

Visit to HMP and YOI Parc:

Summary notes

January 2019

1. Background

1. The Committee visited HMP and YOI Parc as part of its inquiry into voting rights for prisoners. All eight Committee Members attended.
2. The Committee spoke to two groups of prisoners; a group of prison staff and the Prison Director.
3. This note summarises the discussions and views heard during the visit.

2. Discussions with prisoners

Group 1: John Griffiths (Chair); Mohammed Asghar; Gareth Bennett; and Carwyn Jones

4. Group 1 spoke to prisoners on a “well-being” block, where prisoners have enhanced privileges which are earned through their behaviour while at Parc.

Arguments for and against

5. Most were supportive of giving prisoners the vote. One person described it as “vital” and saying that they retain their human rights even though they have been incarcerated. He also felt that giving prisoners the vote would help increase prisoners’ dignity and esteem.
6. Another countered whether prisoners should be able to vote. He suggested that while he had only been imprisoned for a year, he was being removed from society for that period.
7. The experience of the Scottish independent referendum was highlighted, and enfranchising 16-17 year olds had led to politicians better engaging with that



group. It was suggested that if prisoners were given the vote, politicians would have to start engaging with prisoners and their issues.

8. Some highlighted that while they may be imprisoned they are still receiving public services and they should have the opportunity to be involved in choosing who runs them.

9. A number of prisoners highlighted that while they are in prison, they still have family and friends outside, who are affected by decisions made by politicians. They also said it would help them “feel connected to society”. We also heard that prisoners’ families still want to actively involve the incarcerated member of their family in decision making about who they should vote for.

10. The issue of taxation and representation was highlighted, with two prisoners highlighting that they have paid taxes throughout their life, and in one case is continuing to pay taxes while in prison, and that the right should be retained.

11. There was discussion around sentencing discrepancies. In particular the fact that two people who have committed the same crime can receive different sentences, with one receiving a custodial sentence, and with it the loss of their vote, and the other a community based one, and therefore retaining the right to vote. It was described as “sheer luck for the same crime”. They suggested that the only difference in these cases was the physical barrier of the prison walls.

12. We heard that there was a misconception that prisoners are ill-informed about politics. One of the most popular tv programmes on this wing was Politics Live. One prisoner said they “make it their business to know what’s going on”.

13. One prisoner described how giving prisoners the vote would be adding to their “emotional base” and that it would help “nurture” them. He described how it could help reduce substance misuse and mental health problems, as it could help improve self-esteem and empower them.

14. One prisoner said current policies aren’t working, as the prison population is increasing at a rate that far outstrips population growth. He also suggested that we used to have slavery and that “what happened yesterday, isn’t what we should do today”.

15. We heard that giving the vote could reduce some of the bitterness that some prisoners can feel about the justice system.

16. One prisoner described that prisoners “love their country” and therefore should have the right to vote.

Practical issues

- 17.** A number of prisoners said that while the logistics may be difficult, this was a matter for politicians to agree upon.
- 18.** There was discussion on the address at which a prisoner would be registered to vote. One highlighted that if prisoners had to register at their prison address that could have a significant impact on individual constituencies, and how candidates may respond to issues related to prison policy (the example given was the proposed prison in Baglan).
- 19.** It was suggested that any model for voting, could be done on a similar basis as that for those who are registered to vote in the UK, but live abroad.
- 20.** Which prisoners should be given the vote was discussed, and whether length of sentence / type of crime should be factors. Variances in sentencing was highlighted again, including the fact that whether you plead guilty or not impacts on the length of sentence.
- 21.** There was discussion as to whether judges should decide if a vote is retained or not on conviction, but a number felt that judges “have enough power” and that it could lead to inconsistencies in approach. Another said this would be the “worst thing”.
- 22.** One idea suggested was that a prisoner would be eligible for voting, if they are due to be released during the term of that election result. For example if you were due for release in 2021, you would be eligible to vote in an election for a four or five year term institution if the election was held in 2019. This was suggested as an approach because that election would “directly involve” you. Of all the different ideas discussed about who should vote, this was the one that had the broadest support.
- 23.** Others suggested the type of crime should be the factor in making a decision. One prisoner described the spectrum of crime, and said that at one end, voting rights shouldn’t be retained. It was also discussed that length of sentence tends to follow severity of crime.
- 24.** There was also discussion about how prisoners could get information to make a decision about voting. We heard that this could be via established media such as television and print media (including national and local newspapers).
- 25.** One prisoner said leaflets just sent in the post would be ignored, but politicians who “campaign hard”, for example, coming into prison and meeting

with prisoners would get more votes. There was support for having politicians coming and speaking directly to prisoners.

Group 2: Jenny Rathbone, Leanne Wood, Huw Irranca-Davies, Mark Isherwood.

