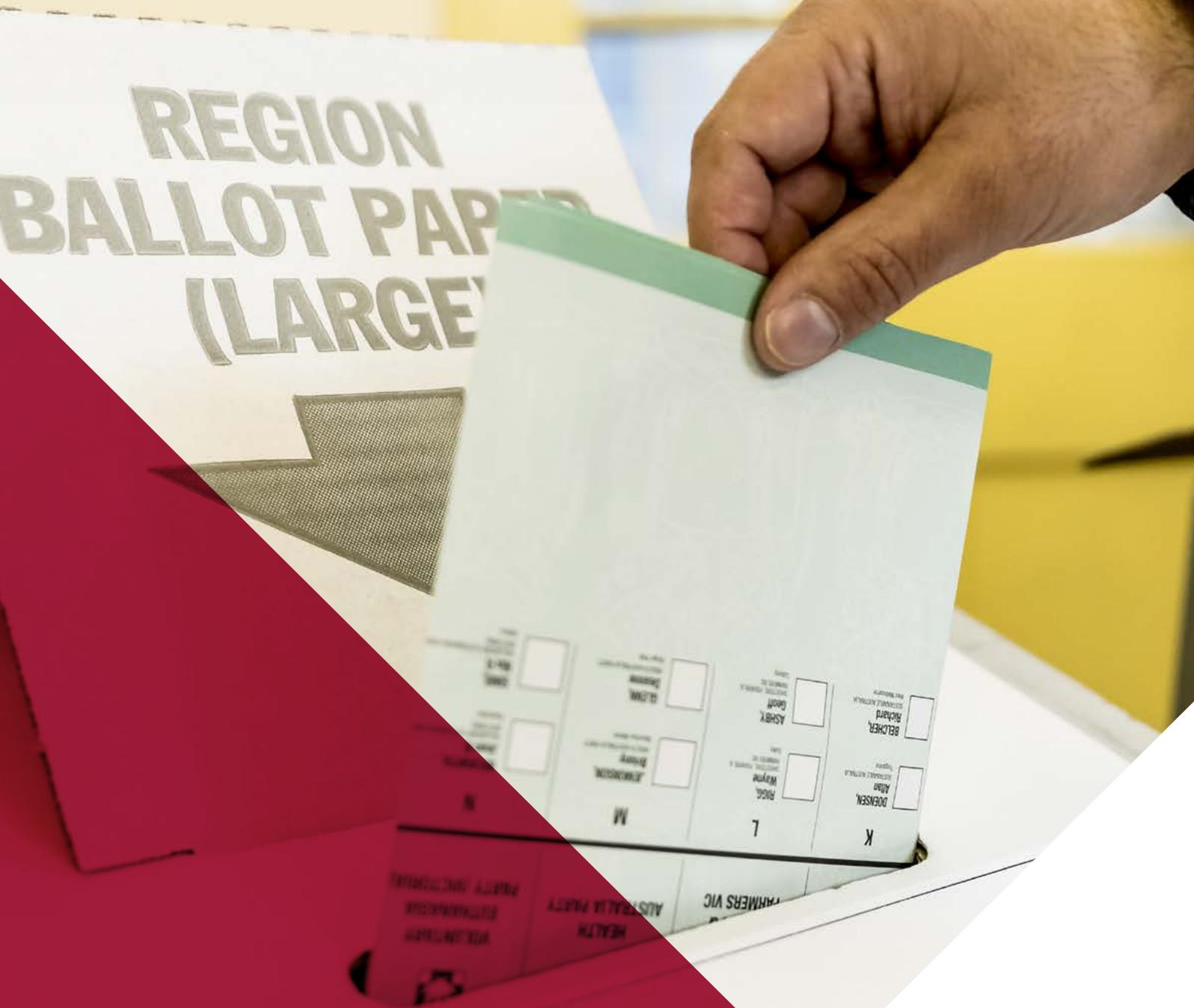


# Voting – a guide for Victorian prisons

September 2022



*The Victorian Electoral Commission (VEC) pays respect to Victoria's Traditional Owners and their elders past, present and emerging, who have been custodians of this country for many thousands of years. Their living culture and their role in the life of Victoria is acknowledged by the VEC.*

## Introduction

This guide provides people in the Victorian prison system with clear, up-to-date information about their right to enrol and vote in local council, State and Federal elections.

