



**HM INSPECTORATE OF PRISONS**

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**HM Chief Inspector of Prisons**  
**PETER CLARKE CVO OBE QPM**

Date : 11 March 2020

Ref : B005/20

Mark Leech

[<mailto:request-646637-efbabfaf@whatdotheyknow.com>]

Dear Mr. Leech,

Thank you for your email on Monday 17th February 2020 on HMIP's IRP Report for HMP Isle of Wight and remand prisoners' ability to vote.

The Representation of the People Act 1983 contains a number of offences, which can be investigated by the police. However, merely failing to take active steps to encourage voting is not an offence. A person only commits an offence under section 115 of the Act if he is guilty of undue influence. A person is guilty of undue influence:

(a) if he, directly or indirectly, by himself or by any other person on his behalf, makes use of or threatens to make use of any force, violence or restraint, or inflicts or threatens to inflict, by himself or by any other person, any temporal or spiritual injury, damage, harm or loss upon or against any person in order to induce or compel that person to vote or refrain from voting, or on account of that person having voted or refrained from voting; or

(b) if, by abduction, duress or any fraudulent device or contrivance, he impedes or prevents, or intends to impede or prevent, the free exercise of the franchise of an elector or proxy for an electors, or so compels, induces or prevails upon, or intends so to compel, induce or prevail upon, an elector or proxy for any elector either to vote or to refrain from voting.

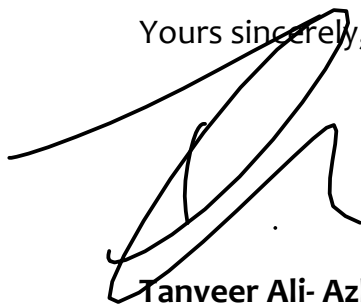
From our report there was no evidence of remand prisoners' being denied the right to vote. Whilst the matter is concerning, we have highlighted the issue in our publicly available report and we anticipate the MOJ and HMPPS will present the matter to relevant bodies.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to: *Mrs Lesley Young, HM Inspectorate of Prisons, 3<sup>rd</sup> floor, 10 South Colonnade, Canary Wharf, London E14 4PU.*

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Tanveer Ali-Azhar', written over the printed name.

**Tanveer Ali- Azhar**