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## **Why expats should be able to keep their votes**

**A new campaign argues that all expat British citizens should have the right to vote, regardless of how long they are abroad.**



Expats are only able to vote in UK elections for 15 years after they have moved abroad

Photo: Graham Hughes / Alamy

By Anita Rieu-Sicart

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It was quaintly ironic how President Sarkozy's decision to reach out to his thousands of expatriate French citizens by giving them proper representation in the French Senate, by way of their own Senators to represent their interests, [boomeranged spectacularly when he attempted to impose a tax on second home owners](#).

As his ministers quite rightly pointed out to him, the hundreds of thousands of French citizens resident and working in countries like the UK, many of whom now owned what had become a "second home" in France, were more than likely due to this legislation to vote against him.

And bingo, he performed an incredible U-turn and dropped the tax.

Does this give British citizens now resident in France and elsewhere who after 15 years have lost their right to vote in the UK pause for thought? I do hope so. It shows the power of democracy, and the ability of voting citizens to change legislation.

Many readers of other nationalities, as far as I know, still retain their right to vote in their home country, and have not had their votes taken away from them because they choose to live in France.

Most British expats living abroad are unofficial ambassadors, promoting British values to their host countries. International civil servants, English language teachers, foreign correspondents of British newspapers, businessmen and businesswomen: all project an image of their Britishness around them. Yet all face the voting ban after they have lived abroad for more than 15 years.

The decision of a Spanish-British couple to live in the UK (as in the case of Nick Clegg MP, the Deputy Prime Minister, and his Spanish wife) has no undesirable consequences in terms of expat voting rights, because the Spanish spouse has a lifelong right to vote in Spanish national elections. But a decision made by a similar couple to live somewhere like Spain would, under the present legislation, lead to the denial of voting rights to the British spouse after 15 years.

British citizen James Preston, for example, together with his British wife, has lived and worked in Spain for UK companies since 1995. His children attend a British school and his estate will pay tax to the British government when he dies. Yet he lost his right to vote in the UK in 2009.

He has brought a case against the UK government in the High Court due to be heard this autumn. His QC, Daniel Jowell argues that the law penalises British citizens in the exercise of free movement and establishment rights guaranteed by the European Union, in violation of European Law.

A spokeswoman for the Cabinet Office, which co-ordinates government policy, said: "The length of the time limit has been changed over the years – from five to 20 years, then to 15 years from April 1 2002, but on each time it considered the issue Parliament has accepted the view that generally, over time, a person's connection with the UK is likely to diminish if they are living permanently abroad."

However this statement can be somewhat contradicted by bodies such as the Foreign and Commonwealth Office (FCO), responsible for issuing passports, who only recently stated:

"We recognise the affinity British nationals overseas have with the UK as demonstrated by their strong desire to retain a British passport, either as a mono or dual national."

In another example, Harry Shindler fought in Italy during World War Two, and later married an Italian woman. They retired to Italy, but as he has lived there for over 15 years he has also lost his right to vote in the UK.

He says: "Universal suffrage is set out in the Universal Declaration of Human Rights. Universal to my mind, and in every dictionary I've seen, means 'everybody'.

"Expats abroad pay their taxes at home. There are those who have property and haven't sold it because they believe they'll be coming back. They pay taxes on that property. They pay council tax.

"The pensions we get, government and private, come from the UK and those pensions, when they reach a certain limit, are taxed in the UK. So here we have expats who pay their taxes and are not allowed to vote. It's unacceptable."

The previous Labour administration not so long ago made it possible for the many thousands of Polish nationals, living and working in the UK to vote in their own home election, financing and setting up 62 polling stations for them. And now, Morocco, hardly noted for its democratic principles, is making it possible for its citizens, wherever they are, to vote on their constitution.

Yet the UK, theoretically the "cradle of democracy", disenfranchises those who have worked, paid in, and supported the UK, after 15 years residence abroad, many of whom work for UK companies, and contribute to and support the UK economy.

Can we do something about it? Yes. A new campaign was started recently in the UK to revoke this legislation, backed by several MPs, and a new website has been created to lobby the vote to be restored to all British citizens wherever they live.

Simply sign up to the [website](#), write to your MP, and also to the Minister for Political and Constitutional Reform, MP Mark Harper, at harperm@parliament.uk, and the EU Commissioner for Justice, Fundamental Rights and Citizenship, Viviane Reding, at viviane.reding@ec.europa.eu.

*Anita Rieu-Sicart is the editor of ['Var Village Voice'](#), a monthly magazine distributed throughout the Var region of southern France. A version of this article originally appeared in the magazine's August issue.*