voting and information on candidates has national language subtitles? | A Freedom of information Request was submitted to the BBC on 23 July 2013. The response from the BBC Freedom of information Request is as follows:  *“For your information, the BBC does not provide “instructions for voting”. We do provide information about candidates at the time of elections as part of our comprehensive coverage to politics on the BBC Democracy Live website: http://www.bbc.co.uk/democracylive//*  *In addition much of the BBC’s output is accessible in a variety of ways whether through subtitles, signed as live or on catch up via the iplayer. Here is a guide to access support for web and iplayer content: http://www.bbc.co.uk/accessibility/guides/”*  As part of the Polls Apart Campaign, Disability Action Northern Ireland evaluated a Party Election Broadcast (PEB) from each Political Party; feedback was also received from focus groups. None of the PEBs considered had subtitles and not all had contact details so that people could contact the party for further information.[[90]](#footnote-90) |
| What proportion of main public and/or private television broadcasts providing instructions for voting and information on candidates has audio description? | A Freedom of information Request was submitted to the BBC on 23 July 2013. The response from the BBC Freedom of information Request is as follows:  “*For your information, the BBC does not provide “instructions for voting”. We do provide information about candidates at the time of elections as part of our comprehensive coverage to politics on the BBC Democracy Live website: http://www.bbc.co.uk/democracylive//*  *In addition much of the BBC’s output is accessible in a variety of ways whether through subtitles, signed as live or on catch up via the iplayer. Here is a guide to access support for web and iplayer content: http://www.bbc.co.uk/accessibility/guides*/” |
| What proportion of main public and/or private television broadcasts providing instructions for voting and information on candidates has sign language interpretation? | A Freedom of information Request was submitted to the BBC on 23 July 2013. The BBC acknowledged receipt of the request on 24 July 2013 and indicated that they will respond to the request for information within 20 working days.  The response from the BBC Freedom of information Request is as follows:  *“For your information, the BBC does not provide “instructions for voting”. We do provide information about candidates at the time of elections as part of our comprehensive coverage to politics on the BBC Democracy Live website: http://www.bbc.co.uk/democracylive//*  *In addition much of the BBC’s output is accessible in a variety of ways whether through subtitles, signed as live or on catch up via the iplayer. Here is a guide to access support for web and iplayer content: http://www.bbc.co.uk/accessibility/guides/”*  As part of the Polls Apart Campaign, Disability Action Northern Ireland evaluated a Party Election Broadcast from each Political Party; feedback was also received from focus groups. None of the PEBs considered used sign language and not all had contact details so that people could contact the party for further information.[[91]](#footnote-91) |
| How many political parties, out of the total who participated in the most recent European Parliament and municipal elections, made their manifesto/campaign material accessible to persons with disabilities (e.g. large print, braille, easy-to-read, audio versions etc)? | There is no information regarding the availability of accessible materials for the European and local elections.[[92]](#footnote-92) However, the main political parties have the following information available on their websites:  General Election Manifestos:   * Conservatives Manifesto available for download but no links to alternative formats.[[93]](#footnote-93) * Green Party Manifesto available for download in alternative formats – including Easy Read, Audio, Arabic and Bengali.[[94]](#footnote-94) * Liberal Democrats available for download in alternative formats – including Large Print, Easy Read, Audio, Bengali, Hindi, Somali, Urdu and Punjabi.[[95]](#footnote-95) * Labour Manifesto available for download but no links to alternative formats.[[96]](#footnote-96) NB in the 2010 General Election Campaign, Labour were criticised for not providing their manifesto in an alternative format in a timely manner..[[97]](#footnote-97)   As part of the Polls Apart Campaign the participating NGOs (Capability Scotland and Disability Action Northern Ireland) evaluated the extent to which the political parties made their manifesto/campaign material accessible to persons with disabilities.  