

# The Australian Prisoners' ELECTION NEWSPAPER

*I see no criminals. I see before me political prisoners.*

— Chris Dubrow, iNsUrGe

Welcome to the *Australian Prisoners Election Newspaper*.

Why an election newspaper for prisoners? Isn't there already far too much election news in the rest of the media? Why should prisoners have their own election newspaper when boilermakers, Buddhists, bisexuals or the blind apparently don't need one just for them?

Although politicians often speak *about* prisoners - especially during election campaigns - they very rarely speak *to* them. Instead of trying to win the votes of this rapidly growing segment of the Australian population, the big parties seem happier to deny them the right to vote at all. The *Australian Prisoners Election Newspaper* tries to redress this problem by offering political parties the chance to explain what they will do *for* prisoners, instead of just saying what they will do *to* them.

So in this issue you will find messages for prisoners from the Coalition, ALP, Democrats, Greens and Socialist Alliance. They still don't speak to you? Well give them a chance, they don't get much practice talking to prisoners and still have their training wheels on.

Hopefully the *Australian Prisoners Election Newspaper* will prompt our politicians to think a little harder about what they are telling their imprisoned fellow citizens. Maybe what's needed is a demographic label, like *aspirational inmate*, to help them develop policies that are less hostile towards the 24,000 Australians who will be spending 'Election 2004' behind bars.

Also in the *Australian Prisoners Election Newspaper* is an announcement of the Australian Law Reform Commission's review of Part 1b of the Federal Crimes Act. Should all federal prisoners be treated the same way - no matter which state tries and convicts them - or should their treatment be in line with that of other prisoners in that state? If you've got an opinion, why not tell the ALRC - especially if you're a federal prisoner.

And the *Australian Prisoners Election Newspaper* is proud to be able to announce a new paper, the first Australia wide publication for prisoners by prisoners. Its intended that the paper will be distributed free to all Australian prisoners each month from December 2004.

Almost all of the content of the paper will be written either by prisoners or on their behalf by friends or family members. It will include articles, commentary, poetry, personal accounts, short stories and letters to the editor on any topic - whether or not related specifically to life in prison. It is hoped that the paper will allow prisoners to take on subjects that are important to them rather than just responding to issues imposed on them from the other side of the bars.

The new paper was inspired by the editor of UK's *Inside Time*, Eric McGraw, during his visit to Justice Action last July. *Inside Time* was a product of the *Woolf Inquiry* into the 1990 riots at Strangeways prison, which emphasised the importance of ensuring that prisoners have a free channel of communication to the outside world. Since then the paper has gone from strength to strength and is now a self funded bimonthly tabloid newspaper with a wide readership both inside and outside British prisons. As well as articles by prisoners, the paper contains responses to prisoner complaints by authorities and enough paid advertisement to cover printing and distribution costs.

So if you're in prison, have something to say, and think you can say it in 1000 words or less, why not look for the ad in this newspaper and write to **The Prisoners Paper, PO Box 386, Broadway, NSW 2007**. It is hoped that there will be enough room to print every work submitted by prisoners, although some pieces may have to be edited for reasons of space, clarity or defamation laws.

It is hoped that the paper will allow prisoners to tell the rest of us what they think of life inside and help them to practice and promote their own writing skills. After all, famous Australian writers like Mark 'Chopper' Read and Gregory David Roberts started their writing careers in prison. Will you be the next one to swap the pen' for a pen?



Stephen Corry - Social Illustrator. Available on request 9555 1832

## Prisoner's voting rights in Election 2004

What steps are being taken by the Australian Electoral Commission to provide prisoners with the opportunity to vote at the federal election, and what do they need to do to access this opportunity and fulfil their constitutional obligations?

From information supplied by

**Australian Electoral Commission**

In addition to any arrangements that correctional institutions, authorities and prisoner representative groups and bodies may be undertaking to facilitate voting at the 2004 federal election, the AEC has arranged a number of mobile polling teams to take the votes of detainees. (listed below)

Some prisoners may already be registered as general postal voters under the Commonwealth Electoral Act, meaning that their ballot papers would be mailed to them automatically.

