

INTRODUCTION:

The New Zealand Association of Social Workers is the professional organisation of social workers in this country with a membership of approximately 700 social workers from statutory and voluntary agencies and local authorities. At its National Council meeting in August 1973, the Association adopted a policy of supporting the vote for prison inmates. This submission is, therefore, in line with that policy.

REASONS FOR RETAINING VOTE FOR PRISONERS:

Section 5 of the Electoral Amendment Bill, 1977, proposes that the recently introduced provision of the vote for persons sentenced to imprisonment be repealed. The New Zealand Association of Social Workers believes that this will be a retrograde step on the following grounds:

1. Many prison inmates are serving sentences of less than three months and are, therefore, in the community for almost all of the period between elections, but do not have any influence on that election. They must live with a decision reached by the rest of us. This situation is hardly consistent with the concept of "participation" which we value so much. In 1975 there were 5035 persons received into prison; 1392 were sentenced to imprisonment for less than 3 months; if this period coincided with the election, they would be ineligible to vote, but would spend almost all of the three years in the community. (Source: Justice Department Annual Report 1977)
2. Since one of the goals of imprisonment is to reform, voting in a general election provides a small but useful opportunity for training in citizenship for those who obviously have a need for it. Depriving the inmate of civil rights or responsibilities beyond those needed for his safe custody does nothing to prepare him for his return to the community.
3. One of the major consequences of imprisonment is alienation from the rest of the community, the community to which the inmate has to return. Being entitled to vote would help reduce this sense of "alienation" by giving the inmate in a significant way a feeling of still having a stake in the community. Indeed, penal policy has given increasing emphasis to treatment within the community.
4. It might be argued that prison inmates should not have a vote because they have committed a serious offence, but those released on probation or sentenced to periodic detention must also have committed a serious offence to have received that sentence. They are not, however deprived of their right to vote. It would be possible for the anomalous position to arise whereby two people appear for the same offence - one is sentenced to a short period of imprisonment, the other to periodic detention; the latter is able to vote but the former is not, if still in prison at the time of election.
5. Again, it might be argued that those on probation or attending periodic detention support their families, pay taxes etc. However, those on release-to-work programmes or at pre-release hostels also

pay taxes, have board and maintenance deducted from their wages. They are therefore working within the community and contributing to their own financial support and that of their dependents. They are not, however, permitted to vote. Further, the prison population are not a total burden on the community - for the year ending March 31, 1977, they produced \$2,825,000 by their labour. (Source: Justice Department Annual Report, 1977).

6. Prison riots or disturbances can have their roots in the sense of frustration and powerlessness which is the inmate's lot. In the ballot box there is something more than just symbolic power. Democracy surely requires that government should be representative of us all.
7. The practicalities of implementing voting rights for inmates are not great, for returning officers set up voting facilities for hospital patients. Further presumably staff and those on remand or imprisoned because of not paying bills have the opportunity to cast their ballot, so that facilities must be already provided. Inmates have access to newspapers and radio, so that they are in a position to make an informed decision.
8. The recent reduction in the voting age means that a significant number of the borstal and detention centre populations are going to be de-franchised. The arguments about reformation, alienation and the importance of taking all possible action to retain inmates' feelings of being part of a community are even more cogent for this group because of their age. Many Detention Centre trainees are resident for a short period and hence are in the same position as persons sentenced to short terms of imprisonment. In a recent article the former Secretary of Justice, Dr. J.L. Robson has argued that "one of the most urgent tasks confronting society is somehow to initiate new social values in youthful offenders." Being able to exercise their vote would make an important contribution to this. (In 1976, 1474 persons were sentenced to Borstal Training or Detention Centre).

SUMMARY:

9. The New Zealand Association of Social Workers can see no positive gains from removing the right to vote from prisoners. Indeed, such action would have a negative effect on those involved, while the retention of this clause could have many positive advantages. We strongly recommend that this clause be deleted from the amendment.