* **About whether people with a learning disability can vote**

The law and the Electoral Commission guidance are absolutely clear: mental incapacity/learning disability is not a legal incapacity to vote. The Regional Liaison Officer of the Electoral Commission (North), Kathryn Dunn, states:

*‘We emphasise in our guidance for Electoral Registration Officers the importance of not making assumptions about an individual’s capacity to register or to vote or apply a “one size fits all” approach.’*

* **About postal voting by people with a learning disability**

The Electoral Commission’s Guidance for Electoral Registration Officers (part 5 Absent Voting) states the following:

*‘You may dispense with the signature requirement on a postal vote application if you are satisfied that the applicant is unable to provide a signature, or a consistent signature, due to a disability or inability to read or write. If an applicant is unable to provide a signature or a consistent signature due to any disability or inability to read or write, they can request that the requirement for a signature on the postal vote application (and postal voting statement) is waived. The applicant must provide with their application the reason for the request and the name and address of any person who has assisted them with completing the application.’*

* **And finally**

**(The Electoral Commission provides advice and guidance to Electoral Registration Officers on the electoral registration and voting processes for people who, for reason of physical or mental incapacity may need assistance.)**

**‘We are clear in our guidance that a person’s decision how to vote or whether to vote must be their own and not made by any other person on their behalf. We are also clear that the ERO does not have the expertise to determine whether a person has mental capacity or not, and there should be a presumption that a person has capacity.’**