For those eligible electors in prisons unable to access mobile polling

teams, they may apply for a postal vote. Postal Vote Applications are available at any AEC Office or Post Office or can be printed from the AEC website should families and friends of prisoners wish to assist access. In many cases the local office of the AEC will also have provided postal vote applications to their local prison.

A further check with all AEC Head Offices in all States and Territories shows that either mobile polling will be available, or stocks of Postal Vote Applications have already been delivered by local AEC offices to prisons where mobile polling is not available.

### PRISONS WITH MOBILE POLLING BOOTHS:

Belconnen Remand Centre
Bathurst Correctional Centre
Cessnock Correctional Centre
Parramatta Correctional Complex
Silverwater Prison Metropolitan Remand Centre
Mulawa Correctional Centre
Alice Springs Correctional Centre
Darwin Correctional Centre
Melbourne Assessment Prison
Casuarina Prison
Karnet Prison Farm
Hakea Prison Complex (units 6 - 10)
Hakea Prison Complex (units 1 - 5)
Broome Regional Prison
Roebourne Regional Prison
Eastern Goldfields Regional Prison
Albany Regional Prison
Greenough Regional Prison
Bandyup Women's Prison
Boronia Pre-release Centre for Women

# If crime don't pay

## Why is John Howard still in Canberra?

When Labor and the Liberals took away many prisoner's right to vote **The Greens stood up for your rights.**

While the other parties compete in their law and order auctions **The Greens stand up for human rights.**

When the other parties ramp up corporate welfare for the big end of town and neglect public schools, hospitals and housing **The Greens speak up.**

When John Howard joined George Bush's illegal war **The Greens said NO.**

This election *There is an alternative Vote* **1**



Authorised by Geoff Ash 19 Eve St Erskineville 2043

### DEMOCRATS

## Democrats on Justice



**Aden Ridgeway:**  
Democrat  
Senator for NSW  
and the only  
Indigenous  
member of the  
federal  
parliament

The Australian Democrats have a long history of advocating for equal access to justice for all Australians.

Massive funding cuts to Legal Aid under the Howard Government have seen more people pleading guilty because they feel they have no option; an increase in the number of self-litigants; and deeper entrenchment of existing inequalities.

The Democrats call for:

- Voting rights for all prisoners (except those convicted of treason)
- An urgent injection of funding into Legal Aid and Community Legal Centres
- All interpreters to be funded by the Commonwealth
- Alternative sentencing models to be prioritised, especially to keep families together
- Adequate support for prisoners and their families including comprehensive post-release programs
- Increased Commonwealth investment in community legal education

Indigenous Australians are now over 15 times more likely to be imprisoned than

other Australians.

The Democrats call for:

- The abolition of all sentences under 6 months, which would reduce the number of Indigenous people in prison by 54% over one year in NSW alone.
- The long-overdue implementation of the recommendations of the Royal Commission into Aboriginal Deaths in Custody
- Increased, long-term funding for Aboriginal and Torres Strait Islander Legal Services – not mainstream tendering
- Injection of funding into the Bush Court system in remote communities

While over-policing of minor offences sees Indigenous women over-represented in jail they suffer from under-policing when victims.

The Democrats call for a specific national strategy to address the disproportionate effects of detention of Indigenous women including a focus on policing trends and holistic alternatives to imprisonment, eg. Healing Centres (Canada), and facilities to keep mothers with children.

AUSTRALIAN  
**DEMOCRATS**

### LIBERAL PARTY

The Coalition's justice policy will be available on the website or, upon request, in hard copy. The policy was not available at time of printing. Michael Barrett.  
PO Box 6004, Kingston ACT 2604. [www.liberal.org.au](http://www.liberal.org.au)

### SOCIALIST ALLIANCE

## Socialist Alliance

### Their "law and order" — not ours For justice VOTE 1 SOCIALIST ALLIANCE

While government funding for health care, education, public housing and real job creation is slashed, more jails are being built, longer jail terms are being imposed, and police are being given even greater powers.

