

ELECTORAL MATTERS COMMITTEE

Inquiry into the conduct of the 2006 Victorian state election and matters related thereto

Melbourne—29 August 2007

Members

Mr A. Somyurek
Hon C. Campbell
Mr R. Scott

Mr M. O'Brien
Mr P. Hall
Mr M. Thompson

Chair: Mr A. Somyurek
Deputy Chair: Mr M. O'Brien

Staff

Executive Officer: Mr M. Roberts
Research Officer: Dr N Wray

Witnesses

Ms L. Kokocinski, Executive Director, Action on Disabilities
within Ethnic Communities.

The CHAIR—Welcome to the public hearings of the Electoral Matters Committee inquiry into the 2006 Victorian state election and matters that relate thereto. All evidence taken at this hearing is protected by parliamentary privilege as provided by the Constitution Act 1975 and further subject to the provisions of the Parliamentary Committees Act 2003, the Defamation Act 2005 and where applicable the provisions or reciprocal legislation in other Australian states and territories. I wish to advise witnesses that any comments you make outside the hearings may not be afforded such privilege. I take it that you have read the pamphlet on a guide to giving evidence at public hearings. For the benefit of Hansard, can you please state your full name and address.

Ms KOKOCINSKI—My name is Licia Kokocinski and I am the executive director of [ADEC] which is Action on Disability within Ethnic Communities. ADEC's address, and I am here on behalf of the organisation and its constituency, the address is 175 Plenty Road, Preston.

The CHAIR—You sort of answered the next question, but please state if you are attending in a private capacity or representing an organisation. If representing an organisation, what is your position in the organisation is.

Ms KOKOCINSKI—I am executive director of ADEC and I am here on behalf of the organisation and its constituency.

The CHAIR—Your position?

Ms KOKOCINSKI—Executive director.

The CHAIR—Sorry, you mentioned that. Your evidence will be taken down and become public in due course. I now invite you to make a verbal submission. The committee will ask questions after your submission.

Ms KOKOCINSKI—Thank you very much, Mr Somyurek, and thank you for the invitation to attend to make a submission in front of this hearing. A little bit about ADEC first of all, I am not too sure if everybody here is familiar. I know some of you may be familiar with ADEC. ADEC is Action on Disability within Ethnic Communities. We are a disability support group and we only work with people with disabilities from different ethnic backgrounds. We also work with carers and families. But part of our role is not only advocacy but also systemic advocacy and working on the big picture items as it effects the constituency. ADEC works with about 40 to 50 different language groups a year. We currently have a case load, consumer load of about 600 clients. We would still be considered a small organisation. We have a budget of about \$1.3 million. ADEC employs 30 staff and that is about the equivalent of 20 full-time staff. We are still considered a small organisation and we are a statewide organisation. It is basically about support for people with disabilities from different background and we undertake individual and systemic advocacy and a range of other programs.

I was very interested to receive the invitation to come and talk to this hearing. Some of the issues that have come about from discussions with some of our consumers and our staff—I will go through some of the issues that have arisen from the last state election. One of my staff who voted in the western suburbs—both have disabilities and both have electric wheelchairs—she said they had to wait outside for the staff to come to them because they could not enter the premises. The issue here is about access to polling booths. As I said, both use electric wheelchairs and they are very heavy and cannot be very easily lifted. Originally staff apparently said they would carry the chairs up the steps but they were too heavy. They had to wait for staff to become available to come down to them and take their votes. They had to vote outside the venue. As it would be, it was cold, rainy and windy. This is the last state

election. One of the issues that does arise, from our knowledge, is the accessibility of polling booths. On behalf of the type of constituency I was also on a working party from—I cannot remember whether it was the Victorian Electoral Commission or the Commonwealth but there has already been a fair bit of work done on disability accessibility on existing polling booths. I could not put my hands on it but—

Ms CAMPBELL—The VEC has the state disability plan.

