



Ministry of JUSTICE

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Lord Hannay of Chiswick
Chair, UN Association of the UK
3 Whitehall Court
London
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Our ref:255155
Your ref:

12 October 2009

Dear David

AMENDMENT OF S.14 OF THE REPRESENTATION OF THE PEOPLE ACT

Thank you for your letter of 14 September to Jack Straw about the voting rights of British citizens working abroad for the United Nations. I am replying as the Minister responsible for electoral administration.

I recognise concerns about the fact that British citizens who live and work abroad for organisations like the United Nations are subject to the same limitation on their eligibility to vote in UK elections as other British citizens living abroad. As you say this issue has been raised with the Ministry of Justice by British officials working for the European Commission and Council of Europe. Your point is well made that British citizens working in such organisations have not emigrated, do not wish to acquire the nationality of their country of residence, and that their continued affinity to the United Kingdom should be recognised by amending section 14 of the Representation of the People Act 1983 to include them within the definition of those British citizen, as specified, whose voting rights continue indefinitely during their period of service overseas.

As you know under the Representation of the People Act (RPA) 1983, all British citizens who reside abroad lose their right to vote in British elections after fifteen years. Under section 14 of the RPA, there are already certain categories of person living abroad for a period longer than 15 years who are still entitled to vote following a declaration. The categories of person are; members of the armed forces, persons in Crown service and persons working for the British Council, as well as their spouses. They are given this right because they are paid by the Crown, their service and loyalty are considered to be directly comparable to that expected of a civil servant who lives and works in the United Kingdom (UK) and it is important that they continue to retain a strong link with the UK.

We have received representations from British citizens working for international organisations and, when during the Grand Committees stage of the Political Parties and Elections Bill Lord Norton of Louth moved an amendment to amend section 14 of the RPA 1983 in the terms that you propose, the Government undertook to review thoroughly the position of British citizens resident overseas who would or could be affected by such a measure.

This review has been completed. The further research was needed to ensure that the right categories of people would be enfranchised if a change was to be made. Despite consultation with relevant bodies including those Government Departments whose employees are most likely to find themselves employed on a seconded basis overseas for lengthy periods (most obviously the Foreign and Commonwealth Office), it has proved difficult to identify or estimate the numbers of British citizens who might be included in this group. In particular because British international civil servants also include employees of a numerous, expanding and changing group of organisations, including those such as the International Cocoa Association, Grains Council, Tin Council and Lead and Zinc Study Group.

Given the diversity of the organisations by whom British international civil servants may be employed there are a range of complex issues to be considered around enfranchisement. We are still exploring how we might best be able to make progress on this issue, but, in the meantime, Vijay Rangarajan, Constitution Director here, would be delighted to meet you for a more detailed discussion, if you consider that would be useful. In any event, we would welcome any further thoughts you might have on how a change might be implemented.

Yours ever

A handwritten signature in black ink, appearing to read 'Michael Wills', written in a cursive style.

MICHAEL WILLS MP