In Scotland, Capability Scotland supplemented the findings of the survey on the polling day, by requesting the manifesto materials in alternative formats from the main political parties. The results were as follows:   * 3 disabled people requested the manifesto in their preferred format: audio, easy read and large print. * Conservative Party provided manifestos in each of the formats requested within 2 weeks. * Labour provided their manifesto on audio CD and in large print within 2 weeks. * The Liberal Democrats provided an easy-read manifesto within 2 weeks.   However:   * Labour sent out a flyer to a disabled voter instead of supplying an easy-read version as requested. * The Greens and the Scottish National Party failed to provide their manifestos in alternative formats on request to disabled voters. * The Liberal Democrats, the Greens and the Scottish National Party do not anticipate the needs of disabled voters by preparing manifestos in alternative formats in advance.[[98]](#footnote-98)   In Northern Ireland, Disability Action Northern Ireland audited the election information material for accessibility. For the Party Election Materials none of the printed materials provided by political parties met all the requirements of the audit. Details of the results of the audit are available on the Disability Action website.[[99]](#footnote-99)  For other information, the following outlines the findings of the audit:   * Audio Large Print - Only three of the five parties contacted were able to send information in the format requested. One party also had a large print version available for download on their website. * Audio CD – a gap identified was that audio versions are often only available upon request which means that people often are not aware of its availability. The RNIB attempted to address this gap by approaching the political parties and asking for them to contribute to an audio CD which as then distributed to a mailing list of people who usually receive information in audio format. * Easy Read– there was no indication that any political party had provided information in easy read format. |
| What proportion of public authority national and municipal buildings is accessible to persons with disabilities? | The following is the only information that is available. The Office for National Statistics Opinions and Lifestyle Survey collects data relating to the Disability Equality Factor – Difficulty in Accessing Goods and Services. Under the Equality Act 2010, reasonable adjustments have to be made to all buildings, not only to public buildings, to ensure the accessibility of goods and services. Therefore the following data refers to difficulties reported by disabled persons in accessing facilities at a private club, going to the cinema/theatre/concert, going to the library/art galleries/museums, shopping, pubs/restaurants, sporting events, using public telephone, using websites, using a bank or building society, arranging insurance, arranging accommodation in a hotel/guest house, accessing health services/Local Authority services, Central Government services, law enforcement services, or any other leisure, commercial or public good or service. In 2012, 32 % of the disabled population reported having difficulties accessing goods and services. This figure has decreased significantly from the baseline year (2005) where 40% of the disabled population reported difficulty in accessing goods and services[[100]](#footnote-100).  The Equality Act 2010 [Section 20 and Schedule 2 Paragraph 2][[101]](#footnote-101) and the Equality Act (Disability) Regulations 2010[[102]](#footnote-102) require local authorities to make changes (‘reasonable adjustments’), free of charge, to the built environment where needed, for disabled users or potential users. Where the built environment cannot be made accessible, it is reasonable for the service to be provided at an alternative venue. Reasonable changes are required wherever there would be a substantial disadvantage (more than a minor or trivial disadvantage) compared with non-disabled people. The reasonableness of the changes will depend upon all the circumstances, including the cost of an adjustment, the potential benefit it might bring to other customers, the resources an organisation has and how practical the changes are. The Equality Act 2010 requires that service providers must think ahead and take steps to address barriers that impede disabled people.[[103]](#footnote-103)  The Equality Act (Amendment) Bill 2013 had its first reading in May 2013. The Bill would amend the Equality Act 2010 to improve access to public buildings; and to introduce six and twelve inch rules for step free access.[[104]](#footnote-104) |
