



Court adjourns 2,354 prisoners' voting rights cases

The European Court of Human Rights has decided to adjourn its consideration of 2,354 applications against the United Kingdom concerning prisoners' right to vote pending before it¹.

In its first judgment against the United Kingdom regarding prisoners' right to vote, *Hirst v. the United Kingdom (no. 2)* (74025/01) of 6 October 2005, the Grand Chamber of the Court found that a blanket ban preventing all convicted prisoners from voting, irrespective of the nature or gravity of their offences, constituted a violation of Article 3 of Protocol No. 1 (right to free elections) to the European Convention on Human Rights. It did not give any detailed guidance as to the steps which the United Kingdom should take to make its law compatible with Article 3 of Protocol No. 1, emphasising that there were numerous ways of organising and running electoral systems and that it was for each Member State of the Council of Europe to decide on its own rules. In its Chamber judgment in *Greens and M.T. v. the United Kingdom* (60041/08 and 60054/08) of 23 November 2010, the Court again found a violation of the right to free elections, as the Government of the United Kingdom had failed to amend the blanket ban legislation. The Court held that the Government should bring forward legislative proposals to amend the law and to enact the legislation within a time-frame decided by the Committee of Ministers, the executive arm of the Council of Europe, which supervises the implementation of the Court's judgments². The Government were granted an extension of time pending proceedings before the Court's Grand Chamber in an Italian case concerning prisoners' right to vote (*Scoppola v. Italy (No. 3)* (126/05), Grand Chamber judgment of 22 May 2012).

The Committee of Ministers has been following the UK Government's progress in complying with the Court's rulings. On 22 November 2012, the Government published a draft bill on prisoners' voting eligibility. The draft bill includes three proposals: (1) ban from voting those sentenced to four years' imprisonment or more; (2) ban from voting those sentenced to more than six months; or (3) ban from voting all prisoners (i.e. maintain the status quo). The Committee of Ministers is overseeing the progress of this draft bill. It has decided to resume consideration of the cases *Hirst (no. 2)* and *Greens and M.T.* at the latest at its September 2013 meeting.

In view of the Committee of Ministers' decision, the Court decided to adjourn its consideration of the pending applications against the United Kingdom concerning prisoners' right to vote until, at the latest, 30 September 2013. In the meantime, it has invited the Committee of Ministers to keep it regularly informed of progress.

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¹ *Firth and 2,353 Others v. United Kingdom* (47784/09 and others)

² Once a judgment becomes final, it is transmitted to the Committee of Ministers of the Council of Europe for supervision of its execution. Further information about the execution process can be found here: www.coe.int/t/dghl/monitoring/execution

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.