

**Y Pwyllgor Diben Arbennig
ar Ddiwygio'r Senedd**

**Special Purpose Committee
on Senedd Reform**

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Pwnc | Subject: Special Purpose Committee on Senedd Reform

Dear Dr Davies,

Thank you for your letter dated 21 January 2022, recommending that the Special Purpose Committee on Senedd Reform revisit the issue of prisoner voting.

Unfortunately, the Special Purpose Committee on Senedd Reform, which was established on 6 October 2021, has a particularly constrained and time-limited remit, namely:

to consider the conclusions previously reached by the Committee on Senedd Electoral Reform in the Fifth Senedd as set out in its report *Senedd reform: The next steps*; and by 31 May 2022, to make recommendations for policy instructions for a Welsh Government Bill on Senedd Reform.

The Committee will then be dissolved following a Plenary debate on its final report.

As such, consideration of prisoner voting falls outside this particular Committee's remit, and it is unable to consider your request.

However, I am copying this correspondence (and your own) to the Chair of the Equality and Social Justice Committee, to enable her Committee's consideration of the issues you have raised.

Yours sincerely,

Huw Irranca-Davies

Huw Irranca-Davies MS

Chair

Copied to Jenny Rathbone MS, Chair, Equality and Social Justice Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.





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21 January 2022

Annwyl Mr Irranca-Davies,

My name is Dr Greg Davies and I am a lecturer in Law at the University of Liverpool. I write on behalf of myself and Dr Rob Jones who is a lecturer in the Welsh Criminal Justice System at the Wales Governance Centre, Cardiff University. Since 2017 we have jointly contributed to debates on prisoner voting in Wales. We submitted evidence to the Welsh Government's consultation on reforming local elections in 2017 and also gave written and oral evidence to the Equality, Local Government and Communities Committee inquiry on prisoner voting in 2019.

We believe that the Special Purpose Committee on Senedd Reform should revisit the issue of prisoner voting. During the Fifth Senedd the Welsh Government committed to extend the voting franchise for Welsh devolved and local elections to prisoners serving under four year terms, following the recommendations of the Equality, Local Government and Communities Committee in 2019. These plans were disrupted at the outset of the pandemic but, as far as we can tell, they remain Welsh Government policy.

Given that the work of the Special Purpose Committee is concerned with consolidating Welsh democracy, it seems to us that this is not only an appropriate forum to consider the matter; it may be the last viable opportunity to do so.

Whatever proposals emerge from the Committee's work, Welsh electoral arrangements will need to be compatible with the European Convention on Human Rights. There are strong grounds to believe that current arrangements are inadequate in this regard, as the Equality, Local Government and Communities Committee recognised in 2019. Over the last year, we have surveyed more than 130 electoral administrators, including 16 from Wales, about their experiences of handling voter applications from prisoners. This research has highlighted a number of further problems in the current arrangements, including:

- Extremely low participation among prisoners with a right to vote
 - 2 out of 3 electoral administrators have never received a voter registration application from a prisoner
 - Virtually all administrators with experience of prisoners applying to vote have received only 1-5 applications during their career
- A clear risk of the vote being denied to eligible prisoners due to:
 - Poor communication between prison and electoral services
 - Frequent transfer and dispersal of prisoners
 - Absence of support with voter registration process within prisons
 - Lack of clarity in relevant guidance for electoral administrators

For these reasons, we believe it is vital that the Committee revisits this issue. Dr Jones and I would be happy to provide the Committee with further written or oral evidence about our ongoing research.

I would like to take this opportunity to thank you for your time in considering this request. If you wish to discuss this subject further, please do not hesitate to contact me.

Yn gywir,

Dr Greg Davies