| How many complaints related to infringements of the right to political participation of persons with disabilities were recorded in 2012? What proportion of these complaints were successful? | There is no central registration of complaints relating to the infringements of the right to political participation of persons with disabilities. The Electoral Commission responded to a Freedom of Information request on 19th August 2013 stating:  *“The Electoral Commission received no complaints of this nature in 2012.”*  Scope responded to a Freedom of information request about this on 5th August 2013. As there is no mechanism by which disabled persons can complain about infringements of the right to political participation, Scope have said (5 August 2013):  “*There is no way to address this due to limitations of the complaints procedure*.” |

**Annex**

**Table 1: Legislation which applies to European elections and Municipal elections[[105]](#footnote-105):**

|  |  |
| --- | --- |
| **Primary Legislation applying to Municipal and European elections** | **Secondary legislation applying to Municipal and European elections** |
| * The Electoral Law Act (Northern Ireland) 1962\* * Local Government Act 1972 * Local Government (Scotland) Act 1973 * Act concerning the election of members of the European Parliament by direct universal suffrage annexed to Decision 76/787/ECSC of the Council of the European Communities 20/09/1976 * European Parliamentary Elections Act 1978 * Representation of the People Act 1983\* * Representation of the People Act 1985\* * Local Government and Housing Act 1989 * Greater London Authority Act 1999 * Representation of the People Act 2000\* * Political Parties, Elections and Referendums Act 2000\* * Election Publications Act 2001\* * Decision of the Council of the European Communities of 2 June and 23 September 2002 amending the Act concerning the election of the representatives of the European Parliament by direct universal suffrage, annexed to Council Decision 2002/772/EC, Euratom * European Parliamentary Elections Act 2002 * Scottish Local Government (Elections) Act 2002 * European Parliament (Representation) Act 2003 * European Parliamentary and Local Elections (Pilots) Act 2004 * Local Governance (Scotland) Act 2004 * Electoral Administration Act 2006\* * Local Electoral Administration and Registration Services (Scotland) Act 2006 * The Northern Ireland (Miscellaneous Provisions) Act 2006 * Local Democracy, Economic Development and Construction Act 2009 * Political Parties and Elections Act 2009\* * Scottish Local Government (Elections) Act 2009 * European Union Act 2011 * Local Electoral Administration (Scotland) Act 2011 | * Election Petition Rules 1960\*\* * European Parliamentary Election Petition Rules 1979 * Servants of the Crown (Parliamentary, European Parliamentary and Northern Ireland Assembly Candidature) Order 1987 * Local Government Officers (Political Restrictions) Regulations 1990 * European Parliamentary Elections (Changes to the Franchise and Qualification of Representatives) Regulations 1994 * Returning Officers’ and Local Returning Officers’ Accounts (European Parliamentary Elections) (England and Wales) Regulations 1999 * Servants of the Crown (Parliamentary, European Parliamentary, National Assembly for Wales, New Northern Ireland Assembly and Scottish Parliament Candidature) Order 1999 * Registration of Political Parties (Prohibited Words and Expressions) Order 2001\*\* * Registration of Political Parties (Fees) Order 2001\*\* * European Parliamentary Elections (Franchise of Relevant Citizens of the Union) Regulations 2001 * Representation of the People (England and Wales) Regulations 2001\*\* * Representation of the People (Scotland) Regulations 2001\*\* * Representation of the People (Northern Ireland) Regulations 2001\*\* * Representation of the People (England and Wales) (Amendment) Regulations 2002 and 2006\*\* * Greater London Authority Elections (Election Addresses) Order 2003 * Representation of the People (England and Wales) (Amendment) (No 2) 2006\*\* * Representation of the People (Scotland) (Amendment) Regulations 2002, 2006, 2007 and 2008\*\* * European Parliamentary Elections (Registration of Citizens of Accession States) Regulations 2003 * European Parliamentary Elections Regulations 2004 * European Parliamentary Elections (Amendment) Regulations 2009 * European Parliamentary Elections (Local Returning Officers’ Charges) (Great Britain and Gibraltar) Order 2004 * Representation of the People (Combination of Polls) (England and Wales) 2004\*\* * Registration of Political Parties (Prohibited Words and Expressions) (Amendment) Order 2005\*\* * Representation of the People (Variation of Limits of Candidates' Election Expenses) Order 2005\*\* * Absent Voting (Transitional Provisions) (England and Wales) Regulations 2006\*\* * Local Elections (Principal Areas) Rules 2006 * Local Elections (Parishes and Communities) (England and Wales) Rules 2006 * Local Elections (Principal Areas and Parishes and Communities) (Amendment) Rules 2006 * Electoral Administration Act 2006 (Commencement No 2, Transitional and Savings Provision) Order 2006\*\* * Electoral Administration Act 2006 (Commencement No 3) Order 2007\*\* * Greater London Authority Elections Rules 2007 * Representation of the People (Combination of Polls) (England