It is for people in prison or on remand, but may also be used as an information source by:

- peer listeners in prison
- corrections officers
- prison support workers
- family members/friends of people in prison.

### What is in the guide?

- frequently asked questions about enrolling and voting
- directions on how to fill out the prisoner enrolment form
- links to more information.

### Who made the guide?

This guide has been produced by the Victorian Electoral Commission (VEC).

The VEC is responsible for:

- running local council and State elections
- looking after the electoral roll
- promoting public awareness of elections across Victoria
- conducting research
- administering and enforcing Victoria's political funding and donation disclosure laws.

# Frequently asked questions

## Can prisoners vote?

Yes, depending on your sentence length and the type of election.

You have a right to vote if you are:

- an Australian citizen and or a British subject who was on a Commonwealth electoral roll on 25 January 1984<sup>1</sup>
- aged 18 years or over *and*
- on the electoral roll *and*
- meet the following requirements:

### On remand?

You have a right to vote in Federal, State, and local council elections.

### Serving a sentence in prison?

Sentence length (top sentence) ▶	Under 3 years	3-5 years	5 years or more
Which election can I vote in? ▼			
Victorian local council elections	Yes	Yes**	No
Victorian State elections	Yes	Yes**	No
Federal elections	Yes*	No	No

\* If your sentence is less than **3** years **excluding** parole.

\*\* If your sentence is less than **5** years **including** parole.

### On parole or home detention?

Federal elections	Yes, you can vote. It doesn't matter how long your sentence is.
Victorian State and local council elections	You can vote if your 'top sentence' (including parole) is less than 5 years.

1 For Victorian electors only, you are eligible to enrol and vote if you were a British subject enrolled between 26 October 1983 and 25 January 1984 inclusive.

## What if I am serving more than 5 years (top sentence)?

If your top sentence is 5 years or more, we receive advice from Corrections Victoria and must remove you from the electoral roll (if you are on it). Upon your release you must re-enrol because if you are not on the electoral roll you are unable to vote.

**Important: If you are a former prisoner, you have the same voting rights and responsibilities as other people, regardless of the time you served.**

## Why is it important to vote?

Enrolling and voting is both a right and a responsibility. Voting enables every voter to have a voice and choose representatives/parties that best reflect their personal views. Every vote has the same value, regardless of income, ability, social status, or personal situation.

## Do I have to enrol and vote?

You are strongly encouraged to exercise your right to vote. However, if you do not vote and can show that you were in custody at the time of an election, you will be excused for not voting.

## You should enrol to vote if you:

- are an Australian citizen and or a British subject who was on a Commonwealth electoral roll on 25 January 1984<sup>2</sup>
- are 18 years or older
- **and**
- have lived in Victoria for longer than a month.

**Note: If you've been eligible to enrol but haven't yet, you will not be fined for not voting in past elections.**



2 For Victorian voters only, you are eligible to enrol and vote if you were a British subject enrolled between 26 October 1983 and 25 January 1984 inclusive.

## I am not enrolled. How do I enrol to vote?

If you are in prison, please complete a prisoner enrolment form. You only need to enrol once to be able to vote in local council, State and Federal elections. Do this as soon as you can. Don't wait for an election to be called as elections or by-elections can happen at any time.

You can request a prisoner enrolment form by contacting us at the Victorian Electoral Commission (VEC):

Phone: 1300 805 478

Email: [info@vec.vic.gov.au](mailto:info@vec.vic.gov.au)

Post: Reply Paid 66506,  
Melbourne VIC 8001  
(no stamp required)

Or you can ask a corrections officer or support worker to download the form from [vec.vic.gov.au](http://vec.vic.gov.au)

**Important note:** If you tick YES on the 'General Postal Voter' question on the prisoner enrolment form, you will automatically receive a postal ballot pack for each election while you are in prison. Voters registered as General Postal Voters do not need to apply for a postal vote at each election.

## I was already enrolled before entering prison –do I need to do anything?

It's a good idea to let us know that you will be temporarily absent from your enrolled address (if longer than one month). Contact us on the details above if you are unsure of your enrolment status or want to receive a postal vote while in prison.

## Do I need proof of ID to enrol?

You need the **number** (not the actual document) from your driver licence or Australian passport as proof of identification to enrol. If you don't have - or can't get access to - one of these documents, you will need to ask someone who is already on the Commonwealth or State electoral roll to verify your identity and sign the form. See the 'How to fill out the prisoner enrolment form' section on page 7 for more information.