Yet the majority of prisoners are inside for "victimless crimes" - for being poor or Aboriginal - or are on remand. If the government was really serious about reducing crime, it would jail the corporate crooks who destroy thousands of peoples lives to make more profits and the politicians who rort the system for personal gain, not the poor.

**The Socialist Alliance stands for:**

- More government funding for community services and real job creation, not more jails and police.
- The immediate implementation of all recommendations of the royal commission into Aboriginal deaths in custody.
- Free, quality legal aid for all who need it.
- Award wages for working prisoners.
- Non-custodial alternatives to imprisonment.
- The right to vote for all prisoners.
- No police sniffer dogs in public places.
- Decriminalising victimless crimes, including personal drug use and prostitution.
- No private prisons.

For more information, write to PO Box A2323, Sydney South, NSW 1235 or visit [www.socialist-alliance.org](http://www.socialist-alliance.org)

### Free Craig Johnston!

**Craig Johnston, a Socialist Alliance member and former Victorian state secretary of the Australian Manufacturing Workers Union, was jailed on August 27 for trying to save the jobs of workers sacked by the anti-union company Johnston Tiles. He was targeted by the government, bosses and courts because he fought for ordinary people's rights. The Socialist Alliance is campaigning for his immediate release.**



## Labor's plan to protect and strengthen human rights in Australia

The Labor Party has a philosophy built around equality, justice and giving people a fair go. This philosophy forms the backdrop for our longstanding commitment to human rights. Labor has a strong record in Government of helping to negotiate, sign, and respect international conventions.

A Labor Government will sign Australia up to the Optional Protocol for the Convention for the Elimination of all forms of Discrimination Against Women (CEDAW) and the Optional Protocol for the Convention Against Torture. In light of revelations about prisoner treatment in Iraq it is impossible to agree with the Government's stance that providing for an inspection regime in places of detention, which would have included Abu Ghraib, would not be helpful.

Labor will also scrap the tender process for Aboriginal Legal Services commenced by the Government. Among other bad policy measures, it

does not require Indigenous involvement in these services and it adds an extraordinary new clause giving the service provider the right to refuse service to anyone with a prior conviction. This is a shocking limitation given the client base and the known patterns of repeat offenders.

Labor has also announced its more humane policy on refugees and asylum seekers. There is a better balance than the Government has struck between the human rights of asylum seekers and the border protection imperative. Labor will maintain short term detention for the purposes only of basic health, security and identity checks, and we will not detain children in high security facilities. Under a Labor Government, we would also return centres to government control and have them open to independent inspection.

Finally, a Labor Attorney will ensure that the rights of Australians citizens

detained overseas comply with basic international standards. This is a role that our current Attorney has neglected. The Prime Minister, the Attorney-General and the Foreign Minister have never expressed reservations about the validity of detaining Australians in Guantanamo Bay or the military commission process, even although the inadequacies and injustices have been plain for all to see.

Labor's vision for the future of this country is one where we can aspire to equality and not dismiss it, as our PM does, as a plaything of the politically correct. It is a vision committed to building our community by using the skills and strength of all of us. We will try and build the ethos of fairness and tolerance back into our public institutions and the public debates, and look at positive solutions to bring about positive and inclusive change.



## Q&A: Prisoners ask why?

**What do the parties think about the Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment? (Goulburn, NSW)**

**Greens:** The Greens support the signing of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment that would allow UN representatives to inquire into Australia's prisons, police cells and immigration detention centres to ensure compliance with the convention.

**Democrats:** The Australian Democrats have consistently argued that Australia should ratify the Optional Protocol to the Convention Against Torture. Senator Andrew Bartlett is the Democrats' representative on the Joint Standing Committee on Treaties and was among the authors of a Dissenting Report, which recommended that the Government should ratify the Optional Protocol.

**ALP:** Labor has committed to signing the United Nations Optional Protocol on the Convention Against Torture that

would allow UN inspectors to visit prisons and other places of detention - something which the Howard Government has refused to sign. A range of other policies released by Labor relate to ensuring that people get better access to legal aid, and uphold and strengthen various pieces of human rights legislation.