26. *The group of prisoners was selected by staff from the education block – they were all mentors. The views expressed below are those of the prisoners.*

Arguments for and against (and include in this category restriction by length of sentence etc)

27. Some participants said that voting is a fundamental human right and prisoners should not be deprived of the opportunity to have their say. The issue of civic death was raised, with one prisoner considering that a concept from the 1800s was not fit for modern society.

28. On the one hand, prisoners are taught that prison is about rehabilitation and reintegration but on the other, they are told that they cannot be trusted to vote. Prisoners would feel more connected to society if they had the right to vote.

29. The point was made that political choices have an impact on the lives of prisoners' children and families – they would want the best for them. Even though prisoners are not participating in society doesn't mean they do not have a stake in it.

30. Decisions that governments take on the running of prisons have a direct impact on prisoners. However as justice is not devolved, voting in Assembly or Welsh local government elections would not allow prisoners a voice on the issues that directly affect them in prison.

31. Prisoners released on temporary licence have the right to vote but this could be seen as inconsistent as they are still serving their sentence within the community.

32. Concerns were raised regarding restrictions on voting being used by politicians as a 'vote-grabbing exercise'. One prisoner noted that politicians are seen as 'tough on crime' if they are tough on prisoners, regardless of what the most effective approach is.

33. There were differing views on whether all prisoners should be enfranchised to vote.

- 34.** Some believed that those convicted of ‘anti-democratic’ offences (such as terrorism) should not be allowed to vote. Others stated that those in a position of power when they committed the crime should be denied the right to vote. The issue of denying the vote for those convicted of ‘morally wrong’ crimes was raised – though it could be difficult to decide what falls into this category as it is open to interpretation.
- 35.** Others stated that all prisoners should be able to vote, regardless of crime, length of sentence or release date. Concerns were expressed that anything else could be discriminatory and that, on a practical level, it would be easier to give a vote to all prisoners or not at all.
- 36.** Some participants did not think that a long sentence should prevent a prisoner from voting.
- 37.** When asked whether they would vote, over half of the prisoners present said that they would. However, some said that they thought that many other prisoners would not vote and that perhaps those who already voted before being imprisoned would continue to do so in prison.
- 38.** One prisoner said that though he did not vote when he was not in prison but that, given the opportunity, he would do so now as he felt that he did not have a say over his own life. Enfranchising prisoners would give them a choice - voting in prison could be more important than outside of prison, as decisions taken by politicians could have an impact on prison life.
- 39.** One prisoner considered that the right to vote could be more important in prison than outside, as it would be the only lever of control they had on the world beyond their prison lives.
- 40.** Another said that there are lots of intelligent people in prison. Prisoners are given the opportunity to meet people who they would not have met on the outside and can learn from each other. They have a lot to say but their voices are not heard. If they could vote, they would feel that they were being listened to.
- 41.** One prisoner noted that they are in prison **as** a punishment, not **for** a punishment, and considered that removing voting rights was an additional and arbitrary punishment.

Practical considerations (registration address, method of voting etc)

- 42.** Some were in favour of using the prison address to register to vote, given that it is used for everything else, and that they eat, sleep and work at that address.

43. However, others said that they would prefer to register to vote in their home addresses as they would prefer that their vote would have an impact in the area that they come from, that their families live in and where they will be going back to.

44. Some also believed that it would be good to be given the choice – as students are, who can choose to register in their term-time or home addresses.

45. As regards voting methods, some said that a variation on the postal ballot system would be a good idea as it already exists and works.

Political engagement (campaigning, canvassing etc)

46. Some said that education would be an important element of prisoner enfranchisement. Social responsibility classes are needed as a lack of education leads to more crime. They also said that many prisoners do not know how the electoral system works. Politics can be a daunting subject and people often do not know what they are voting for so education would be key.

47. Some said that they felt politically quite well-informed, perhaps more so than they were before they were imprisoned as they have more time to read, think and watch television. However, many felt disconnected from local politics.

48. It was suggested that politicians should drop off leaflets in prisons and distribute them to mentors.

49. When asked whether they would attend question and answer sessions with politicians, the majority said that they would. They would like to get their information directly from politicians and to be given the opportunity to ask about the topics that are important to them. One said that it would be better to hear ‘straight from the horse’s mouth’ rather than through the filter of news and social media.

50. It was noted that issues around political disengagement and lack of political education were just as much issues outside prison as inside.

51. At the end of the session, the attendees said that they appreciated the opportunity to be heard and express their views.

3. Discussions with staff

52. All Committee Members present were present for this discussion. Assembly Members met with various members of prison staff. The views expressed below are those of those staff members.

Arguments for and against

53. One member of staff said that prisoner voting was an important symbol for prisoners and for wider society to demonstrate that, prisoners remain a part of society and citizens.

54. There was discussion about how removed from society prison and prisoners can be viewed. Yet, when people hear individual stories of prisoners, that sometimes changes perceptions.