and Wales) (Amendment) Regulations 2006 and 2007\*\* * Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007 * Electoral Administration Act 2006 (Commencement No 4 and Transitional Provision) Order 2007\*\* * Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007 * The Representation of the People (Post-Local Government Elections Supply and Inspection of Documents) (Scotland) Regulations 2007 * Electoral Administration Act 2006 (Commencement No 5) Order 2007\*\* * Electoral Administration Act 2006 (Commencement No 6) Order 2008\*\* * Electoral Administration Act 2006 (Commencement No 7) Order 2008\*\* * European Parliamentary Elections (Returning Officers) Order 2008 * The European Parliament (Number of MEPs and Distribution between Electoral Regions (United Kingdom and Gibraltar) Order 2008 * The Local Elections (Ordinary day of Elections in 2009) Order 2008 * European Parliamentary Elections (Appointed Day of Poll) Regulations 2008 * Local Authorities (Elected Mayors) (England) Regulations 2008 * Absent Voting at Scottish Local Government Elections (Provision of Personal Identifiers) Regulations 2009 * The European Parliament (Disqualification)(United Kingdom and Gibraltar) Order 2009 * The European Parliamentary Elections (Amendment) Regulations 2009 * The European Parliamentary Elections (Amendment) (No.2) Regulations 2009 * The European Parliamentary Elections (Loans and Related Transactions and Miscellaneous Provisions) (United Kingdom and Gibraltar) Order 2009 * The European Parliamentary Elections (Local Returning Officers' Charges) (Scotland) Order 2009 * The European Parliamentary Elections (Local Returning Officers’ Charges) (England, Wales and Gibraltar) Order 2009 * The European Parliamentary Elections (Northern Ireland) (Amendment) Regulations 2009 * The European Parliamentary Elections (Returning Officers’ Charges) (Great Britain and Gibraltar) Order 2009 * The European Parliamentary Elections (Returning Officer’s Charges) (Northern Ireland) Order 2009 * The European Parliamentary Elections (Welsh Forms) Order 2009 * The European Parliamentary Election Petition (Amendment) Rules 2009 * The Local Electoral Administration and Registration Services (Scotland) Act 2006 (Commencement No. 5 and Transitional Provision) Order 2009 * The Political Parties and Elections Act 2009 (Commencement No.1 and Transitional Provisions) Order 2009 * The Political Parties and Elections Act 2009 (Commencement No.2 and Transitional Provisions) Order 2009\*\* * The Postponement of Local Elections (Northern Ireland) Order 2009 * The Representation of the People (Absent Voting at Local Government Elections) (Scotland) Amendment Order 2009 * The Representation of the People (Postal Voting for Local Government Elections) (Scotland) Amendment Regulations 2009 * The Representation of the People (Amendment) Regulations 2009 * The Scottish Local Government Elections Amendment Order 2009 * The Electoral Law Act (Northern Ireland) 1962 (Amendment) Order 2010\*\* * The Electoral Law (Polling Station Scheme) (Northern Ireland) Regulations 2010\*\* * The European Parliamentary Elections (Northern Ireland) (Amendment) Regulations 2010 * The Local Elections (Northern Ireland) Order 2010 * The Representation of the People (Northern Ireland) (Amendment) Regulations 2010\*\* * The Representation of the People (Scotland) (Amendment) Regulations 2010\*\* * The Scottish Local Government (Elections) Act 2009 (Commencement) Order 2010 * The Local Authorities (Mayoral Elections) (England and Wales) (Amendment) Regulations 2011 * The Local Elections (Parishes and Communities) (England and Wales) (Amendment) Rules 2011 * The Local Elections (Principal Areas) (England and Wales) (Amendment) Rules 2011 * Greater London Authority Elections (Amendment) Rules 2012 * The Local Electoral Administration (Scotland) Act 2011 (Commencement) Order 2011 * Representation of the People (Post-Local Government Elections Supply and Inspection of Documents) (Scotland) Amendment Regulations 2012 * Representation of the People (Variation of Limits of Candidates' Local Government Election Expenses) (Scotland) Order 2012 * Scottish Local Government Elections (Amendment) Order 2012 * Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) Regulations 2012 * Local Authorities (Conduct of Referendums) (England) Regulations 2012 * Local Authorities (Mayoral Elections) (England and Wales) (Amendment) Regulations 2012 * Local Authorities (Elected Mayors) (Elections, Terms of Office and Casual Vacancies) (England) Regulations 2012 * Local Elections (Declaration of Acceptance of Office) Order 2012 |

\*Primary Legislation which is not specific to European and/or Municipal elections but contains provisions specific to European and/or Municipal elections.

\*\*Secondary legislation which is not specific to European and/or Municipal elections but contains provisions specific to European and/or Municipal elections.