**The Liberal Party:** The Coalition is not going to answer the questions put to them.

**Why are there such harsh sentences for victimless crimes like drug crimes? (Silverwater, NSW)**

**Democrats:** The Democrats have long argued that there is a need for a National Drug strategy that is focussed upon recovery and treatment, not intolerance and punishment. We believe that drug dependency needs to be addressed predominantly as a health issue, rather than a criminal justice issue.

**Socialist Alliance:** There should not be. The law-makers (the politicians and judges, who generally serve the rich

and powerful in this society) refuse to decriminalise drug use and prostitution because keeping it illegal - and therefore underground - ensures that these "industries" keep making huge profits for the people who run them (not the ordinary drug user or sex worker, but usually rich businessmen).

**Greens:** Australia is awash with illegal drugs. The "war on drugs" has only served to feed massive profits into organised crime, increase police corruption, make the community less safe and put human lives at risk. Governments in this country are fixated on an old-fashioned, get-tough approach which includes harsher sentences, locking up a generation of people who should never have gone to prison. It's time we looked at alternatives to prohibition. The Greens believe that the starting point should be harm minimisation. We believe that turn drugs should be dealt with as a health issue, not a criminal issue.

**Why has the presumption of innocence been changed with the presumption against bail in the Bail Act? (Silverwater, NSW)**

**Greens:** These changes were introduced as part of Labor and Liberal competing to look tough on terrorism. The war on terrorism has become like a law and order auction during state elections. With each side seeking to look tougher and tougher, harsher sentences, removing rights and more powers and resources for police and security. As a result people caught up in the criminal justice system face a greater risk of injustice. The danger of these new laws mean someone who is charged under the very broad sweeping terrorism laws will be unlikely to get bail and could face extended remand periods in maximum security, despite their innocence, because they have been charged with terrorist offences.

**Socialist Alliance:** This is one of many changes made by state and federal governments' as part of promoting their "tough on crime" image. This campaign is political, not at all about actually reducing crime. It is an attempt by the politicians to direct the growing public anger against poverty, unemployment, lack of community services and the other problems at other ordinary people, such as "criminals", migrants, Indigenous people, etc, rather than at those who are actually responsible for the problems - the powerful decision-makers in society. The politicians believe that if they are seen to be "getting tough on criminals", the public will think the politicians are doing something useful (they're not!).

**Democrats:** The Democrats voted against recent legislation which reversed the presumption of bail in relation to certain offences, including terrorism. The presumption in favour of bail is a long-held principle that is closely related to the presumption of innocence. It is founded on the notion that deprivation of liberty should, as far as possible, be tied to conviction for a criminal

offence. Individuals charged with a crime are innocent until proven guilty and the presumption in favour of bail reflects this. If a suspected criminal presents a particular risk to the community (for example, a suspected terrorist) then that is something which would be taken into account by the bail authority, who would be likely to refuse bail. It is therefore difficult to see why there is any need to reverse the presumption in favour of bail.

**Why are prisoners held on remand for two to four years? (Silverwater, NSW)**

**Socialist Alliance:** The funding cutbacks for legal aid and the court system, combined with more people being charged, often for petty non-crimes such as bad debts, has created this unjust situation. It is a fundamental human right to be presumed innocent until found guilty. That means that most people held on remand should not be there. Where a person is found to be not guilty after being held on remand, they should be compensated at a high rate for what is actually a miscarriage of justice.

**Greens:** Court systems across Australia are clogged up as the war on drugs and the more punitive law and order climate, promoted by most politicians, mean more people are charged. The climate of fear generated by governments mean courts are less likely to give bail. It is unacceptable that people have to await trial for such a long time.

**Why is there no more remissions as an incentive to rehabilitation? (Silverwater, NSW)**

**Greens:** Punishment has become the central ethos of the criminal justice system pushed along by the law and order auctions at election time. As a result important processes that were once seen as central to rehabilitation have been pushed aside. The Greens support returning the right of remission for "good behaviour" as part of a return to rehabilitation as the central feature of the prison system.

