



## Media release

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# Group of 75 organisations and experts call for reform to laws that stop people with disability from voting

This Saturday, most adult Australians will vote in the Federal Election. However, there is a whole section of our community who can be removed from the electoral roll and disallowed from having their say: people with “cognitive disabilities.”

In an [open letter](#)\* to the Prime Minister and Leader of the Opposition a coalition of 75 organisations and experts are calling for long overdue action to protect the right of people with disability to vote in line with Australia’s international human rights law obligations and longstanding recommendations for reform.

Archaic and offensive provisions in section 93(8)(a) and 118(4) of the *Commonwealth Electoral Act 1918* continue to disproportionately prevent some Australians with cognitive impairments from exercising this most fundamental democratic freedom. Between 2008-2012, more than 28,000 people were removed from the electoral roll due to “unsound mind” provisions.

In November 2023 the [Final Report](#) of the Joint Standing Committee on Electoral Matters (**JEC**) *Inquiry into the Conduct of the 2022 Federal Election and Other Matters* recommended the repeal of these provisions before the next election. More than a decade ago, in 2014, the Australian Law Reform Commission (**ALRC**) also [recommended](#) repeal. Successive Australian Governments have failed to fully implement these recommendations, leaving Australians with disability disenfranchised.

While the recent *Electoral Legislation Amendment (Electoral Reform) Act 2025 (Cth)* replaced the archaic and offensive term “unsound mind” with the words “cognitive impairment,” the coalition say that this reform does not go far enough as it still uses terminology that aligns with the outdated medical model of disability and does not focus on a person’s decision-making ability to enrol and vote in an election.

### **Australian Lawyers for Human Rights (ALHR) Co-Chair of Disability Rights, Giancarlo de Vera said:**

“Casting a vote and having your say on who governs our country is a fundamental constitutional right, an internationally-protected human right and a hallmark of democracy. The current law is inconsistent with Australia’s international obligations under the *United Nations Convention on the Rights of Persons with Disabilities* which states that people with disability must be afforded the right and opportunity to vote on an equal basis with others.

We call on all major parties to publicly commit to urgent law reform during the next term of government to implement the JEC and ALRC recommendations regarding section 93(8). We all deserve to have our say and it’s time to ensure that adequate measures are put in place to support people with disability to access whatever support is required so people with disability can enrol and vote in every election.”

### **Darryl Steff, CEO of Down Syndrome Australia (DSA) said:**

“It is extremely disappointing that despite significant advocacy from DSA and others in the disability sector these discriminatory laws are still in place. Every Australian should have the right to have their say in the election. “

### **Catherine McAlpine CEO of Inclusion Australia said:**

“People with an intellectual disability should have a say about the future of Australia but are routinely denied the right to vote in elections. We want that to change now with urgent law reform to restore their democratic rights, including consideration of supported decision-making.”

**Trinity Ford, President, People with Disability Australia said:**

"Stripping people with disability of their right to vote is a human rights violation, plain and simple. Outdated laws denying us a voice in our democracy must be changed. We demand action now to ensure we are heard, counted and have a say in the future of our country."

**Ross Joyce, CEO, Australian Federation of Disability Organisations (AFDO) said:**

"The right to vote is fundamental in a democracy, yet current laws still deny this to some people with disability. AFDO urges immediate reform to repeal these discriminatory provisions and align Australia's laws with our human rights obligations under the CRPD. Every Australian with disability deserves equal opportunity to participate in our elections — with dignity, support, and respect."

**Skye Kakoschke-Moore, CEO, Children and Young People with Disability Australia, said:**

"Voting for the first time is a milestone every young Australian should be able to look forward to. Yet many young people with disability are still denied that right because of an outdated and exclusionary Electoral Act. This election is the time for political leaders to step up, commit to repeal the Act's discriminatory provisions, and make sure all young people can have a direct say in their future."

**Professor Amy Maguire, Centre for Law and Social Justice, University of Newcastle said:**

"Australia has made progress in recent years to protect and promote the rights of people with disability, including through the establishment of the NDIS. Ensuring the right of people with disability to vote would be another important step towards fair and equitable treatment for people with disability in Australian society."

**Professor Keith R. McVilly, University of Melbourne, said:**

"Our research reveals people with intellectual disability are interested in politics and want to have a say about who represents them in parliament - they want to vote."

**Sarah Schwartz, Human Rights Law Centre Legal Director, said:**

"People with disability often face huge accessibility barriers when it comes to voting. This includes the polling booth itself not being accessible, to not having access to technology assisted voting. It also includes not being provided with the materials they need in an accessible format. Democracy only works if we are all included."

**Sarah Mark Mason CEO, Speak Out Advocacy Tasmania said:**

"People with intellectual disability should have the same rights as all Australians. In not addressing this Governments are not taking the UN Convention on the Rights of Persons with Disabilities seriously, particularly article 29 'the right to be part of political life'."

**Darren Munday - CEO, Consumers of Mental Health WA:**

"When other democratic countries are seeking to exclude their citizens from voting, Australia can further cement our standing as an exemplar democracy by upholding the rights of people with a disability to vote."

**Dr Robin Banks, University of Tasmania, said:**

"Australia's long and positive history of leading voting rights reform is undermined by the continuing failure to ensure the universal franchise is truly universal by ensuring the right to a secret ballot for people with disability."

**Dr Kitty-Rose Foley, said:**

"We must move on from these archaic laws which are discriminating against people with disability. The system must protect the human rights of people with disability, not violate them."

**Paul Pritchard, said:**

"Everybody has the right to engage in the democratic process."

**CERO - Disability Voices Tasmania, said:**

"Disability Voices Tasmania has long advocated for the needs and rights of disabled people to vote. Voting must be inclusive and accessible to all Australians - it is an obligation shared by all."

**Jonathan Harms, CEO, Mental Health Carers NSW said:**

“Every Australian deserves the right to vote!”

**Jenny Karavolos, Co-chair , Australian Autism Alliance, said:**

“Achieving equality for all Australians is long overdue.”

**Media Contact:**

**ALHR Media Manager, Batley Broom, 0488280796 [bb@jcp.com.au](mailto:bb@jcp.com.au)**

**Down Syndrome Australia Media: Alyssa Shaw: 0414 792540 [alyssa.shaw@downsyndrome.org.au](mailto:alyssa.shaw@downsyndrome.org.au)**

\* Read the open letter [here](#) and [Easy Read here](#)