Ms KOKOCINSKI—The VEC, yes. They probably should have in that state disability plan, you can access, you can find out from them a computer printout or a list, Excel spreadsheet, of all of their polling booths in Victoria and the disability accessibility rating and I think you will find that only about half of them are disability accessible; that is physically disability accessible. From ADEC's point of view that really has to be a priority, otherwise if there is not the intent to deal with that as a priority then I think other alternatives to assist people to vote certainly have to be explored. Some of the issues that I am going to talk about really relate to language issues that the constituencies at ADEC have to deal with. Three-quarters of the clients at ADEC need interpreters and support to navigate the English language, as well as English style systems. If that is our constituency, I would imagine—and this was confirmed by the discussions that I have had since receiving this invitation—it is compounded when people go out to vote.

One of the issues at ADEC is that many of our consumers are illiterate in their own language so voting is a very difficult process. What we found and what has been reported back to me by our facilitators is that many people will go with their family members and they will say, 'I will help you vote,' and they will just vote according to how the family member tells them, rather than how they really believe they want to vote. There is an issue here about whether they are voting in the way they want to vote or whether they are voting because they have been advised by family members. I am not suggesting for one minute that there is anything underhanded or perverse, it is just that people are confused and not too sure about—well, they cannot read English to begin with.

One of the other things that also came from my staff—and I have some more things about the Chinese-speaking communities—that many recent arrivals say they have been here less than 10 years and they simply tick the box because they think this is enough and they do not understand that when this happens their votes are invalid. In many other countries, ticking the box may be okay but for here it is not okay. Their votes end up being invalid. That is the way the voting system is in other countries, without placing any value judgments on their system at all. The fact is that in their country a tick would suffice but here it does not. There is a real difficulty about explaining what 'preferential' means and all of the various voting systems that we use. Certainly there is some work, I would suggest; more work than what has currently happened really needs to take place.

Maybe it is the type of constituency that ADEC works with but, as I have said, many of our consumers are illiterate and they have a maximum of mid-primary school level of education and they do not understand the preferential system either. As I said before, putting 1, 2 and 3 is just too hard. There was also some comment made about the translations. The Chinese apparently was very problematic. The Chinese blurb on the back of the pamphlets that were handed out did not make sense. This is according to some of my Chinese-speaking staff. Also comments about the use of ethnic newspapers and radios certainly is not enough and the recommendation would be to use that a lot more, especially the radio because ethnic radio is hugely important to ethnic communities. The complaint that I had from my staff and my facilitators was that they are more in the form of advertisements rather than information-giving. That was something that needs to be addressed. Some of the other issues that were brought up were that there was a huge number of voters and long waiting lists in many of the booths. In one of them there was 45 minutes. We all know that can happen, but if you have a

disability it becomes very problematic, making people who have disabilities wait in long queues. Some places, even around Brunswick which is hugely multicultural, had no staff who were from non-English-speaking backgrounds. There were no bilingual workers available at all. This staff person waited for an hour and she did not see any interpreters or bilingual workers at all.

The other comments that were made really repeat what I have said about the lack of understanding of the voting system, the confusion of the voting methods, a very poor understanding about the differences between the upper and the lower house. For the new arrivals, that is those who have been here even for about 10 years, a poor understanding of the political system in general.

Mr HALL—A lack of understanding of the upper house is not confined to ethnic communities.

Ms KOKOCINSKI—I was just going to make a comment. My own experiences would tell me that lots of locals who came here on the first fleet find our electoral system confusing. I know part of the work of this committee would be to try and reduce that confusion but society is complicated and that needs to be acknowledged, and it is trying to navigate your way through that. I am happy to take some questions. There certainly were some recommendations that were provided to me by staff as well.

Ms CAMPBELL—From what you have outlined in your submission, I have jotted down the recommendations on accessibility, and that accessibility needs to include access for electric wheelchairs, a recommendation regarding educating people generally on the voting system, investigate whether a tick alone might suffice as that is—

Ms KOKOCINSKI—I would not suggest that would suffice. If you look at the way people may have voted in the countries that they came from then that should direct a community development campaign through the media in those languages. I am not suggesting you change the system. From my point of view the electoral system is the way that it is but it is how to educate the community to use it to their advantage.

Ms CAMPBELL—Do I take it from what you have said in terms of people with a disability waiting in line for 45 minutes that where staff identify—or where a request is made, a person with a disability be given priority and they are not waiting in a queue?

Ms KOKOCINSKI—Yes, to me that would be a recommendation.

Ms CAMPBELL—Staff to be bilingual wherever possible and particularly being mindful of the predominant ethnic composition around a particular electorate or booth, and you have already mentioned no understanding of the political system. They are the notes I took down from what you said. Does that cover your recommendations?