**Socialist Alliance:** Unfortunately, most politicians don't actually care about rehabilitation. This is evident in the general lack of services and programs that would genuinely assist rehabilitation (such as much more non-custodial sentences, free education and training for inmates and newly released prisoners, and the creation of secure, decently paid jobs for all ex-prisoners). One of the big dangers associated with the privatisation of prisons is that it will result in the politicians making even more changes to the laws in order to create more prisoners, inside for longer periods, and in this way put more dollars into the pockets of the corporations that run the prisons.

**Why can't I have a proper conjugal visit - not a quickie, but two to five days in a private housing unit where inmate, spouse and family can live, cook, etc.? (Silverwater, NSW)**

## HAVE YOU BEEN SENTENCED FOR A FEDERAL CRIME?

**What is a federal crime?**

A federal crime is an offence against any Commonwealth law. Federal crimes include drug importation, social security and tax fraud, migration and corporation offences, people smuggling and illegal fishing.

**Have your say**

The Australian Law Reform Commission (ALRC) is reviewing sentencing laws for federal crimes. We want to hear about your experience.

If you have been sentenced for a federal crime, we want to know:

- What sentence did you receive? Did your sentence include options other than imprisonment?
- Have you had any problems about discounts on your sentence, when your sentence started, remissions for good behaviour, or your non-parole period?
- Was your sentence properly explained to you? Who did that?
- Have you been treated differently because you are a federal offender?
- Have you heard about federal offenders in the same situation as you being treated differently in other states or territories?
- How was parole decided in your case? If you have been on parole or other release, have the conditions of your release caused you any problems?
- Has any action been taken against you for breaching a condition of your sentence? What happened?
- Have you had any problems transferring to another state or territory, or overseas?

**Want to tell us what you think? Want to know more?**

Please write to us. You don't need a postage stamp if you use this address:

**Australian Law Reform Commission  
Reply Paid 3708  
Sydney NSW 2001**

If you want to keep your name and comments confidential, just write 'CONFIDENTIAL' at the top of your letter.

**We cannot provide advice or get involved in your case**

The ALRC is an independent body that provides advice on law and policy to the Australian Parliament. We don't offer legal advice or handle complaints, and we can't intervene in individual cases.

# Q & A ...continued

**Socialist Alliance:** You should be able to. In fact, there should be much more emphasis across the board on non-custodial alternatives to jail.

**Greens:** The shift to more restrictive prison regime makes that sound almost utopian! But there is no reason why for many people in prison this shouldn't be possible. We need to stop viewing imprisonment as punishment and rather a process that repairs the harm done and restores prisoners to society. Conjugal visits are an important part of that process. We must ensure imprisonment does not become a cycle that continues with family breakdown and alienation in between.

**Why is there a media gag on prisoners? Are you endeavouring to hide something from the public? (Rathdowney, QLD)**

**Greens:** The Greens see access to the media as a fundamental right to free speech that we all have. By gagging prisoners government's are not only preventing the proper scrutiny of prisoners conditions but violating your rights. Sentencing someone to prison should remove a person from open society, but should not prevent you participating in all the debates and discussions that media reporting is part of.

**Socialist Alliance:** That is exactly why there is a media gag. The politicians and the powerful interest groups they represent don't want the public to know the real story - that most people imprisoned in Australia are not "dangerous criminals", and that prisoners don't live in luxury, etc. If the general public knew the truth about Australia's prisons, they would demand change and justice, just like they demanded that the refugee detention centres be closed down when they found out the situation of the detainees in those special jails.

**Why are prisoners forced into programs that are said to be voluntary? (Rathdowney, QLD)**

**Socialist Alliance:** They should not be.

**Greens:** Often the government and institutions including prisons make claims about voluntary programs to cover practices that are just another form of punitive control. Mutual obligation programmes in social security are a another example.

