

LS5796 Released Document No. 171

Mick Sherry

From: Mick Sherry
Sent: Friday, 6 May 2016 11:34 AM
To: admin
Subject: RE: Prisoners' right to vote [DLM=For-Official-Use-Only]

For-Official-Use-Only

Good morning

Thank you for your email

Firstly, I apologise in the delay in writing back you.

I understand a number of similar emails have been received by AEC offices in other states.

In order to provide a consistent and coordinated response, an email from the Australian Electoral Commissions National Office in Canberra will be sent addressing your concerns.

Regards

Mick Sherry | Australian Electoral Officer, Territory Manager

Territory Executive | Northern Territory Office

Australian Electoral Commission

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AEC

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From: admin [mailto:justiceaction.team@gmail.com]

Sent: Friday, 29 April 2016 4:20 PM

To: Mick Sherry

Cc: Brett Collins

Subject: Prisoners' right to vote

Dear Mr Sherry,

I am writing to follow up our email dated 30/03/16. A copy of that email is attached for your convenience.

We would also appreciate your response to our proposal for the Electoral Commission for a more efficient enrolment process for patients of locked mental hospitals.

Patients of these hospitals have an obligation to enroll and vote, however are in a unique predicament, as they require a change of electoral residence when moved to the hospital. They do not have the resources to change this address on their own within the required 21 days.

We propose that the Electoral Commission ask the Department of Health to notify the Electoral Commission when a person is detained in a locked mental hospital, and thus needs their records updated to reflect their new place of residence. This would help ensure that patients are provided with adequate means to fulfill their obligation to enroll to vote.

What do you think?

Please acknowledge upon receipt.

Kind regards,

Amelia van der Rijt, Carmen Zhu and the Justice Action team

We have been in correspondence with the NT Electoral Commission since May last year with proposals to ensure that the necessary procedures are being introduced and followed to ensure people in prisons and locked hospitals are able to vote as they are entitled. We represent those people (see our website <http://justiceaction.org.au/about-us/about-justice-action>).

Our current focus is on the upcoming federal election, and we want to ensure that there are proper processes in place to ensure the enrolment to vote for eligible people in prisons and locked hospitals. In our previous correspondence with NT Electoral Commission, they indicated that information on prisoner enrolment is provided by Corrective Services to the State Office of the AEC.

Currently, the postal vote is not adapted to the unique situation of people in prisons and locked hospitals, as their residential address (the prison/hospital) is not the address used for their voting registration. The legal requirement is that people must notify the Electoral Commission of a change of address within 21 days, but prisoners are not contactable at their electoral address. Our proposal to the AEC is to update all prisoners, whether on remand or sentenced, with postal voter status upon reception into correctional facilities.

Many people in prisons however are not enrolled at all. It is important that people in prisons or hospitals under state control are given this special opportunity to ensure full compliance with the law, and feel socially included despite being physically excluded. This should include access to the necessary information from political parties. Currently, our newspaper JUST US is the only way in which political parties can communicate directly with electors in prisons and locked hospitals.

We propose that the AEC ask Corrective Services for all incoming prisoner details in order for the prisoner to receive postal voter status if already enrolled. Corrective Services has information about each prisoner's location, and has the ability to centrally distribute material.

Additionally, we suggest that prisoners who are not on your roll, but appear to be eligible after you receive information from Corrective Services, be notified of their potential breach of their obligation to enrol, and be asked to do so.

Upon release, we propose that the information should be used to change the address of those exiting the prison system. If not previously disqualified by the length of their sentence, they should be automatically reinstated as a general voter, and be asked if their previous address on the roll still applies.

For people who have been disqualified from voting due to the length of their sentence, we propose that they should be asked their anticipated residential address, and be automatically reinstated after a period of one month.

Given the responsibility of the AEC to maintain an accurate electoral roll, do these proposals sound reasonable? We look forward to further discussions with you.

REDACTION CODES

- 1 Personal Information (name) redacted.
- 2 Personal Information (date of birth) redacted.
- 3 Personal Information (photograph) redacted
- 4 Personal Information (facsimile of signature) redacted.
- 5 Personal Information (facsimile of manuscript initialling) redacted.
- 6 Personal Information (Individual's address) redacted.
- 7 Personal Information (individual's telephone number) redacted.
- 8 Personal Information (individual's opinion) redacted.
- 9 Personal Information (opinion about individual) redacted.
- 10 Personal Information (employment history) redacted.
- 11 Personal Information (qualifications) redacted.
- 12 Personal Information (health) redacted.
- 13 Business information (Bank Account details) redacted.
- 14 Business information (Billing Account details) redacted.
- 15 Legal Professional Communication redacted.
- 16 Deliberative material redacted.
- 17 Irrelevant material redacted.
- 18 Electoral Roll material redacted.
- 19 Tests, examinations or audits material redacted.
- 20 Management or assessment of personnel material redacted.
- 21 Proper and efficient conduct of the operations of AEC material redacted.