

# CORRECTED EVIDENCE

## ELECTORAL MATTERS COMMITTEE

### Inquiry into the future of Victoria's electoral administration

Melbourne — 12 March 2013

#### Members

Mr B. Finn

Ms D. Ryall

Mr A. Somyurek

Mr L. Tarlamis

Mrs H. Victoria

Chair: Mr B. Finn

Deputy Chair: Mr A. Somyurek

#### Staff

Executive Officer: Mr M. Roberts

Research Officer: Mr N. Reader

#### Witnesses

Dr M. Prain, speech pathologist, and

Ms M. Stevens, client, Able Australia.

**The CHAIR** — Welcome to the public hearings of the Electoral Matters Committee inquiry into the future of Victoria's electoral administration and matters related 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 of reciprocal legislation in other Australian states and territories. I also wish to advise that any comments you make outside the hearing may not be afforded such privilege. Have you read the *Guide to Giving Evidence at a Public Hearing* pamphlet that the committee provided?

**Dr PRAIN** — Giving public evidence?

**The CHAIR** — Have you read the *Guide to Giving Evidence at a Public Hearing* pamphlet?

**Ms STEVENS** — No.

**The CHAIR** — No? Okay.

**Dr PRAIN** — She has had experience giving evidence similar — —

**Ms STEVENS** — I have previously spoken at the Senate inquiry. I gave evidence at the Senate inquiry into hearing health needs a couple of years ago, so I am aware of my obligations.

**The CHAIR** — Marvellous. I ask you to state your full name and business address. Also, are you attending in a private capacity or representing an organisation and, if so, what position do you hold in that organisation?

**Ms STEVENS** — Good morning. My name is Michelle Theresa Stevens and my address is 64 Allen Crescent in Traralgon. I am here representing two organisations: firstly, Able Australia and, most importantly, the deaf-blind community of Victoria, deaf-blind Victorians. Is that all you need?

**The CHAIR** — That is great. I will just ask you to make a verbal submission to begin with, and then we will open up with some questions. I also inform you that the evidence will be taken down and become public evidence in due course.

**Ms STEVENS** — I will be giving verbal evidence in today's hearing, but I will also be reading from my notes that I have prepared.

**The CHAIR** — Notes are more than fine.

**Ms STEVENS** — Thank you very much indeed. I will be using, in conjunction, my braille display linked up to my iPhone through pages. Firstly, I think it is really important to give you a very brief introduction into the deaf-blind community. The deaf-blind community is a varied and unique community within its own right. In my case, I was born blind and lost my hearing as a result of illness almost 20 years ago. Some other members of the deaf-blind community are born deaf and lose their sight due to a common condition known as Usher syndrome. A third part of the deaf-blind community are those people that are born deaf and blind due to congenital deaf blindness, usually through rubella.

One of the issues with voting in the elections that has really concerned me greatly has been that, although the introduction of electronic voting for blind people has, I think, been a wonderful step forward in independent voting for people with disabilities, unfortunately the system does not enable a deaf-blind person to vote. That is because when you are using a screen reader — that is the device that makes computers talk et cetera — using, let's say, a refreshable braille display like this, you cannot adapt the assisted voting to braille display. That is because it is a unique system with its own write software. Also, it does not have any facilities to enable a braille display to be used, either through USB or through Bluetooth. I am hoping that perhaps through VEC or the Victorian Disability Advisory Council committee we can actually further investigate. I am not sure whether it is possible to make any adaptations so that deaf-blind people can come to a polling station and use a braille display with assisted voting in the future, but I do

look forward to seeing whether perhaps we can resolve this issue. I thought it was really important to make you aware today that this is the case.

Secondly, for people who are deaf-blind I think it is really important to have either a support worker or a fully qualified tactile Auslan interpreter to be with them at the polling station if they so wish to cast a vote, so that he or she can communicate with the polling officials if needed. I think it is important to have that in a fairly centralised area so that ease of access can be given to the person attending the voting booth. I also think it is important that all VEC staff at a polling station are aware of people with special needs. I know that through Sue Lang we are trying to make inroads into this.

I further think it is important that candidates going for local council elections should be persuaded — if not, maybe laws can be passed so that they must — to provide information in a fully accessible manner, for instance, on their websites, so people can access that information as easily as possible — that is, via a screen reader, braille display or the contrast of colours and fonts. The reason why this is so important, I believe, is because of how frustrating it is to go and vote for a candidate in council elections and have absolutely no idea who you are voting for or who to vote for. I do understand that I can use my legal privilege to not vote and not be fined for it. However, I believe very much in trying to be independent and on an equal footing with able-bodied people as much as possible.