**Table 2 UK Local Authority Responses to Freedom of Information Request: How many members of current local authorities identify as having a disability?**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Wales | | Northern Ireland | | Scotland | | England | |
| Authority | Number of Members Identify as having a Disability | Authority | Number of Members Identify as having a Disability | Authority | Number of Members Identify as having a Disability | Authority (by Region) | Number of Members Identify as having a Disability |
| Blaenau Gwent County Borough Council | 0 | Antrim Borough Council | Not available | Aberdeen City Council | Not available | East Midlands | 16.60% |
| Bridgend County Borough Council | 3 | Ards Borough Council | Awaiting information | Aberdeenshire Council | Not available | East of England | 13.10% |
| Caerphilly County Borough Council | 9 | Armagh City and District Council | Not available | Angus Council | Not available | North East | 20.30% |
| Cardiff Council | Awaiting information | Ballymena Borough Council | Not available | Argyll and Bute Council | 0 | North West | 16.80% |
| Carmarthenshire County Council | Awaiting information | Ballymoney Borough Council | Not available | City of Edinburgh Council | 1 | South East | 11% |
| Ceredigion County Council | Not available | Banbridge District Council | Awaiting information | Clackmannanshire Council | 0 | South West | 14.50% |
| Conwy County Borough Council | Not available | Belfast City Council | Not available | Comhairle nan Eilean Siar | 1 | West Midlands | 16% |
| Denbighshire County Council | Awaiting information | Carrickfergus Borough Council | Awaiting information | Dumfries and Galloway Council | Not available | Yorkshire & the Humber | 12.50% |
| Flintshire County Council | 1 | Castlereagh Borough Council | Not available | Dundee City Council | 0 | London | 12% |
| Gwynedd Council | 7 | Coleraine Borough Council | Not available | East Ayrshire Council | 1 |  |  |
| Isle of Anglesey County Council | Awaiting information | Cookstown District Council | Awaiting information | East Dunbartonshire Council | 0 |  |  |
| Merthyr Tydfil County Borough Council | 5 | Craigavon Borough Council | 0 | East Lothian Council | Awaiting information |  |  |
| Monmouthshire County Council | Awaiting information | Derry City Council | Awaiting information | East Renfrewshire Council | Not available |  |  |
| Neath Port Talbot County Borough Council | 9 | Down District Council | 0 | Falkirk Council | 0 |  |  |
| Newport City Council | Awaiting information | Dungannon and South Tyrone Borough Council | Awaiting information | Fife Council | Not available |  |  |
| Pembrokeshire County Council | 1 | Fermanagh District Council | Awaiting information | Glasgow City Council | Not available |  |  |
| Powys County Council | Awaiting information | Larne Borough Council | Awaiting information | Highland Council | Not available |  |  |
| Rhondda Cynon Taf County Borough Council | 0 | Limavady Borough Council | 0 | Inverclyde Council | Not available |  |  |
| Swansea City & County Council | 8 | Lisburn City Council | 0 | Midlothian Council | 18 Councillors only 3 Councillors have replied, 1 stating that they identify as having a disability and the other 2 that they do not |  |  |
| Torfaen County Borough Council | Awaiting information | Magherafelt District Council | Awaiting information | Moray Council | Not available |  |  |
| Vale of Glamorgan Council | Not available | Moyle District Council | 0 | North Ayrshire Council | 0 |  |  |
| Wrexham County Borough Council | Not available | Newry And Mourne District Council | 2 members out of 28 councillors | North Lanarkshire Council | Awaiting information |  |  |
|  |  | Newtownabbey Borough Council | In 2008, 25 members consulted, 12 responded, 1 with disability | Orkney Islands Council | 0 |  |  |
|  |  | North Down Borough Council | Not available | Perth and Kinross Council | 0 |  |  |
|  |  | Omagh District Council | 0 | Renfrewshire Council | Not available |  |  |
|  |  | Strabane District Council | 0 | Scottish Borders Council | Not available |  |  |
|  |  |  |  | Shetland Islands Council | 0 |  |  |
|  |  |  |  | South Ayrshire Council | Not available |  |  |
|  |  |  |  | South Lanarkshire Council | Not available |  |  |
|  |  |  |  | Stirling Council | 1 |  |  |
|  |  |  |  | West Dunbartonshire Council | Not available |  |  |
|  |  |  |  | West Lothian Council | Awaiting information |  |  |

1. [ UK] Electoral Commission (2013) Schedule of Electoral legislation, available at: <http://www.electoralcommission.org.uk/__data/assets/pdf_file/0009/148428/Schedule-of-electoral-legislation.pdf>. [↑](#footnote-ref-1)
2. [UK] Parliament (2000) Adults with Incapacity (Scotland) Act 2000, available at: <http://www.legislation.gov.uk/asp/2000/4/contents> [↑](#footnote-ref-2)
3. [UK] Parliament (2005) Mental Capacity Act 2005 (England & Wales), available at: <http://www.legislation.gov.uk/ukpga/2005/9/contents> [↑](#footnote-ref-3)
4. [UK] Parliament (2013) Electoral Registration and Administration Act, available at: <http://www.legislation.gov.uk/ukpga/2013/6/contents> . [↑](#footnote-ref-4)
5. [UK] Parliament (2013) Mental Health (Discrimination) (No. 2) Act 2013, available at: <http://www.legislation.gov.uk/ukpga/2013/8/contents>. [↑](#footnote-ref-5)
6. [UK] Parliament (2013) European Parliamentary Elections Bill [HL] 2012-13, available at: <http://services.parliament.uk/bills/2012-13/europeanparliamentaryelections.html> [↑](#footnote-ref-6)
7. [UK] Parliament (2013) Electoral Register (Access to Public Services) Bill 2013 – 2014, available at: <http://services.parliament.uk/bills/2013-14/electoralregisteraccesstopublicservices.html>. [↑](#footnote-ref-7)
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