55. Prison is the default punishment in the UK – perhaps this should change, and the role of prison is caught between rehabilitation and punishment. - and there is a tendency for there to be harsher talk on punishment and sentencing in the build-up to a general election.

56. Prisoners are still linked to their communities via their friends and family and therefore have an interest in the impact of decisions affecting them.

57. One member of staff suggested that the right to vote should be staggered – for example, prisoners should be allowed during the last five years of their sentence. This would help prisoners to start to reintegrate into society.

58. It was suggested that prisoners may not vote anyway. Concerns were also raised that one political party may actively court the prisoner vote by making commitments around prison reform.

59. However, others argued that this is unlikely as such a policy could lead to losing votes among other parts of the electorate. There was agreement that electorate as a whole votes in their own interest.

60. Staff were broadly in favour of enfranchising prisoners. Many agreed that all prisoners should be given the right to vote but there was not consensus on this point. One said that if there was a rehabilitation element to enfranchising prisoners, all prisoners should be given the vote.

Practical considerations (registration address, method of voting etc)

- 61.** Staff expressed concerns about where prisoners would vote. A hybrid system was suggested, with prisoners who had a home address could register there, and those without, could be registered at the prison address.
- 62.** There was general agreement that any suggestion of registering all prisoners at their prison address was something “to be mindful” of.
- 63.** The issue of remand prisoners was raised. Prisoners on remand can vote by post or proxy but they have to organise this themselves. As this is difficult many do not. A particular problem is that this is usually done via the internet. Prisoners on remand are registered to vote at their home address, which provides a precedent.

Political engagement (campaigning, canvassing etc)

- 64.** When asked about organising hustings within prison, staff said that they are used to bringing in external agencies and people into prison, so the same system would be followed.
- 65.** Hustings could only be held with small groups of prisoners for security reasons. Therefore they would need to take place over a period of time.
- 66.** There is also ‘Inside Times’, the prison magazine and the prison’s internal radio station, which would all provide a means of communicating with prisoners.
- 67.** There was significant discussion around engaging with prisoners, while protecting the prison’s apolitical role in supporting prisoners. It was suggested there would need to be an independent means of safeguarding the process of communicating with prisoners. This followed concerns from one staff member about extremist political groups targeting prisoners’ votes.
- 68.** Prisoners have access to television, radio, newspapers (local and national) in order to access general information about elections and politics.
- 69.** The importance of the role of the education team was emphasised – they could facilitate discussions on various topics if prisoners were to be given the right to vote. They said that the education team could talk to prisoners in general terms, without being drawn into party politics.
- 70.** Staff raised the point that the voters on the outside are not necessarily well informed or educated about political matters. We were reminded that “everything you say for the prison population, applies for the general population”.

3. Discussion with Prison Director

71. Assembly Members met with the prison director. The views expressed below are her personal view and not those of Parc Prison.

Arguments for and against

72. The director said that if the decision was taken to allow prisoners the vote, the prison would make it work logistically.

73. She stated that it is her personal view that all prisoners should have the right to vote. Eventually most prisoners will be back in the community once again. She highlighted that much of the work in prison is about safeguarding fundamental rights, and that this would be a further extension of supporting prisoners' human rights.

74. She believed the ban on prisoners' voting was an anomaly, and that being in prison is an irrelevance when it comes to enfranchisement. She has concerns about where the line is drawn if not all prisoners were to be allowed to vote.

75. Inconsistencies in the current system were highlighted including that those on remand can vote, but could be facing a heavy sentence if found guilty, whereas another prisoner is denied the right to vote while serving a short sentence.

76. Prison is a cross-section of society. She said that if a decision was made to give prisoners the vote "have the courage of all" rather than restricting it to particular groups.

77. Linking the vote to sentence length would be complicated as sentences can be cut and prisoners can be released early or parole refused.

Practical considerations (registration address, method of voting etc

78. Overall, she was clear that if a decision was made to give prisoners the vote, prisons would ensure that it could be administered.

79. Postal votes could be difficult to administrate, but not insurmountable. Prison staff would have to find a way of screening post to ensure nothing else was included in the envelope, while maintaining the confidentiality of the postal voting process. Separate arrangements would need to be made, so perhaps drawing upon the arrangements for prisoners' mail to solicitors, which is also confidential.

80. There is an option of voting to take place in the prison through a single polling station or polling stations across the prison (this would be preferable).

81. It would be logical to use the last known address to register to vote and that prisoners who were of no fixed abode prior to imprisonment could be registered to vote at the prison address.

Political engagement (campaigning, canvassing etc)

82. Work would need to be undertaken to raise awareness and provide political education within the prison. The prison would be keen to liaise with people to come in to meet prisoners as part of citizenship education.

Clerking Team

January 2019