



Council of Social Service of New South Wales

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The Secretary
Senate Finance and Public Administration Committee
Department of the Senate
Parliament House
CANBERRA ACT 2600



Dear Sir or Madam

Re: Inquiry into the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005

I am writing to express concern at the Government's proposal to prevent all prisoners serving a sentence of full-time imprisonment from voting in future elections.

Currently under the Electoral Act the right to vote is withdrawn from prisoners who are serving a sentence of imprisonment of three years or longer. Under the provisions of the Bill being examined by the Committee, the Government is proposing that this prohibition be extended to anyone serving a sentence of full-time imprisonment, regardless of duration. In order to implement this proposal the Bill requires the Controller-General of Prisons in each State to forward to the Electoral Commission, on a monthly basis, a list of persons newly commencing a sentence or who have been released.

NCOSS notes that the majority of prisoners serve a sentence of less than 2 years, after which they return to live in the community. In this respect moves that increase their alienation and disengagement from mainstream society are likely to be counterproductive in the longer term.

In our view the Bill puts forward a punitive 'one size fits all' approach to a more complex issue. We have a system for sentencing, classifying and releasing offenders that considers, amongst other things, the seriousness of the offence and their efforts towards rehabilitation. To treat all prisoners as being in an identical situation is to ignore the very real difference that exists between different categories of offenders.

We would also suggest that the administrative procedure proposed in the Bill, requiring monthly listings of all new prisoners under sentence or released, will impose a costly and unnecessary burden on both State and Territory correctional authorities and the Australian Electoral Commission, for no good reason.

NCOSS would suggest that the current provision, imposing a voting ban on those serving a sentence of three years or more, strikes a balance between the right to sanction serious offenders and maintaining the civic rights and responsibilities of the majority who serve much shorter sentences.

I would urge the Committee to recommend against passage of this element of the Bill.

Yours sincerely

A handwritten signature in cursive script that reads "Gary Moore". The signature is written in black ink and is positioned above the printed name.

Gary Moore
Director