## Will I be fined if I have never enrolled to vote?

No. If you enrol to vote and have never enrolled before, you will not be fined.

## I'm concerned about my details appearing on the electoral roll

If you believe that having your address on the electoral roll puts you or any member of your family at risk, then you can request to become a silent elector. You will need to fill out a 'silent elector' form in addition to your enrolment form. If approved, only your name will appear on the electoral roll; your address will not be shown and will not be passed on to any other person or organisation that accesses the electoral roll.

If you have family enrolled at your address with the same family name, we strongly recommend that they also request to become silent electors.

Becoming a silent elector will not apply to previous copies of the roll.

## Who has access to my personal information once I enrol to vote?

The public electoral roll, containing the names and addresses of people eligible to vote, is available for viewing at our VEC office and at any Australian Electoral Commission office. Silent elector details are not included on the public version of the electoral roll.

Further information on who has access to your enrolment information is provided on the prisoner enrolment form.

## How do I vote while I'm in prison?

Prior to State elections, Corrections Victoria is contacted and offered onsite voting with VEC staff during the early voting period – this is called mobile voting. The VEC provides posters for display at all prisons that have booked a mobile voting visit to advise the date/time of voting. Please check directly with corrections officers to confirm if mobile voting will be happening at your prison.

Alternatively, you can apply to vote by post. Before an election, ask a corrections officer or support worker to request a hard copy postal vote form from the VEC (local council or State elections) or Australian Electoral Commission (AEC) (Federal elections). Once you have returned the form, a ballot pack will be posted to you. Make sure you return your ballot pack before the close of voting.

**Note: Postal vote forms are only available for a few weeks leading up to the election. In some cases there is less than a week to mail out your ballot paper and return it before voting closes.**

## Is my vote secret?

Yes. You will be provided with a space where you can vote in privacy, while under appropriate staff supervision. If you need help to fill in your ballot paper, you can ask an election official (if available), a corrections officer, or another prisoner to help you.

Your vote is your decision. While it is good to have discussions about the different policies of each candidate or party, prison staff and other prisoners should not influence your vote.

If you are voting by post, prison staff are not allowed to open or edit ballot materials as they are classed as 'exempt mail'.

## How do I find information about who to vote for?

To make the most of your vote, it is a good idea to decide who you would like to vote for before you complete your ballot paper. Before an election you can ask prison staff, a family member, friend or support worker to find out which candidates are running in your voting district. They can do this by checking [vec.vic.gov.au](http://vec.vic.gov.au) (local council and State elections) and [aec.gov.au](http://aec.gov.au) (Federal elections).

You can generally find out about the policies of most of the major political parties in newspapers or on television news, but there may also be independent candidates running in your voting district.

3 For Victorian voters only, you are eligible to enrol and vote if you were a British subject enrolled between 26 October 1983 and 25 January 1984 inclusive.

## When are elections held?

**All local councils across Victoria** Every 4 years in October. These elections are postal only elections.

**Victorian State election** Last Saturday of November every 4 years.

**Federal election** About every 3 years. There is no fixed date.

**Local council, state, or federal by-elections** A by-election happens when elected representatives leave office during their term. A by-election can happen at any time.

## There was an election while I was in custody and I was unable to vote

If you are on the electoral roll and were unable to vote while in custody, you may receive a letter from the VEC or AEC asking why you didn't vote. Please respond to this letter with details of when and where you were in custody, as this is a valid reason for not voting. If you don't reply, you may receive a fine.

## I'm on remand and there's an election. What do I do?

If you are on remand and an Australian citizen or eligible British subject<sup>3</sup> aged 18 years or over, you have the same voting rights and responsibilities as other people.

To ensure you can use your right to vote please update your details before the roll closes for the election. Once you are on the roll, you need to vote in the election or provide a reason for why you could not vote. The VEC offers mobile voting to the Metropolitan Remand Centre so ask prison staff for details.

## Do I need to re-enrol once I'm released?

Once you're released you might need to update your enrolment details. Check your details online at [vec.vic.gov.au](http://vec.vic.gov.au) or contact us:

Phone: 1300 805 478

Email: [info@vec.vic.gov.au](mailto:info@vec.vic.gov.au)

Post: Reply Paid 66506,  
Melbourne VIC 8001  
(no stamp required).