I also think it is important that deaf-blind people are given the opportunity to learn about voting and their legal rights and responsibilities through forums provided by VEC. I have briefly spoken to the Victorian Disability Advisory Council committee on this issue. I do encourage VEC to have forums for deaf-blind people because many deaf-blind people prefer face-to-face communication.

I want to ask Meredith whether maybe there is anything that she would like to add before we open the floor for question time.?

**Dr PRAIN** — Just following on from what Michelle said about people with deaf-blindness needing to learn face-to-face, a lot of people with deaf-blindness were born deaf and grew up deaf, and we find that by far the best way of getting information across is to have a forum where they can talk and ask questions. Because a lot of the information is being relayed through an interpreter and it is tactile, there is a lot of opportunity for communication breakdown and misunderstanding. So getting everyone together, having those questions and having staff present who are learning as well and can then reiterate and answer questions is important. More than for other groups I think having that communication about all aspects of voting and Parliament in general is a really important step.

In relation to the other thing Michelle said about people being independent and needing a support worker, it is quite prohibitive. A lot of people with deaf-blindness have very limited support hours in the week, and they are going to use those to go shopping and to do the absolutely mandatory things. So to use their support worker to go voting is often just cutting into their time and it is difficult. Most of them are opting for postal voting, I think, but getting the information and being able to physically go and do it themselves really is a big difficulty. There would need to be interpreters and qualified and skilled support people to be able to involve them in that process.

**The CHAIR** — Okay. Let's open it up to questions.

**Ms RYALL** — As a preliminary question, what would be the population of deaf-blind people in Victoria?

**Ms STEVENS** — I will be inviting Meredith to speak, because she is closer to figures than I am at Able Australia. There was a report done by Deloitte Access Economics that identifies that there are about 290 000 people with deaf-blindness in Australia. Can you elaborate, Meredith?

**Dr PRAIN** — There are around 100 deaf-blind people on Able Australia's books that we are actively working with. Those numbers are so large because of the ageing population. I think that is really a growing area — —

**Mrs VICTORIA** — Sorry, 100 000?

**Dr PRAIN** — No, it is just 100.

**Mrs VICTORIA** — Okay.

**Dr PRAIN** — They are quite small numbers, but they are an extremely marginalised and cut-off group. They do not fit into other disability groups. A lot of them do not have an intellectual disability and a lot of them do not have a physical disability, so they are not able to access a lot of the general support services that are set up for people with disabilities. But yes, we are talking pretty small numbers of people who need those specialised supports.

**Ms RYALL** — The second part of that question is how many tactile assistants are there and what proportion of deaf-blind people are able to understand tactile assistants?

**Dr PRAIN** — How many people with deaf blindness use tactile signing and would need that sort of support?

**Ms RYALL** — Yes, good.

**Ms STEVENS** — I would say that most deaf-blind people use tactile signing, particularly when you are looking at people with Usher syndrome — that is where a person is born deaf. They develop RP, or retinitis pigmentosa, usually as teenagers, and they actually start losing their peripheral vision. It depends very much on where their sight loss is at that time. Also, too, if the area where they are communicating is dark the person might use what we call ‘tracking’ or they might use tactile communication. In my case I cannot see people’s hands or facial expression — which is another important element of Auslan — at all. Usually you will find that most of the interpreters who use tactile sign language in fact are trained to use other means, that is in a close view or framing, which are different types of Auslan but also, let us say, different breeds of tactile signing.

**Dr PRAIN** — Right, there is quite a variety of the types of tactile signing. Michelle requires full tactile but some people just hold the back of the hand or just need a visual frame, but it is a very small number. If you really think, how many deaf-blind people use tactile?

**Ms STEVENS** — I think most; I would say about 50 to 60 per cent.

**Dr PRAIN** — I do not know about that. If you think about the groups run by Able; maybe all around Victoria, really it is more like 15 people using full tactile.

**Ms STEVENS** — Yes.

**Dr PRAIN** — When we met with Sue Lang we did a lot of thinking about how you could help to support people with deaf-blindness and she was even thinking about a mobile service. Because it is such a small number and they live in very different areas, even having one central place would not necessarily help and they would not even necessarily be able to travel to get to that central voting area, so to have a mobile service would help support the needs of those people.

**Ms STEVENS** — Of people with deaf-blindness. And these are the sorts of issues that we are trying to solve. We are sort of working with Sue at the moment.

**Dr PRAIN** — For that group who are born deaf, because English is not their first language, it is their second language, having information in Auslan is the only way for them to fully access it. Even having accessible websites is not good enough because their English is often not really good.

