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**From:** Magdalena McGuire [mailto:Magdalena.McGuire@IrwinMitchell.com]

**Sent:** Wednesday, 1 March 2006 1:51 AM

**To:** FPA, Committee (SEN)

**Subject:** Electoral Integrity Bill

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



Dear Committee Secretary

I write regarding legislation currently before Parliament. The proposed legislation provides that all prisoners serving a full time custodial sentence should be denied the right to vote.

Some people convicted of criminal offences are sent to prison for a period. This deprivation of liberty is judged by the courts to be an appropriate punishment for the crime that has been committed. Removing the right to vote would subject these prisoners to another, very serious punishment not sanctioned by the courts.

This punishment violates Article 25 of the *International Covenant on Civil and Political Rights*, which states that:

*Every citizen shall have the right and the opportunity... without unreasonable restrictions:*  
*(a) To take part in the conduct of public affairs, directly or through freely chosen representatives;*  
*(b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors...*

The proposed legislation would disproportionately affect Aboriginal and Torres Strait Islander people, as they are 15.8 times more likely to be imprisoned than non-Indigenous people. Men are also over-represented in the prison population.

Prisoners are denied their liberty as punishment for their crime. Being able to vote gives prisoners the chance to participate in the world outside prison that they will eventually rejoin. Retaining the right to vote demonstrates a commitment to rehabilitation for prisoners. Removing the right would be a backwards step.

I urge you in the strongest possible terms not to support the proposed legislation.

Sincerely,

Magdalena McGuire

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