If you need to re-enrol, you can do so online at [aec.gov.au](http://aec.gov.au)

Remember, once you've completed your sentence:

- If you are an Australian citizen or eligible British subject<sup>4</sup> aged 18 years or over, it is compulsory to enrol and vote. You have the same voting rights and responsibilities as other people, regardless of the time you've served.
- If you don't have access to secure housing, you can enrol to vote using a 'No Fixed Address' enrolment form.

<sup>4</sup> For Victorian voters only, you are eligible to enrol and vote if you were a British subject enrolled between 26 October 1983 and 25 January 1984 inclusive.

# How to fill out the prisoner enrolment form

## Who should fill out this form?

People in prison who are not already enrolled - and are Australian citizens or eligible British subjects aged 18 years or over - should complete this form. If the address you use for enrolment is outside of Victoria, you will need to get a prisoner enrolment form for your home State or Territory.

### Enrol to vote or update your details as a prisoner in Victoria



#### Who can use this form?

You can use this form to enrol if you are:

- 18 years of age or older, and
- an Australian citizen or a British subject who was on a Commonwealth roll on 25 January 1984\*, and
- serving a full-time prison sentence.

\* For Victorian electors only, you are eligible to enrol and vote if you were a British subject enrolled between 26 October 1983 and 25 January 1984 inclusive.

^To enrol on the Commonwealth electoral roll, the person confirming your identity must be on the Commonwealth electoral roll.

If you were already enrolled when you started serving your sentence, by completing this form you are advising us that you are absent from your enrolled address and will not be removed from the roll while you are in prison.

**Note:** You are not eligible to enrol or remain on the roll for Victorian state elections if you are serving a prison sentence of five years or more. You are required to enrol to vote once your sentence has finished.

You can check whether you are currently enrolled on the AEC website at [www.aec.gov.au](http://www.aec.gov.au) or call **13 23 26**.

#### Is it compulsory to enrol and vote?

Yes, if you are 18 or older it is compulsory to enrol and vote for federal and state elections and referendums. However, you can only vote in federal elections if you are serving a full-time prison sentence of **less** than three years.

It is compulsory to enrol and vote in Victorian state elections if you are serving a prison sentence of less than five years.

#### In which division/electorate can you enrol?

For federal elections, you must enrol for the address where:

- A** you were last eligible to be enrolled (this will generally be the place where you last lived for at least one month), or
- B** one of your next of kin is currently enrolled if you have not previously been eligible to enrol, or
- C** you were born, if neither of the above apply, or
- D** you have the closest connection if none of the above apply.

For Victorian state elections you can only be enrolled for the address where you were living at the time of your conviction.

Within three weeks of receiving your enrolment form the AEC will confirm your enrolment. We may seek further information from you and confirm your enrolment using any of the contact details you provide.

#### What are your voting options?

You can register as a general postal voter to have ballot papers automatically sent to you when a federal or Victorian state election or referendum is called. You can register by crossing the "Yes" box at question 7.

If you do not register as a general postal voter a mobile polling team may visit your prison or you will need to apply for a postal vote for the relevant election.

#### What happens when you are released?

After your release you must complete a new enrolment form to advise us of your new address so that we can update the electoral roll. You can get an enrolment form at any Australia Post outlet or at [www.aec.gov.au](http://www.aec.gov.au)



Victorian Electoral Commission **VEC**

#### Who has access to your enrolment information?

##### The Commonwealth of Australia

The Australian Electoral Commission (AEC) is authorised under the *Commonwealth Electoral Act 1918* (CEA) to collect and verify the information you have been asked to complete on this form. The information provided will assist the AEC to maintain electoral rolls.

The AEC may disclose electoral information to persons or organisations in accordance with the CEA. This may include:

- access to the publicly available electoral roll (containing names and addresses) which may be inspected at electoral offices
- state and territory electoral authorities
- Members of Parliament, Senators, registered political parties, and candidates for the House of Representatives
- approved medical research and public health screening programs
- any agencies, persons or organisations prescribed in the *Electoral and Referendum Regulation 2016*.

For more information on privacy, visit [www.privacy.gov.au](http://www.privacy.gov.au)

##### The State of Victoria

The Victorian Electoral Commission (VEC) is authorised under the *Electoral Act 2002* (Vic) to collect and verify the information you have been asked to complete on this form. The information provided will assist the VEC to maintain the Register of Electors and to prepare electoral rolls for Victorian State and local government elections.