**Ms STEVENS** — Because I was born hearing and I was able to learn English a child, English is my first language; however, very closely Auslan is my adoptive language.

**Dr PRAIN** — There are other people like Michelle who can speak and so the way they express themselves is different to the way they need to receive information.

**Mrs VICTORIA** — Can I ask Michelle, please: would there be any benefit for those who have some vision but were born deaf? Would it be helpful for the VEC to create some sort of video that uses Auslan or is there some other way of getting the information across?

**Ms STEVENS** — We have spoken to Sue about having a video and I think Sue was looking at producing a video explaining the voting system for some of us who are deaf-blind. I no longer can see videos and I can very quickly think of about another 15 to 20 deaf-blind people who now cannot see videos.

One of the important things about using Auslan, I think, is that it gives you live communication, because many people who are deaf-blind are isolated and I really feel that having that form of communication with Auslan helps to break the isolation of people who are deaf-blind. I certainly agree with you that having a video or DVD will help, but the deaf-blind community is as unique and as individualised as most other people in the community.

**Ms PRAIN** — That is right. There is a very big diverse variety of needs within the community but the answer is yes, it would be helpful for people with deaf-blindness to have a DVD or video. I met with one woman whom it would help and looked through the exact format, because I know that in New Zealand they set up a really good video on voting and understanding the voting process with Auslan as sign language but also with captions and pictures showing what is happening — having those three pieces of information — which was really good.

This woman sat and explained that she would need the print to be different — she wanted white on black; that helps. She wanted it to be quite big and clear, having the pictures as well. So, yes, that is definitely helpful but it needs to be done in consultation with the deaf-blind to make sure it is as clear and accessible as possible. But yes — —

**The CHAIR** — The assistance of which you speak is obviously needed. Could I just ask either of you, probably both: how would that impact upon the secrecy of the ballot? How do we maintain the secrecy of the ballot and still have that assistance? Would that be possible?

**Ms STEVENS** — With respect to support people who are interpreters, support workers, firstly interpreters are bound by the Privacy Act 1988 and they are also bound by privacy within AUSIT, the Australian Institute of Interpreters and Translators, and also through ASLIA, the Australian Sign Language Interpreters' Association. With those qualifications they are bound by secrecy. For instance if I have my interpreter go to the doctor and they meet one of my friends in the deaf-blind community there is absolutely no way they are allowed to talk about the appointment I had with the doctor and vice versa. Even when going to an interview with, let us say, Centrelink or somebody like that, they are bound by confidentiality.

Support workers who are employed by Able Australia — perhaps Meredith can help us out here — are also bound by confidentiality. They are absolutely not allowed to breach a person's confidentiality.

**Ms PRAIN** — I still think it is a good point and it is an issue. Deaf-blind people need to really put a lot of trust in the people supporting them and they develop those relationships of trust over time, but I would think that the person with deaf-blindness would want to choose the support they were receiving and have someone they know and trust to do that. It is about paying the person, but they choose who is going to support them to do that because there is not funding at the moment to pay a support worker to support someone to vote.

**Ms STEVENS** — As Meredith said a while ago, in a person's ISP, individual support package, that some people can get through DHS — I am saying 'some' — a deaf-blind person will receive an average of 2 to 3 hours a week support. Can you help me out there?

**Ms PRAIN** — It is very varied and some do not get enough.

**Ms STEVENS** — But it also varies on how much support a person gets.

**Ms PRAIN** — If we are thinking about the older population that have issues with vision and hearing, it is going to be very difficult for them as well because many of them are needing that one-to-one support.

**The CHAIR** — Thank you. One last question.

**Mrs VICTORIA** — Just to round off, and I am asking for something anecdotal here, out of the 100-odd people that Able have a lot of contact with is there any evidence on those who choose not to vote because it is too difficult?

**Dr PRAIN** — It is a good question. I am aware that they are not very clear on the processes sometimes. I personally do not know anyone who has chosen not to vote. I do not know the answer. Can I even get back to you later?

**Mrs VICTORIA** — Love you to. That would be great.

**Dr PRAIN** — Yes. I can certainly follow that up.

**The CHAIR** — We have run out of time. We could keep going for quite some extra time, I think, because you have raised a number of issues that we had, quite frankly, not thought of before, so thank you very much for that. We will be sending you a copy of the transcript in about a fortnight's time. If you would be kind enough to correct any typing errors but not matters of substance, we would appreciate that. Thank you very much for your time today.

**Ms STEVENS** — Thank you very much for having me. Thank you.

**Witnesses withdrew.**