**Why won't the prisons let my friends who have been released come in to teach me what to do when I get out? (Lithgow, NSW)**

**Socialist Alliance:** They should. But the system should also provide free training and education to all prisoners who want it, both during imprisonment and after their release, to help them be economically independent and survive on the outside.

**The Ombudsman either doesn't respond to my complaints, or tells me they can't deal with them. Who is going to deal with our complaints? (Lithgow, NSW)**

**Greens:** Unfortunately in many areas there is no vehicle for addressing prisoners complaints. For example, HREOC the body that is meant to protect human rights does not have jurisdiction for many prisoners. The law needs to be strengthened at a state and federal level to protect prisoners rights and we need a federal bill of rights. That's also why we need prisoner legal centres in each state and self organisation by prisoners is so important.

**Socialist Alliance:** This is why non-government campaigning organisations like Justice Action, which make meeting prisoners' needs for justice and freedom their first priority, are so important. Without such organisations, the Ombudsman and other government representatives would take even less notice of prisoners' needs.

**Why does the government want to prevent prisoners from voting this Federal election? (Lithgow, NSW)**

**Socialist Alliance:** The withdrawal of prisoners' right to vote is part and parcel of the government's whole "punishment" approach to crime, which tramples on many human rights. All prisoners, as citizens like any other, should have the right to vote in elections at every level of government.

**Greens:** Perhaps they believe prisoners would be supportive of other candidates? More broadly, like in the US, both Labor and Liberal have pushed for some time to partially or totally disenfranchise prisoners. They compete with each other to seem tough on crime and prisoners. The Greens have joined campaigns each time prisoners rights have been threatened in this way, sometimes successfully preventing this attack. Unfortunately this time we were only

able to keep the right for those people sentenced to less than three years.

**ALP:** Labor did not support the removal of the right to vote for all prisoners and opposed the Howard Government's proposal to do so. There were obvious inequities in the Government's proposal. It should also be noted that denying the right of all prisoners, irrespective of sentence would present a breach of our obligations under the United Nations International Covenant on Civil and Political Rights as well as the United Nations Universal Declaration on Human Rights, which was re-signed by the Howard Government in 1999.

**Why can't we get a choice in whether we study or work? (Lithgow, NSW)**

**Greens:** The rules seem to be different in different states. Generally The Greens would support the right of prisoners to choose whether to study or to work. Both can be an important part of learning new skills and doing time in a productive way. But often they are not useful and more about controlling prisoners time. This is bad for you and a barrier to preparing people for a new life outside.

**Socialist Alliance:** Forcing prisoners to work when they would rather study is a straightforward case of exploitation - your labour is much cheaper than workers on the outside so more profits can be made from you if you are forced to work. All prisoners should be able to choose whether to work or study at any particular time.

**When are we going to get a reasonable wage other than \$12, or \$20 a week so that we can afford toiletries and basic nutritional food on our buy-up? (Lithgow, NSW)**

**Socialist Alliance:** All prisoners should be paid award wages for the work they do. The current situation is much like slave labour.

**Greens:** People in prison should receive the award wage for whatever work they are doing regardless of the fact you are in prison. Already prisoners are being used as cheap labour by some companies and this will only get worse if we don't stand up for your rights to receive a fair wage. Equal pay for equal work is something The Greens will always support.

## The History of the Prisoner Vote

When the Australian continent was first settled, New South Wales was a dictatorship. The governor had total control. Voting was introduced under the New South Wales Act, when a Legislative Council was established.

The idea of an elected Legislative Council was raised in 1833 by Governor Bourke. He believed in a property qualification, meaning that only land owners would be eligible to vote. However, he believed in the rights of ex-prisoners (those with property). Of course, he did not consider those who were serving their sentence. His views were strongly contested by land owning, independence advocates such as William Charles Wentworth. There was debate over the level of property required. No one is reported to have advocated the right to vote for prisoners who, after all, were the majority of the colonies' population.

