

Electoral Laws (Restoring Electoral Fairness) Amendment Bill 2025

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| Submission By: | National Network of Incarcerated & Formerly Incarcerated Women & Girls |
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Justice, Integrity and Community Safety Committee

By Email: jicsc@parliament.qld.gov.au

Re: Electoral Laws (Restoring Electoral Fairness) Amendment Bill 2025

Introduction

The National Network of Incarcerated and Formerly Incarcerated Women & Girls (National Network) strongly opposes the proposed amendments in the *Electoral Laws (Restoring Electoral Fairness) Amendment Bill 2025* that would expand prisoner disenfranchisement to people serving sentences of one year or more.

For people who are criminalised, voting is not an abstract democratic principle. It is one of the last remaining ways we are recognised as members of the political community. Removing it sends a clear message: that some lives are disposable, some voices do not count, and some people are governed without consent.

This submission focuses solely on the proposed voting restrictions.

About the National Network

The National Network is a national, peer-led network made up of women, girls, trans and gender diverse people who are currently incarcerated or have experienced imprisonment across so-called Australia.

Our members are Aboriginal and Torres Strait Islander women, criminalised women, disabled people, women living in poverty, and survivors of state and interpersonal violence. We work collectively to challenge criminalisation, incarceration, and the systems that produce them, and to advocate for justice, dignity, and self-determination for people most impacted by the criminal legal system.

Disenfranchisement Is Political Erasure

Imprisonment already removes liberty, family, safety, and autonomy. Disenfranchisement goes further; it removes political voice.

Many people in prison care deeply about elections because government decisions directly shape our lives: policing, prisons, child protection, housing, healthcare, disability support, parole, and community services. Removing the vote does not promote responsibility or respect for the law. It deepens alienation, despair, and exclusion.

For Aboriginal and Torres Strait Islander people, whose political exclusion has been a deliberate tool of colonial control, expanded disenfranchisement continues a long history of being ruled over rather than represented.

Roach v Electoral Commissioner Was Not a Suggestion

The proposed amendments show open disregard for the High Court's decision in *Roach v Electoral Commissioner*, a case brought by Auntie Vickie Roach, a Yuin woman imprisoned at the time, who asserted that prisoners remain part of "the people" who choose Australia's government.



Aunty Vickie Roach has described Queensland's approach plainly:

"Following the resounding success in the High Court against many of these very same electoral amendments, who, in the name of the integrity of the law itself, would have the arrogant, racist effrontery to challenge that ruling? Why Queensland of course! Long considered by themselves to be a law unto themselves, the High Court's decision would appear to be of no consequence to this state and indeed viewed instead with contempt, such as that of a schoolyard bully taunting their victim with accusations of weakness."

The High Court made clear that blanket or over-broad disenfranchisement is incompatible with representative democracy. While it upheld a three-year threshold at Commonwealth level, it did so narrowly. Lowering the threshold to one year moves Queensland toward the very overreach the Court rejected.

As Aunty Vickie has said:

"The High Court made a decision on these electoral matters. If the states continue to play handball with that decision, we may as well dismiss the High Court as a powerless entity."

The One-Year Threshold Targets Criminalised Poverty, not "Serious Crime"

A one-year sentence is not a meaningful indicator of serious wrongdoing or rejection of civic responsibility. In practice, it captures people sentenced for:

- poverty-related and survival-based offending
- breaches of administrative orders
- low-level property offences
- conduct linked to homelessness, disability, mental distress, addiction, or coercive control
- over-policing of Aboriginal and Torres Strait Islander communities

The disproportionate impact of these amendments is not accidental.

As Aunty Vickie Roach has stated:

"The disproportionate impact these proposed amendments would have on Aboriginal and Torres Strait Islander people, criminalised women, people living in poverty, disabled people, and young people... is once again no incidental accident but instead deliberately designed to have this effect."

Exclusion Does Not Build Community Safety

There is no evidence that disenfranchisement improves respect for the law or public confidence in elections. Exclusion does not create safety. It creates resentment, disengagement, and harm. Real community safety comes from housing, healthcare, education, income security, and strong communities, not from stripping political rights.

As Aunty Vickie Roach reminds us:

"What would have a more beneficial impact on the safety and well-being of the community would be to defund the governments, big and small, defund the police, abolish prisons and make ALL housing public housing."

Conclusion

The proposed expansion of prisoner disenfranchisement in Queensland:

- undermines representative democracy



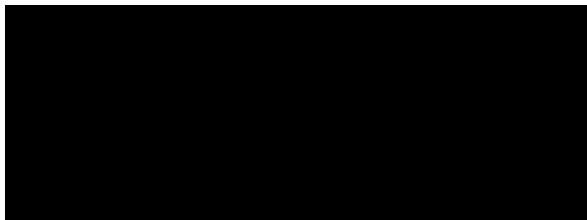
- disregards binding High Court authority
- disproportionately harms Aboriginal and Torres Strait Islander peoples and other criminalised communities
- and deepens political exclusion rather than strengthening civic life

Queensland should not roll back democratic rights secured through decades of struggle, particularly by Aboriginal women imprisoned by the state.

Recommendation

That the Committee recommend removal of provisions in the Bill that expand voting disqualification to people serving sentences of imprisonment or detention of one year or more and retain the existing voting framework.

Yours sincerely



Vickie Roach
31 December 2025

Tabitha Lean