You can apply for access to the information that the VEC holds about you by contacting the VEC. Please view the privacy information at [www.vec.vic.gov.au/PrivacyAtTheVEC.html](http://www.vec.vic.gov.au/PrivacyAtTheVEC.html) Electoral rolls may be inspected at the office of the VEC during business hours. Address details for silent electors will be withheld from publication. The VEC may disclose electoral information to others in accordance with Victorian law. This may include:

- the AEC, other state government bodies (including law enforcement), and local councils
- Members of Parliament, registered political parties and candidates for Victorian State and local government elections
- persons or organisations that apply, and are approved, to access enrolment information for a permitted purpose, which is determined by the VEC in consultation with the Office of the Victorian Information Commissioner as a purpose that justifies the disclosure. The current list of persons or organisations in this category is published at [www.vec.vic.gov.au](http://www.vec.vic.gov.au)

#### For more information

Australian Electoral Commission  
[www.aec.gov.au](http://www.aec.gov.au) or **13 23 26**

Victorian Electoral Commission  
[www.vec.vic.gov.au](http://www.vec.vic.gov.au) or **1300 805 478**

#### Returning your form

**Post** Australian Electoral Commission  
Reply paid 9867  
MELBOURNE VIC 3001  
(No stamp is needed if posted in Australia)

**Fax** 02 6293 7604

**Upload** Upload your scanned signed form at [www.aec.gov.au/return](http://www.aec.gov.au/return)

## How to fill out the prisoner enrolment form

### Question 3: Which option do I choose?

Your enrolment is always linked to an address. This is so that the correct ballot papers are provided to you at election time. This question helps us work out which address to use. Choose the first statement that applies to you. Write the address in Question 4.

#### A – Where I was last eligible to be enrolled:

This is the last place you lived for one month or more.

#### B – Where one of my next of kin is currently enrolled:

Use this option if you've never been eligible to enrol to vote, for example because you were too young.

#### C – Where I was born:

Use C if neither A nor B apply. Put as much detail as possible, not just the suburb or town.

#### D – Where I have the closest connection:

if none of the above applies, use the address of a friend or relative, or other place to which you have a connection.



## Enrol to vote or update your details as a prisoner in Victoria



Instructions

Office use only – Date received: 12      Notation: CATS **C**      NN

Approved     Not approved     Signature: \_\_\_\_\_    Title: \_\_\_\_\_    Date: / /

**1 Your current name**      Mr     Mrs     Miss     Ms     Other

If completing by hand use a  where appropriate. Use black or blue pen and BLOCK LETTERS

Family name:

Given name(s):

*If notifying a change of name*

Previous family name:

Previous given name(s):

**2 Date of birth** (dd/mm/yyyy)                 Gender

**3 I am serving a full-time sentence of imprisonment and I am applying to enrol for federal and Victorian state elections at the address where:**

Please select the FIRST statement that applies to you and show the relevant address below

**A**  I was last eligible to be enrolled

**B**  one of my next of kin is currently enrolled, as I have not previously been eligible to enrol

Full name of next of kin:

**C**  I was born, as neither A nor B applies

**D**  I have the closest connection, as none of the above statements apply

**4 The address where I am claiming enrolment is:**

Clearly identify this address. A locality name or mail service number is not enough

State      Postcode

**5 Are you eligible for state enrolment because your sentence is less than five years?**

Yes  My address at the time of my conviction was:

State      Postcode

No

**6 Current postal address**

State      Postcode

**7 Do you wish to register as a general postal voter for federal and state elections?**

Yes  Your ballot papers will be sent to your postal address whenever a federal or Victorian state election is held.

No  You may have access to a mobile polling team or you can apply for a postal vote.

### Question 5: Your address for the State electoral roll

The address requirements for State and Federal enrolment are different. If you are serving a sentence of less than 5 years, tell us what your home address was when you were convicted. This would be your home address where you last lived for at least one month at the time of conviction. This address cannot be the remand centre.

### Question 6: Your postal address

Use the prison address as your postal address.

### Question 7: Register as a general postal voter

If you register YES as a general postal voter, you will always receive ballot papers to vote by post and you won't have to apply every time for a postal vote.

