

Mr Bill Tait (Jnr.) Esq.

Friday, the 10<sup>th</sup> of May, 2019.

The Chair,  
Mr Linus Power MP,  
Economics and Governance Committee,  
The Legislative Assembly of Queensland,  
Parliament House,  
George Street,  
BRISBANE, QLD, 4000.

re the inquiry into the Electoral  
and Other Legislation Amendment Bill  
2019 and some seemingly related mat-  
ters.

Dear Sir,

Well, I note how, the above mentioned  
Bill's, very explanatory notes, indicate,  
to the effect of that, one of the ob-  
jectives, of same, would be, to "im-  
prove consistency across the electoral  
system", by "aligning Queensland's posi-  
tion on prisoner voting with (that of

other States and) the Commonwealth position post the High Court decision in Roach v Electoral Commission [2007] HCA 43", and, in light of, that very matter, then, I would submit, as is set down below-herein.

Well, as I seem to recall the matter, the said case of Roach, was actually decided upon a case-on appeal - from a state jurisdiction, like Victoria, or something like that, and while, the State, in question, was left with, would-be restrictions - upon prisoners participating in the very democratic process - struck down then, it was only, after, it enacted new electoral laws - in order to be seen to - literally (like) - accommodate for that, that the very Commonwealth followed suit - so to say - sort of thing, and be - all that - as it may, at all events,

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the kind of, striking distinction, would seem to be, to the very effect of that, while there may have been, some sort of, obiter dicta, kind of alluded to, in the said case - of Roach, as regards, inmates, interned at Her Majesty's pleasure (so to speak), for longer periods of time, the true ratio decidendi, of the case, merely centred upon, one, who had then, only been sentenced to, a term of imprisonment, of less than three years, whereas, to be technically correct, the matter of, whether or no, persons serving, longer sentences, would be entitled to - be enrolled - and then - vote in elections (i.e. whether in the States or Federal contexts), has really, been left open, as yet, you see.

So, well, whilst obviously, I, for one,  
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would advocate, to the effect of that, provided - I guess - that such were only willing to do so - or so ~~participate~~ participate then, there does not seem to be, any, great - or substantive - reason - or arguments articulated - to the contrary of, that, the Queensland legislator, ought to only rightly (in terms of constitutionally implied rights - to the very freedom of communication - as to matters political - moreover - in the customary common law context anyhow - internationally recognised human rights etc.) go that step further, in order to recognising, the more full ambit of, the very democratic principle - or rights - declared (albeit - as I say - in that more limited set of circumstances then) in the said case of Roach by granting, all prisoners, in this

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geographical jurisdiction (or i.e. the very State of Queensland - at any rate), the right to cast a vote - in State and Local Government elections (or - at the very least then - State elections), well, similarly, while the said case - not only seems (as I recall) to have fallen silent - in such respects - but anyhow - never had cause to decide such a matter, there remains, a very real question, as to whether, a prisoner (for whatever term\*), might likewise be entitled to nominate - as qualified (otherwise anyway) - for election themselves, you see, or, you know, if I might just, sort of entreat, your said committee, to consider, that sort of thing - or matter - herein, as well?

Now, there would be, just one more

\* but especially those imprisoned for less than three years - with their right to vote recognised. ...



thing, as regards these types of matters, that I would like to raise, for the committee's consideration, and that would be, how the clause - No. 34 of the Bill, as the said notes explain, is directed, at ensuring that, persons imprisoned (whether in watchhouses or larger institutions) may only vote by way of postal votes, and, well, to put it kind of bluntly, while, e.g. in respect of the current rules of service-upon incarcerated persons, that kind of process, might seem to be, doomed to be, somewhat confounded (at least at times), with cumbersome technicalities etc., to boot, I would note, the now, regular practice, of e.g. having electoral officers visit homes for the aged, and hospitals, and the like, in

order that electors, may have, an opportunity to - in the very sacrosanct time-honoured common law tradition - cast their very own vote - discretely - on the very day (of the election in question then), and what is more, I don't think, myself, although (ie. no pun intended) I don't really have any inside knowledge - of such matters - myself, that, in comparison; that sort of, more due democratic process (if I might just put it that way), would likely be, of any substantially greater, administrative cost, ie. if - much - at all.

So, well, that's about all that I would have the very - time and - available resources to just put down, for your committee's

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consideration - herein, thus far, and, but, please, do contact me - preferably in writing\* - at the above given (residential) address if the committee should desire to seek any further submissions - from myself - in respect of these matters.

Oh, so, I would implore, the committee, then, to formally resolve, to accept, this very contact, as a properly made submission - in all the circumstances (e.g. as regards my impotence etc.), in the said process, and please, have the secretariat at least advise me - likewise in writing - of your very receipt of same, in due course.

Yours sincerely

Bill Tait

Mr William "Bill (Billy)" Peter Tait

\* I'm sorry, but, through no real fault of my own, I do not have any phone contact, whatsoever, at this time. ...

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