

Sent: Friday, 3 March 2006 9.41 AM
To: FPA, Committee (SEN)
Subject: disenfranchising prisoners

As an ex-prisoner who served 4 years in prison in NSW I was unable to vote, in other words I was considered to be a non-citizen. I found this status to be unjust and ironic and I still consider it to be so for several reasons:

Prisoners are apparently isolated from the community to rehabilitate them so that they can emerge from prison as responsible law abiding citizens. If they are temporarily non-citizens then it seems contradictory to expect that they will suddenly become responsible citizens with full enfranchisement rights as soon as they leave the prison gates. Disempowering people to the point of becoming non-citizens does not teach people how to become responsible citizens. In fact when someone is denied basic human citizenship rights it would be understandable if they emerged from prison not wanting to be a contributing member of the society that had denied them citizen rights.

Prisoners are, more than most people, powerless to influence change. This is despite the fact that they are in the front line to feel the impact of any policy changes such as change of government, cuts to funding, departmental structural changes, or changes that might effect their families outside of prison. These people continue to be parents and family members inside and outside of prison and the vast majority of them will continue to be employees, employers, students, and citizens in many other ways once they're released from prison. Therefore denying them of the right to vote is not just denying them the right to be a citizen during their time in prison, but is also denying them the right to have any influence over their future or their families' future once they're released from prison.

There is a certain percentage of people in prison who are either innocent of the crime or who will have their sentences reduced on appeal. Furthermore, sentences for similar crimes that are handed down by a judge will vary according to the judge, the political climate of the day, the amount of publicity surrounding the case, and the laws at the time. For example, during the Jo Bjelke Petersen era in Qld, people were given mandatory life sentences for drugs. Today they're given a year or two at the most for the same charge. Does this mean that when Jo Bjelke Petersen was in power it was alright to make these prisoners non-citizens for the duration of their life sentence but today they are only non-citizens for a year or two? Another case in point is that of Queensland's Chief Magistrate Di Fingleton who was recently given a 6 months sentence for allegedly sending a threatening email to a colleague. Her case was later dismissed by the court. Does this mean that Di should have been a non-citizen for the 6 months that she remained in prison? This type of inconsistency does not only unnecessarily punish people but it is also blatantly unjust.

Thank you for considering this submission.