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From: ROSENTHAL, Craig [mailto:Craig.Rosenthal@dcs.qld.gov.au]
Sent: Tuesday, March 22, 2016 12:29 PM
To: Gordon Marshall <Gordon.Marshall@aec.gov.au>
Subject: Prisoner Voting - Federal Elections

Good morning Gordon

QCS has received the correspondence from Mr Thomas Ryan, Australian Electoral Officer regarding the upcoming federal elections.

The Acting Commissioner, Kerrith McDermott has asked that I liaise with your office in regard to prisoner voting.

In regard to Thomas' letter, I note that there is reference made to s.109 of *the Commonwealth Electoral Act*, however that provision only allows QCS to provide to the AEC, the names, addresses, occupations and sexes of all persons who began servicing a sentence of imprisonment of 3 years or longer in the State; and the names addresses, occupations and sexes of all persons who ceased to serve a sentence of imprisonment of 3 years or longer in the State.

Unfortunately the legislation does not allow us to provide to you a list of prisoners who are eligible to vote ie. prisoners who are currently serving a period of less than 3 years or who are on remand.

During the recent local elections and state referendum, I sought an opinion from the Department of Justice and Attorney General's legal unit, and they advised that we were not authorised to provide information to the Electoral Commission Queensland regarding those prisoners who were eligible to vote (ie. in that case a list of remand prisoners).

This would have allowed us to provide a current list of eligible prisoners to the QEC, who had then agreed to forward postal votes directly to the prisoner. This would have significantly reduced the workload for both the QEC and QCS. Unfortunately, this resulted in a manual process, which was adopted by Centres to ensure that eligible prisoners completed the form to request a postal.

I look forward discussing arrangements for the forthcoming elections so that we can ensure that there is a consistent process applied across all corrective services facilities in Queensland.

Please let me know a convenient time to discuss further.

regards

Craig



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