

From: Sean Burke [seanburke@westnet.com.au]
Sent: Tuesday, 20 May 2008 12:51 AM
To: Committee, EM (REPS)
Subject: Fw: Vote for Prisoners
Please accept a copy of my letter below as a submission to the committee.

Regards,

Sean Burke
29 Hulbert St.
South Fremantle 6162
(08) 9433 4604
seanburke@westnet.com.au

Hon. Robert McClelland,
Attorney General

Vote for Prisoners

Greetings and Congratulations upon your appointment as Minister.

I am a member of the ALP in WA and write to highlight what I see as an important issue, and one that is all too easy to overlook.

A couple of years ago, I wrote to the then responsible minister, Eric Abets, and others, to express my unhappiness with the changes to the electoral legislation which saw prisoners further stripped of voting rights. His reply was not satisfactory.

The electoral legislation should not be used to buttress criminal legislation. Electoral measures cannot be seen as legitimate punitive or preventative measures in the execution of the criminal law.

Leaving aside the fact that prisoners often have a greater need for representation than others (perhaps especially the few who are trying to establish their actual innocence), the removal of voting rights creates a problem for us all, as a polity. It goes to the question of the nature of citizenship.

In a mature democracy, voting needs to be seen as a right that is part and parcel of the rights of citizenship. If we have some adult, competent citizens that can vote, and others that are prohibited from voting by way of another classification, then we have nothing less than a formally classed society. We have expressly created a second class of citizen.

Unless we are prepared to say that a criminal act removes a person's citizenship, then we cannot have it remove that person's inalienable rights of citizenship.

I, for one, am not happy to live in a society where there are formally two or more classes of citizen. I believe this is a position shared by most members of the ALP.

These clauses need to be repealed by the new government.

A bill of rights that includes the enshrinement of the right to vote may also be required, to disable future governments of whatever persuasion from re-enacting this or other legislation and recreating the problem.

I will appreciate your reply and advice of your intentions in regard to the amendment of the

legislation. Action early in the electoral cycle is called for.

Regards,

Sean Burke
29 Hulbert St
South Fremantle 6162
seanburke@westnet.com.au
24 February 2008