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UNLOCK
The National Association
of Reformed Offenders

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Dear Secretary to the Committee of Ministers,

RE: Hirst v UK (No. 2) Judgement

It has been five years since the European Court of Human Rights ruled against the UK Government's blanket disenfranchisement of sentenced prisoners. However, despite the time that has elapsed, the rejection of an appeal and the completion of a public consultation exercise, nothing has changed.

UNLOCK, the National Association of Reformed Offenders, believes the blanket ban removes a basic human right which is not contingent upon civic responsibility. Disenfranchisement does not improve public safety or act as an effective deterrent but rather reinforces the social exclusion that underpins crime.

A second consultation, launched today for a period of six months, highlights the fundamentally flawed nature of the first consultation. In explicable, the new consultation document states that, "Although few respondents to the first stage consultation document actively agreed with a system of enfranchisement based on sentence length...given their support for either full enfranchisement" the UK Government will *only* consider views on a system based on sentence length.

It is clear that the consultation process is being used as a delaying tactic for by Ministers dedicated to the protection of their political reputations. The UK Government has publicly stated its intention not to legislate before the next General Election.

It is critical that serving prisoners are not denied the right to vote in a General Election based purely on the hopes of a beleaguered incumbent Government to force their successors to make a politically challenging but legally required decision.

The UK Parliament's Joint Committee on Human Rights has also expressed its dissatisfaction with the UK Government's position, stating that, "A legislative solution can and should be introduced during the next parliamentary session. If the Government fails to meet this timetable, there is a significant risk that the next general election will take place in a way that fails to comply with the Convention and at least part of the prison population will be unlawfully disenfranchised." (Joint Committee Human Rights, 31st Report, 7 October 2008; para 63).

As a Contracting State, the UK Government has specific obligations: 1) to put an end to the breach; 2) to prevent further violations in the future; and two further obligations of reparation and just satisfaction.

Undue delay on the Government's part can be seen to amount to a failure to meet obligations 1) and 2). The breach has not ceased and future violation is therefore not prevented and is, in fact, increasingly likely given the proximity of the 2009 European elections and the UK's next general election.

We urge the Committee of Ministers to raise these matters directly with the UK Government at the next possible opportunity and to ensure the UK Government complies with the Hirst judgment without further delay.

Bobby Cummines
Chief Executive