



Voting and people with learning difficulties

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Following the general election, this paper invites us to consider how we might support people with learning difficulties participate in the electoral process. There are a number of reasons why staff, relatives and friends may have neglected this topic in the past, including:

- anxiety about inadvertently imposing their personal political views on service users, or a fear that they will be accused of doing so
- personal disinterest in the political process
- lack of clear guidance about how to support someone; and how to ensure that this practice is both ethical and legal
- a sense that voting falls well down the hierarchy of important things that need to be changed in order to secure a better quality of life for service users
- poor planning that leads to the feeling that there is insufficient time to prepare for voting
- an underlying judgement that people with learning difficulties are not fit to vote.

Can people with learning difficulties learn to vote?

It has been suggested that voting demands the ability to process complex information, prioritise, select and then engage in symbolic action that might not bring about the desired result, and that these skills are impaired in people with learning difficulties. This analysis is built on the idea that some skills are considered essential foundations that must be acquired before a person can graduate to higher level skills, and voting is deemed to be a higher level skill. An example of this approach would be to offer a college course in citizenship and then exclude those students from the voting booth who appear unable to describe the policies of a political party.

However, this way of thinking has been found faulty in a whole range of life areas. People do not need to be able to read in order to live independently; they do not need to understand subtraction in order to manage money. They do not have to be members of the Institute of Personnel Management in order to employ their own care staff. Over many years, service users have demonstrated their perspicacity in the recruitment and selection of staff, and this is only a small step away from selecting people for government office. The label of learning difficulty does not necessarily impair the capacity to choose between people, and people with learning difficulties can make good judgements.

A second fault in the 'unfit to vote' argument is its implication that the general public make their voting decisions on the basis of considered and rational choice. In reality of course, many non-disabled voters select their politician or party on the basis of a relative's recommendation, enthusiasm or antipathy for a candidate's choice of clothes or hairstyle, media representations or a spontaneous whim in the ballot box. In addition, the so-called 'general public' includes a number of other specific groups of people who may be poorly informed, or have limited capacity to absorb information, or who act ritualistically, such as older people with failing memory. To make a blanket decision to exclude people with learning difficulties would be to apply different standards to this group in comparison with other groups in the community.

The third fault in the argument is to do with the nature of democracy. The principle of democracy includes a belief in the wisdom of the collective over the wisdom of the individual. This means that it is acceptable for a few votes to come in for extremists and a few to come in from voters who made ill-judged decisions, as these may cancel each other out and the majority viewpoint will lead to the best outcome. This depends upon a high proportion of the electorate participating in the process, and therefore a decision to exclude groups of individuals weakens the goal of maximum participation and increases the impact of ill-judged or extreme individuals. People with learning difficulties may not always be the most able voters, but to apply a test for eligibility to vote subverts the foundation of democracy.

Having said this, the law does permit a number of people to be excluded from the electoral register. This includes people under the age of 18, prisoners, people detained under parts of the *Mental Health Act 1983*, bankrupts and people on guardianship orders. There is no legal mechanism for excluding others, and so any individual or organisation that took it upon itself to prevent another person from voting would be infringing that individual's civil rights. Health and social care agencies have a duty to uphold the rights of people in their care.

Offering appropriate support

While it is relatively straightforward to establish the principle that people with learning difficulties should be engaged in the electoral process, the more difficult question is who should do what to support the person. All those who touch the life of the person, both family members and staff, should share the responsibility. A candid discussion with everyone concerned is vital to avoid misunderstandings and agree a way forward.

The first stage involves education and communication. We should support the service user to build an understanding of the voting system so that s/he can make an informed choice. It is important, too, not to wait until an election is imminent. Starting an awareness programme a month before the election will be a year or more too late for some people. Relatives, health and social care workers, advocacy groups, education providers can all work together to ensure that everyone is registered and so eligible to vote. A useful set of signs relating to voting can be found in the *Signalong* manuals (Bissett *et al*, 2001).

But what can actually be done? Getting to know the person may reveal that the individual already has an allegiance and clear views on politicians or political parties. Formally joining one of the major political parties costs £7.50 or less, and some service users will find that this is also a good place for them to make friendships and build their identity in the community. Careful attention should be paid to how each person learns best. Many service users find it easier to relate to people rather than abstract concepts, so opportunities to meet party representatives will be of more use than reading the manifesto. A broad range of policies, and not just the disability policy of political parties, can be explored in both formal and informal educational events. Voting can be used in other decision-making settings, so that citizenship behaviour in the voting booth is not just a 'once in five years' experience. A service

that pays careful attention to the preferences of service users in every aspect of life is most likely to take the person's political preferences seriously too.