**Question 8: Citizenship status**

If you were born overseas and don't have access to your citizenship number, leave this blank but print your name exactly as it appears on your citizenship certificate.

**Question 9: Do you need ID to enrol?**

If you don't have identification, another person who is already on the electoral roll can verify your identity. **If they include their full name, enrolled address and date of birth, they can be identified on the electoral roll.**

A prison staff member can write just their name and AEC reference number (**and not include their address and date of birth**) in the section confirming the person's identity.

Prison staff can call the Enrolment Helpline number (1300 805 478) to request their AEC reference number.

Prison staff then enter their name, their AEC reference number, and the words **prison enrolment** into this section. They still need to sign and date the section.

**Section 10: Your declaration**

Make sure you sign the form. If you are unable to sign your name, get a witness to sign the box underneath. This can be the same person as in question 9 who knows your identity.

<p><b>8 Citizenship status</b></p> <p>To enrol you must be an Australian citizen, or a British subject who was on the Commonwealth electoral roll on 25 January 1984</p> <p>For Victorian electors only, if you were a British subject enrolled between 26 October 1983 and 25 January 1984 inclusive</p>	<p><input type="checkbox"/> <b>Australian citizen by birth</b> Town of birth <input type="text"/> State or territory <input type="text"/></p> <p><i>or</i></p> <p><input type="checkbox"/> <b>I have become an Australian citizen</b> Citizenship certificate number <input type="text"/></p> <p>Country of birth <input type="text"/></p> <p>Name on citizenship certificate <input type="text"/></p> <p><i>or</i></p> <p><input type="checkbox"/> <b>British subject who was enrolled on 25 January 1984</b></p> <p>Name on 25 January 1984 <input type="text"/></p> <p>Country of birth <input type="text"/></p>
<p><b>9 Evidence of your identity</b></p> <p>Confirm your identity using one of these three options</p>	<p><input type="checkbox"/> <b>Australian driver's licence</b> Number <input type="text"/> State or territory <input type="text"/></p> <p><i>or</i></p> <p><input type="checkbox"/> <b>Australian passport</b> Number <input type="text"/></p> <p><i>or</i></p> <p><input type="checkbox"/> <b>A person who is on the Commonwealth electoral roll or Victorian Register of Electors^ will confirm my identity</b></p> <ul style="list-style-type: none"> <li>• I am on the Commonwealth electoral roll or Victorian Register of Electors, and</li> <li>• I confirm the identity of the applicant.</li> </ul> <p>Signature <input type="text"/></p> <p>Name and address (BLOCK LETTERS) <input type="text"/></p> <p>Date of birth (dd/mm/yyyy) <input type="text"/></p>
<p><b>10 Your declaration</b></p> <ul style="list-style-type: none"> <li>• I am eligible to enrol at the addresses provided at questions 4 and 5</li> <li>• The information I have given on this form is true and complete, and</li> <li>• I understand that giving false or misleading information is a serious offence.</li> </ul>	<p><b>Your signature or mark</b> <input type="text"/></p> <p><small>Please print and sign your form before returning it to the AEC</small></p> <p><b>NOTE:</b> If the elector makes a mark because they are unable to sign their name, they must have a witness sign below.</p> <p><small>Witness must sign, if elector is unable to sign their name, before returning it to the AEC.</small></p>
<p>Returning your form – see information page for instructions</p> <p><input type="button" value="Print"/> <input type="button" value="Clear"/></p>	

# More information



## Easy English guides

The VEC produces Easy English guides for local and State elections prior to each election. These are available online from [vec.vic.gov.au](http://vec.vic.gov.au) or can be requested by calling 131 832.



## Corrections Victoria: Commissioner's Guidelines for Voting

These guidelines outline how prisons should provide prisoners with access to electoral materials and voting facilities. Any prisoner can ask to read these guidelines.



## Prisoner enrolment forms

Request more forms by contacting the VEC

Phone: 1300 805 478

Email: [info@vec.vic.gov.au](mailto:info@vec.vic.gov.au)

Post: Reply Paid 66506,  
Melbourne VIC 8001  
(no stamp required).

Or ask a corrections officer or support worker to download the form from [vec.vic.gov.au](http://vec.vic.gov.au)



## Information in additional languages

Call the Victorian Electoral Commission on 03 9209 0112.



## National Relay Service

Call 133 677 and ask for 03 8620 1100.

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