Ms KOKOCINSKI—That does. I also would say all venues to be disability accessible. Now, I appreciate there are resource implications for this but if we are really serious about reducing that informal vote to as low as possible then I really believe that there are two major recommendations: one is about all voting venues being disability accessible, and as well as the tools for voting being disability accessible and also the issue of the bilinguals and making the material in different languages much more easily available in different formats. Both of those areas point to maybe an increased effort to encourage people to vote before an election. I guess it is a trade-off between whether you spend the money to fix up your venues or whether you spend some effort by getting people to vote correctly. To me, while they are related, there can be a bit of a compromise there in that some effort—while you are rolling out a plan to make all venues disability accessible then you can be also rolling

out a strategy to be working with communities to encourage them to vote in different ways. It might be either through the postal vote or pre-poll voting. There is a range of methods that are available and tools that are available to people which should be explored. There are legitimate ways to be used for them.

The CHAIR—In terms of making all venues accessible, how achievable is that? You say half of the venues at the moment are disability accessible.

Ms KOKOCINSKI—Sorry, half?

The CHAIR—You state in your submission that half the venues at the moment were disability accessible.

Ms KOKOCINSKI—There is some information from the VEC about the disability accessibility of venues. That came to my attention when I was on a large working party a couple of years ago that used to meet down at Vision Australia. There was some information about disability accessibility, and from what I recall only about half the venues are disability accessible, and certainly a lot of work could go into it. I know there are financial implications here but again if we are really concerned about maintaining a democratic system and reducing the vote, making sure everybody has the right to vote, then that to me is something that really has to be a priority.

The CHAIR—I will follow up on that. The voting venues that are disability accessible, is it ad hoc or is there one per electorate?

Ms KOKOCINSKI—I do not know.

The CHAIR—Maybe it is a big call to make them all—

Ms KOKOCINSKI—You would have to get that information from the VEC.

The CHAIR—Yes.

Ms KOKOCINSKI—You will be able to get that information directly from the Victorian Electoral Commission. It should be available; if not, I will have to go through my files. If you want it I can look for it.

Ms CAMPBELL—That information can be sought from the VEC itself. In country areas, if I am correct, I would say that a vast majority of the sites are either public halls or primary schools. Perhaps there could be something we could flag. I have a couple of ideas on where we might be able to source funding because it is important, whether it is a mum coming to do reading with a pram or it is grandparents day. There are times all of us are less agile than other times. This is a benefit to everybody in perpetuity.

Ms KOKOCINSKI—Yes. There are still schools used for voting and they still have the steps in the front to get up into the rooms where the ballots are. That to me also signifies that the school is not disability accessible, full stop. Voting is one important aspect but then there is also the general—

Mr HALL—Licia, could I ask, of your 600 clients have you done any surveys or anything like that to find out how many of your clients took the opportunity to vote?

Ms KOKOCINSKI—No, I have not but certainly if you would like us to we could do that. I would need to seek permission to send them some questions but—

Mr HALL—Sure. I know you have lots of things to do but some organisations did do a survey. We had Hanover this morning who had surveyed their clients as to whether they voted, and if they did not, what were the reasons they did not.

Ms KOKOCINSKI—I discussed it with an Italian group. One of our carers groups were meeting last week and I had a discussion with them. Admittedly there was only six people in that group at that meeting at that particular time. There was a whole lot of them going to meet somewhere else. For them, these were carers and they were elderly carers, their point of view was the nearness to their home was really important. They all did go and vote, including the person with the disability, but that was also because the venue was very close to their home, being in that northern suburbs area, so getting to a venue was pretty easy. One lady did not vote—or her partner did not vote—because she was over that age and had made a formal submission to be taken off the rolls. Everybody else had voted, but this was that community, whereas if you go to some of the other communities I do not think the figures will show inconsistency across communities. It would have to do with a whole range of issues. The Italian community—I mean, we have been here for decades and have become ingrained in the system, whereas those that have been here for anything up to 10 years that is not the case. For those of you who are MPs in areas where there are huge multicultural communities would know what I am talking about.