Encouraging active involvement

Around a third of the general public do not vote at general elections, so there is no justification for demanding that people with learning disabilities do better than this. Equally, the service that claims that few or none of its users have any interest in politics should look to its own culture and expectations. A prevailing mood of disinterest may be more a feature of staff attitude than the people who use the service, however loud the denials! Amongst the staff group there may be a feeling that politics is irrelevant as it has comparatively little impact on their personal lives. In contrast, people with disabilities are disproportionately affected by politics, as they rely upon the whole range of healthcare, income support, social services and public transport – almost everything provided by the state. People with disabilities are therefore less likely to have a *laissez-faire* attitude to politics and vote with more seriousness, leading to better quality decisions. However, if a person with learning difficulties asserts that they do not want to vote, do we assume that it is due to a lack of education, and push them through citizenship classes, or take it at face value and say no more?

A genuine concern for promoting the rights of learning disabled voters can be spoilt. To get a certain proportion of service users down to the polling station may bring kudos to the team and make the staff feel good, but it is more important to ask whether the service users felt that they gained a stronger sense of empowerment and community participation and whether their preferences were genuinely supported. The following situation arose during the 2000

US presidential election and illustrates the importance of listening carefully to service users, rather than making mindless demands.

'Staff took two students from a special school to the polls. Neither student understood where they were going and each one asked if they were going out for a meal. Neither student could understand who was running for president, what a president is, what an election is, what a ballot is, or what it meant to be voting.' (Robert W. Montgomery)¹

What about people who appear to have no interest or understanding of the process at all, despite strenuous efforts to communicate, educate and inspire them? While people with complex support needs have rights and their circumstances should be thought through, it is irresponsible to build a strategy for everyone on the basis of a small number of people with extreme circumstances. A focus on this small group of individuals should not be allowed to divert us from supporting the majority to become more involved in the process. Perhaps the question should be about 'more' people having a stake in the electoral system, rather than arguing about whether 'everyone' should vote.

Proxy voting

It has been suggested that staff might obtain a proxy vote for some learning disabled people who are unable or unwilling to visit the polling station on their own behalf to cast their own vote. However, in order for this to happen, the original voter must have the capacity to understand in broad terms the nature and effect of voting, and an ability to make a choice between the candidates. Thus, if the staff member is at all unsure of either the service user's level of understanding of the nature and effect of voting or the user's preference, then the staff member is prohibited from taking on the proxy vote. In other words, a worker may only

¹ Robert W. Montgomery. Email: psych-dd@panther.gsu.edu, website: www.behavioural-consultant.com

help the person to make their choice known within the electoral system. Casting a vote on behalf of a person where the service had no idea of the preference of the service user would be a clear case of malpractice. Much more useful for some people is the opportunity to exercise a postal vote, given that no exceptional reasons have to be given in order to vote in this way.

Dilemmas remain for staff trying to make sure that service users make valid voting choices. What about people who appear compliant and would happily accompany them on a visit to the polling booth: do they really understand? How can workers encourage people to take part in the voting process in ways that will result in genuine choices and decisions being made? Electoral involvement can be used as a cloak for recruiting party political support, so how do agencies protect their staff from allegations of corrupting the process? Rather than find imaginative ways to seek and support the user's voting preference, some organisations prefer to avoid the issue and deny people with learning difficulties the support they need to enjoy their civil rights. In particular, local politicians could join hands with service users and providers to promote participation in the democratic process.

Conclusion

If a person with learning difficulties wants to find a job, there are lots of agencies available to provide support, many published resources and numerous exciting projects to inspire and encourage everyone involved. Few people would say that aiming for a good job is a bad thing to do. In contrast, there are few organisations that support people with learning difficulties to vote, few published resources, exciting demonstration projects are not well known, and few people champion the importance of a 'good vote'. To become a participant in the electoral process is a challenging and delicate business for people with learning difficulties and for those who support them. Perhaps the pages of this journal will provide some small stimulus in time for the next round of local and general elections.

References

Bissett, S., Kennard, G. & Meinertzhagen, K. (2001) *Signalong: Independent Living*. Rochester: The Signalong Group.

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