

Electoral Laws (Restoring Electoral Fairness) Amendment Bill 2025

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The proposal to reduce the threshold for prisoner voting eligibility to “under a year” dramatically narrows the number of people who can participate in elections while in custody. The Liberal government claims these reforms will “restore fairness to electoral laws” and “put victims first.” Yet this framing ignores a crucial reality: people in prison are often those most affected by government policy, and crime is frequently a result from unaddressed trauma and systemic disadvantage. By restricting their participation, the government isn’t restoring fairness; it’s reshaping the democratic landscape by deciding who gets to be included in it.

A government term lasts four years. Under the previous laws, anyone serving a sentence of less than three years retained the right to vote. We already expect people leaving custody to reintegrate into society, a period that is challenging under the best of circumstances. Now, many will return to community during a government term they had no say in. Why are we moving backwards, returning to a time when minority groups were denied the right to vote? Incarceration rates are rising. Average sentence lengths are increasing. And with these reforms, the number of people excluded from democratic participation will rise as well.

Some argue that “if you commit a crime, you waive your right to vote.” But it’s worth examining what kinds of offences actually result in sentences longer than one year. I’m not talking about the extreme crimes that carry lengthy penalties. I’m talking about the offences that fall between the old threshold of “three years or less” and the new “under one year” rule. Offences include driving-related charges, non violent theft, and lower level drug possession. These are precisely the areas where laws are politically charged and frequently debated. Excluding the people most affected by these policies from voting isn’t about fairness. It’s about shaping the electorate. It’s not just restrictive; it’s strategic.