

Comment & Debate

Let the right to vote be a step towards rehabilitation

There are some prisoners who have earned a say. Give it to them and stop a costly clash with Europe

Jonathan Aitken

The latest round of the row on votes for prisoners is much ado about nothing for the inmates of Britain's jails. The vast majority of prisoners do not even want to vote. But on Tuesday the European court of human rights upheld its original ruling that the blanket ban was illegal and gave the UK a six-month ultimatum to act. So this will soon become a great to-do for the inmates of HMP Westminster.

The parliamentary mood and arithmetic has been clear ever since the Commons debate in February 2011. By an all-party majority of 212 it was resolved that the issue of votes for prisoners should

be decided by our domestic legislators and not by the European court of human rights. That sound and popular decision would, at an informed guess, be supported by at least 75% of Her Majesty's past and present guests, including this one. That's because life on the wing is realistic not idealistic. In con circles as well as Conservative circles, it is accepted that a jail sentence loses you all sorts of rights, starting with the right to freedom. If any of them could be restored, voting would be way down the list. The right to send emails would be one far higher priority.

At present, the government appears to be set on having a head-on collision with the European court - great fun for Eurosceptics and great fees for human rights lawyers and lobbyists. But let's look at one alternative solution which would still leave our parliament firmly in control. I call it the encouragement of rehabilitation option.

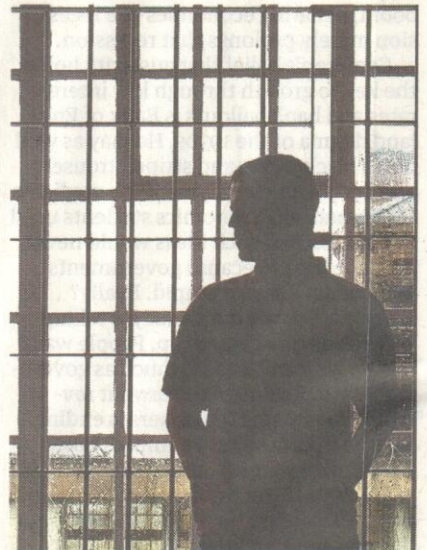
In our jail population of 89,000 there are about 1,800 prisoners who each day are released on temporary licence (ROTL) for employment in the community. They have earned their status by good behaviour and achieving such low-risk assessments that they are considered safe and responsible enough to be sent out to work in local jobs as preparation for their re-entry into society. It would be a small and quite sensible step in their journey of rehabilitation for these inmates to be allowed the vote during this final period, usually about two years, before release.

Although this will not please those who want to stick to the established UK practice that all prisoners lose their voting rights as long as they are behind bars, there is a case for differentiating ROTL inmates, as they are already being

treated differently by the prison service for rehabilitation reasons. Adding the right to vote to the right to day release seems a small and temporary concession that would also be in tune with the government's general strategy of encouraging rehabilitation.

The signs from Strasbourg are that the European court will accept that parliament can decide how much or how little voting rights can be restored to prisoners provided there is some movement from the present impasse. If so, a parliamentary bill to allow ROTL prisoners the vote seems preferable to the disproportionate financial bill of a prolonged battle with the European court.

Jonathan Aitken, a Conservative MP from 1974 to 1997, served an 18-month prison sentence for perjury



Should inmates vote? Murdo Macleod