



The Right to Free Elections

This is one of the 16 human rights (also called Articles) in the Human Rights Act. It is Article 3 of Protocol 1.

This right has two parts:



1. The right to vote. Voting gives you the chance to have your say on which person or party wins an election.

Voting is one of the most common ways for people to have their voice heard by people in power.

2. The right to stand in elections to become a member of parliament or local government. This is called standing for election.



When could the Right to Free Elections matter to you?



This right is important as it means that you can have a say over who makes important decisions, like which laws will be passed.



Free elections means that you can choose the politicians that you agree with and you are not forced to vote for anyone you don't like.



Elections should happen regularly, and you should be able to vote in secret. You don't have to tell anyone who you voted for if you don't want to.

Can your Right to Free Elections be limited?



Yes.

This right can never be taken away from you. But there are some rules about elections which say who can vote and who can stand for election.



For example, if you want to vote in an election you need to register and you have to be over 18 (16 in some elections).



The government who set these rules and the public bodies who enforce them have to make sure that any limits on the right to free elections meet the 3 tests below.



1. Lawful

There must be laws in place that say who can vote, how voting will happen and who can stand for election.



2. For a good reason

Any rules that stop people being able to vote or stand for election have to be for a very good reason.



3. Thought about properly

Being able to have a say in who runs the country is very important. So, any time someone is stopped from doing this it has to be thought about properly. Bans on whole groups of people from being able to vote or stand for election shouldn't happen.



You can talk to staff in a public body about any rules which mean that you can't vote or stand for election. You can ask them to tell you how this was lawful, for a good reason and thought about properly.



If you think changes could be made which mean your right to free elections would be better protected, then you can tell staff in a public body because their decision might not be the least restrictive option.

What do staff in public services have to do about my right?

They have to **RESPECT** your right.



This means staff in public bodies should not stop you from voting or standing for election unless they can show that this limit meets the test above.



Staff in public bodies should support you to vote if you'd like to. This could include helping you to organise a postal vote, arranging transport for you to go to the polling station or helping you to register to vote in a new place.

They have to **PROTECT** your right.



This means that staff have to do things that protect your right to free elections and make sure you are involved in conversations about actions they take.

They have to **FULFIL** your right.

This means that if something goes wrong, staff need to find out why and try to stop this from happening again.



For example, if you are stopped from being able to vote when you are living in residential care or hospital, staff should investigate why this happened and make sure it doesn't happen again.

The Right to Free Elections in Real Life



A group of women who were detained in a Mental Health hospital wanted to vote in the election.



There wasn't any information on the ward about the election or how to vote.



An advocacy charity, called Wish, who had been to a human rights session run by the British Institute of Human Rights decided to make a leaflet about the right to free elections with the women.



This leaflet was given out to the women in the hospital. After having this information, many of the women registered to vote and voted in the election.

The Right to Free Elections in Real Life

David is a care assistant in a care home.



One day, he noticed that the canvassers (people trying to convince you to vote one way or another) didn't come and visit the care home.

He watched the canvassers knock on every other door on the same street, but they did not come to the care home.



David had been trained in human rights by the British Institute of Human Rights.



He knew that not being able to get information about the different candidates in the election could impact the care home resident's right to free elections and to non-discrimination.

David decided to arrange an afternoon when the canvassers could visit the care home.



The canvassers came to the care home, met with the residents and gave out leaflets and information.



This meant that the residents were able to have conversations about the election, receive information and ask questions just like they would if a canvasser knocked on the door of their house.



David and the residents enjoyed the day, even if they didn't all agree on who to vote for!



On election day, all of the residents were supported to vote either by post or at the local polling station.



If you would like more information on voting and registering to vote you can read an Easy Read guide written by the UK government and Mencap [here](#).