In 1851 the British Government intervened with the Australian Colonies Government Act. This Act reaffirmed that all men (meaning men literally) could vote if they were citizens of the British Empire, and had property worth more than one hundred pounds,

"Provided always, that no man shall be entitled to vote who has attained or been convicted of Treason, Felony or other infamous offence...unless he have (sic) received a free pardon or one conditional on not leaving the colony for such Offence, or have (sic) undergone the sentence passed on him for such Offence."

This Act of the British parliament laid the basis for the voting franchise in all the Australian colonies.

For the first sixty years of Federation, most Aboriginal people were not regarded as having the right to vote in Federal elections. Before federation, both women and Aborigines had been entitled to vote in South Australia and in order to preserve the rights of South Australian women, s.41 of the new Commonwealth Constitution provided that 'no adult person' entitled to vote at State elections should be prevented from voting at federal elections.

The Commonwealth Franchise Act 1902 (Cth) extended the federal franchise to women. A proposal to include an extension of franchise to Aborigines was put, but many in the House of Representatives argued against it. Isaac Isaacs argued Aborigines 'have not the intelligence, interest or capacity' to vote and H B Higgins, argued it was 'utterly inappropriate ...[to] ask them to exercise an intelligent vote.' The proposal was defeated and, in the end, section 4 of the 1902 Act specifically denied the voting rights of 'Aboriginal native[s] of Australia... unless so entitled under Section 41 of the Constitution'. The Commonwealth Electoral Act 1962, which commenced 18 June 1962, entitled 'Aboriginal Natives of Australia' to enrol and vote as electors of the Commonwealth.

The 1902 Act stated explicitly that there would be no voting rights for prisoners convicted of an offence for which the maximum sentence was one year's imprisonment or more. This included prisoners who were only sentenced to six months' jail when the maximum penalty was one year. In 1938 this was changed to five years. Prisoners were still deprived of voting if the maximum sentence for their offence was five years, even if they were only sentenced to three years' prison.

In 1995, the Commonwealth Electoral Act was changed to give the right to vote based on the time prisoners actually served, (their non-parole period) and not on the maximum sentence for their offence. This enabled many thousands more prisoners to vote. It was the responsibility of the Controller General of Prisons to send a list of prisoners, now allowed to vote, to the Australian Electoral Commission. They were also now obliged to make arrangements for portable voting booths to be placed in prisons. It was estimated that an extra 15,000 prisoners were now entitled to fully participate in the electoral process.

Recent legislation has taken this right away. Now only those imprisoned for less than three years have a right to vote. This is a major step backwards.

Prisoners are citizens who should fully participate in the electoral process. Although detained, prisoners are still citizens who are affected by government policy.

Prisoners also have family and friends on the outside. When they finish their sentence they will join the world outside and be affected by government policy. They should have a right to determine what sort of health; housing, social security and jobs are available on the outside.

Australia is signatory to International Covenant on Civil and Political Rights. Article 25 in combination with Article 2 provides that every citizen has the right to vote. Many countries throughout the world give prisoners full voting rights or exempt only those charged with treason. It is time that Australia adhered to in practice, the international covenants which we have signed.

## First Prisoners' Newspaper!

news - essays - commentary - poems - complaints - short stories - letters - opinion - tips for first timers.

**Are you an Australian prisoner with something on your mind? Can you put it down on paper in 1000 words or less?**

**Announcing the first Australia wide paper by prisoners for prisoners, and people who are interested in issues of law and justice.**

**Australian prisoners' stories began with the first fleet and the penal colony. From then, and into the future, prison, and the use of punishment affects everyone in our democracy.**

**Who's producing it?**

*Editorial and production assistance will come from a coalition of independent community groups and individuals including The Australian Prisoners' Union, Prisoners' Action Group, and Justice Action. It will be funded by advertising, supporters and no government funding!*

**When is it coming out?**

*Send us your stories and we will contact you. We hope to have the first issue out before Christmas.*

**What's the name?**

*We want your suggestions. Here's list of suggestions so far: Just Us Barred Inside Voice Shitizen Inside Time Klink Link Citizens Inside 'ERE The Key*

*Send your writing to The Prisoners Paper, PO Box 386, Broadway, NSW 2007.*