

Results of Public Consultation on Prisoners' Voting Right and Proposed Way Forward

The Government today (April 9) announced the results of the public consultation on prisoners' voting right and the proposed way forward in the light of the views received in the consultation exercise.

Amongst the submissions received, most of them called for removal of the existing disqualification of prisoners from being registered as electors. A majority of the opinions from the public forums also supported removing this disqualification.

As regards the policy options on prisoners' voting right, 49% of the submissions supported allowing prisoners to vote irrespective of their length of sentence. Another 24% supported removing the disqualification of both prisoners and persons convicted of election-related or bribery offences from voting. Only 4% supported disqualifying prisoners based on the length of sentence.

The result of the opinion survey indicates that around 57% of the interviewees supported allowing prisoners to vote irrespective of their length of sentence. Only 34% of them did not support allowing all prisoners to have the right to vote.

A spokesman for the Constitutional and Mainland Affairs Bureau said, "Having regard to the results of the consultation exercise, we propose to remove the existing disqualification of prisoners from being registered as electors and from voting."

There were different views on whether the existing disqualification of persons convicted of election-related or bribery offences should remain. While a high proportion of respondents of the opinion survey supported maintaining the existing restriction, a considerable number of submissions received called for removal of such restriction. The key rationale in support is that the right to vote is a fundamental political right enjoyed by every person. As such convicted persons are already penalised for their

offences by serving their sentences of imprisonment, it is unfair to impose additional penalty on them by depriving their voting right.

“Taking into account the views received during the consultation and that many overseas countries have no restrictions on prisoners’ voting right, we propose to remove the existing disqualification of persons convicted of election-related or bribery offences from voting and from registration as electors.”

The results of the consultation exercise have indicated the public’s general support of the voting arrangements for prisoners and remanded unconvicted persons proposed in the consultation document, including the registration address of prisoners for voter registration purpose, the access of election-related materials and the arrangements for voting and for counting of votes. The Electoral Affairs Commission will work out the details of these arrangements with the law enforcement agencies.

“The Legislative Council Panel on Constitutional Affairs will be briefed on the results of the consultation exercise and the proposed way forward at its meeting on 20 April. We plan to introduce into the LegCo an amendment bill within the 2008/09 legislative session to amend the relevant disqualification provisions,” the spokesman said.

The six-week public consultation exercise ended on 23 March. During the consultation period, a total of 70 submissions were received. The Administration also held two public forums and met with organisations interested in this issue to gather their views. An opinion poll was also conducted to further gauge the public’s views.

The report on the results of the consultation can be obtained at the Public Enquiry Service Centers of the Home Affairs Department, or downloaded from the website of the Constitutional and Mainland Affairs Bureau.

Ends/Thursday, April 9, 2009