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The Right of Non Citizens to Vote in Britain

Summary

1 The right of all Commonwealth citizens to vote in all British elections is an anachronism that should be removed. It devalues the concept of citizenship which the government is seeking to encourage. Further, it could now enfranchise approximately a million non-British citizens, thus having a significant impact on the outcome of a close election.

2 We recommend that, in future, the right to vote in British general elections should be confined to citizens of the UK and those countries that offer reciprocal voting rights, namely the Republic of Ireland and certain West Indian countries. Proof of citizenship should be required on first registration on the Electoral Roll. The right to vote in local elections should be confined to citizens of the same countries plus those of the EU where there are reciprocal voting rights in local elections.

Who has the Right to Vote in Britain?

3 British electoral law provides for the citizens of nearly fifty Commonwealth countries, British Dependent Territories, and the Republic of Ireland to vote in both local and general elections in the UK. The Representation of the People Act, 1918, provided that only British subjects could register as electors. However, the term "British subject" included any person who, at that time, owed allegiance to the Crown, regardless of the crown territory in which they were born. This included Commonwealth citizens and has never been revised.

4 Entitlement to vote in general elections is reciprocated for UK citizens only in the Republic of Ireland and a small number of (mainly West Indian) countries: Antigua & Barbuda; Dominica; Grenada; Guyana; Jamaica; Mauritius; St. Lucia and St. Vincent & The Grenadines.

5 Citizens of other EU countries may vote in European Parliamentary and local elections but not in general elections. There are reciprocal arrangements for British citizens resident in other EU countries to vote in local elections.

Legal Migrants

6 As a matter of principle, the right to vote in general elections should not be conferred upon non-citizens. To do so seriously weakens the concept of citizenship which the Government is seeking to encourage, particularly with its latest proposals for earned citizenship.

7 Furthermore, the scale of this extension of the franchise is now considerable. Data on International Migration and the UK provided to the OECD indicates that there were 3,353,000 foreign citizens living in the UK in 2006. Of these 1,057,000 are from named Commonwealth countries and we estimate that a further 105,000 are from other Commonwealth countries making a total of 1,162,000 Commonwealth citizens in the UK.

8 Some of this total will be children. Children under 18 make up 22% of the UK population but it

is likely that they will make up a smaller proportion of the population of foreign citizens. The international migration statistics indicate that under 5% of net migration is of children under 15. Migrants cannot acquire citizenship until 5 years after their arrival in the UK so foreign citizenship will be weighted heavily towards recent arrivals. It is likely therefore that children who are foreign citizens will comprise less than 15% of the total population of foreign citizens leaving a population of nearly a million (988,000) adult Commonwealth citizens in the UK. They will have the right to vote in British elections simply by virtue of their Commonwealth origins.

9 The number of British Commonwealth citizens in the UK has risen rapidly in recent years driven by the very high levels of immigration. In the 4 years between 2002 and 2006 their numbers increased by about a third. The potential influence of Commonwealth citizens on British elections is therefore rapidly growing in significance.

10 This situation is not only inequitable, but also illogical. It extends the franchise to a large number of individuals whose allegiance lies in states other than the United Kingdom. It is quite clearly an anachronism which, given the recent sustained increase in immigration, is now potentially significant. It should be removed.

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