Electoral Laws (Restoring Electoral Fairness) Amendment Bill 2025

Submission No: 080
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Publication: Making the submission and your name public

From: Kendra Clark
To: Justice, Integrity and Community Safety Committee
Subject: Electoral Laws (Restoring Electoral Fairness) Amendment Bill 2025
Date: Saturday, 27 December 2025 2:43:02 PM

Name: Kendra Clark
[redacted]

I am writing to oppose the proposed amendments to Queensland's electoral laws that would prohibit people serving a sentence of imprisonment of one year or more from voting in State and local government elections and referendums.

Voting is a fundamental democratic right, not a privilege contingent on compliance or moral worth. The proposed reduction of the voting disqualification threshold from three years to one year represents a significant and unjustified expansion of disenfranchisement in Queensland.

This amendment will disproportionately impact Aboriginal and Torres Strait Islander people, criminalised women, people living in poverty, disabled people, and young people, groups already over-represented in the criminal legal system due to systemic inequality, not heightened "disregard for the rule of law."

The stated aim of enhancing civic responsibility is not supported by evidence. There is no credible basis to suggest that removing voting rights increases rehabilitation, accountability, or public safety. On the contrary, civic exclusion undermines reintegration and reinforces social disconnection.

The Bill engages and limits several rights protected under the Human Rights Act 2019 (Qld), including the right to take part in public life, freedom of expression, humane treatment when deprived of liberty, and the right to privacy. Any limitation on the right to vote must be strictly necessary and proportionate. This proposal fails that test.

Importantly, voting restrictions are not imposed by a sentencing court. They are automatic, additional punishments layered on top of imprisonment, regardless of individual circumstances, rehabilitation progress, or community ties. This undermines the principles of fairness and proportionality.

The explicit inclusion of people sentenced to imprisonment as children is particularly concerning. Young people transitioning from youth prison into adulthood should be supported to engage in civic life, not excluded from it. Early democratic exclusion risks lifelong disengagement.

Democracy is strengthened by inclusion, not exclusion. People in prison remain subject to the laws, policies, and decisions of Parliament. Denying people a voice while continuing to govern their lives erodes democratic legitimacy rather than protecting it.

There are less restrictive and more constructive alternatives available, including maintaining the current threshold, expanding access to voting in custody, and supporting civic participation as part of reintegration. The Government has chosen not to pursue these options.

As an educator, I have worked with students who have been involved in Youth Justice, and the MOST EFFECTIVE support has been positive education, doing assessments for neurodivergence and then allowing them to develop a positive neurodivergent identity, literacy intervention and genuine unconditional positive regard. These types of laws make me terrified for any other students who come into the system.

For these reasons, I urge the Committee to recommend that the proposed voting restrictions not be enacted.

Yours sincerely,
Kendra Clark

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