I am writing to you on behalf of Quakers in Scotland, with regard to Section 3 (Prisoners) of the Scottish Independence Referendum (Franchise) Bill, which proposes that convicted prisoners will not be entitled to vote in the referendum.

As Quakers we have come to believe that convicted and certainly unconvicted prisoners should have the right to vote in elections and we extend this logic to the referendum. The Howard League Scotland’s submission to the Referendum Scotland Bill Committee, which makes a strong moral case for not disenfranchising serving prisoners, and reminds us that our current national position on this matter is anomalous among other European nations, is in keeping with our thoughts on this matter.

People sent to prison remain members of society and should be reminded of, and encouraged to exercise, their civic responsibilities. The punitive element of prison is the temporary denial of liberty and mobility, not ‘civic death’. While there may be room for argument about selective exemptions in rare cases, the presumption that prisoners should vote should be the norm. Alongside broader educational measures in prison, voting rights could and should encourage serving prisoners to take a positive interest in society, to consider their own futures and, without being decisive in themselves, can play a part in the process of desistance and rehabilitation. In the scheme of things, not all serving prisoners will take up an entitlement to vote - but it is important, in a civilised modern society, to register their entitlement, and to create viable administrative arrangements to realise it.

The Referendum Bill gives Scotland a golden opportunity to signal now the kind of inclusive and supportive citizenship to which it will hopefully give expression in the future. The strong moral case for extending voting rights to prisoners suggests to us that in the context of the Referendum Bill we should be adventurous, and incorporate such a commitment within the body of the intended legislation.

Robin Waterston
10 April 2013