Mr SCOTT—Just in terms of informal voting you might be interested to know that the VEC itself was saying that high informal voting coincided with areas with high proportions of residents who are not fluent in English. The Australian Electoral Commission, from my memory, had conducted—I think it was in Adelaide, and I am speaking from memory here but it was in the area of a large concentration of Vietnamese people who were recent arrivals—some educational programs which did appear to succeed in lowering the informal vote. I take it that is the thing that you are looking at, that you provide targeted programs in areas of high concentrations of voters from a non-English-speaking background who are more recent arrivals.

Ms KOKOCINSKI—The sorts of things I would recommend, I put it under the banner of community development. The Victorian Electoral Commission needing to go around to where the groups are meeting to participate in things like role play within the community groups where people congregate, giving presentations about elections but in their own language, not with interpreters but employing bilingual staff that can go to these communities and talk to them. Their local newspapers—I have here a sentence, 'Avoid interpreters. Use bilingual sessional workers', because you really do need to fully explain the system of voting, why the processes, in their own language and with a person who can speak quite comfortably and using plain language, not professional babble. The constituencies we work with, the ones that we work with, have a very low socioeconomic background, very low education. Using professional language might make you feel good but it does not impart any information.

Mr SCOTT—Then again there is the issue of the proficiency of the VEC official. How proficient are they? How is that being measured?

Ms KOKOCINSKI—People get a little bit too hung up about that. Really if you are talking about sessional workers, you need to be talking to them, they would have certain things that they have to talk about and they need to be very knowledgeable about the voting system and voting processes, as well as being fluent in their own language. You can measure that by measuring and testing their knowledge of the system and how they would respond. It is then up to them to respond and to take that to the community groups in their own language. You can, if you wanted to do, have a formal test in that language but then you will need to get somebody else to assess it. I would not get too hung up about it because if you do then my fear is that you get people who become professional and they are meeting the needs of VEC

officials and not the needs of communities.

Ms CAMPBELL—You made a comment about the Chinese translation. Do you have any recommendations in regard to how to assess the accuracy of information and how to double-check that?

Ms KOKOCINSKI—The secret is the proofreading, who would have proofread the material before it went to print. Because I deal with a lot of bureaucrats—and bless their hearts—sometimes there is a reluctance—some public servants are happier to go through proofreading with others than other bureaucrats. To me the secret is the proofreading. You need to give it not to officials—because we used to have all sorts of arguments about—even with translators because when they would translate documents even for us and we would get it proofread by either our staff or clients and come back with a lot of questions and a lot of changes that we want made, then we would have a stand-up blue with the translators because they said it was not correct et cetera and would make ADEC sign indemnities to say that the changes were being made at our request but we are prepared to do that. I think we need to get the message across in the most plain and simplest way possible which may offend some people who enjoy the professional language. You have to get it down to a level where people can understand it.

The CHAIR—What was wrong with the Chinese—was it poor grammar, regional accent or typing errors?

Ms KOKOCINSKI—No, the comment was made that the translated information on the ballot paper was unclear, including the how-to-vote cards, and the person thought—in fact you have [ECCV] coming this afternoon, I understand. I did not record or remember what the person was saying in the detail but from her point of view the translations were not good and she made the point that in areas—and she is a scrutineer, this person—at the last state election booths, the high proportion of Vietnamese and Chinese voters had as high as 15 per cent informal vote compared to approximately five to six per cent at booths in predominantly Anglo regions, making an average of 10 per cent informal votes. As reported by scrutineers and volunteers who helped out on the day, the informal voters were mainly Asians and we know that because some voters talked to the volunteers after the voting process.

Mr HALL—Licia, is enrolment to vote an issue for the communities that you represent?

Ms KOKOCINSKI—I did not bring that up with them, I have to say. We were looking more for the process. I know that enrolling to vote has always been a big issue. With young people it is probably less of an issue because they learn English much quicker and they will be out in the community, out in the playground, and have a better understanding. They would come in contact with all the materials that are printed to young people, if we are talking about young people. Older people, I have not discussed it with them. I did not pick that up.

The CHAIR—Thanks for that presentation, Licia. You will receive transcripts in about two weeks time and you can send back the transcripts with any typo errors but not matters of substance. Thank you.

Ms KOKOCINSKI—Thank you for the opportunity.

Witness withdrew.

Hearing suspended.