

CORRECTED EVIDENCE

ELECTORAL MATTERS COMMITTEE

Inquiry into the future of Victoria's electoral administration

Melbourne — 12 March 2013

Members

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Witnesses

Ms T. Nguyen, advocacy and policy officer, Blind Citizens Australia; and

Ms H. Freris, consumer representative.

The CHAIR — Welcome to both of you. The committee, obviously, is hearing evidence today on the inquiry into the future of Victoria's electoral administration and matters related thereto. All evidence 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 has provided?

Ms NGUYEN — Yes.

The CHAIR — Great. Thank you very much indeed. Could I ask you to state your full name and business address and if you are attending in a private capacity or representing an organisation, and, if representing an organisation, what position you hold in that organisation?

Ms NGUYEN — Sure. My name is Thai Nguyen. I am the advocacy and policy officer at Blind Citizens Australia, located on Flinders Lane. The direct address is 247–251 Flinders Lane, Melbourne, 3000 as postcode. I have Helen Freris here with me today, representing herself as a consumer representative.

The CHAIR — The evidence you are about to give will be taken down and will become public evidence in due course. Could I ask you to, first of all, give a verbal submission? We would then ask some questions as a committee after you have done that.

Ms NGUYEN — Basically I have come here today to talk about the insight into people who are blind and vision impaired attending elections during election time. There are varying levels of blindness and vision impairment, with no one-size-fits-all approach in providing information to someone who is blind. For someone who is vision impaired, they will have some sight, while someone who is totally blind will have no sight. So there are varying levels of vision impairment, and that would mean that for someone who is blind — not everyone will be able to read braille, not everyone will be able to read large print and not everyone will be required to have audible information. So it is a very diverse disability group.

In terms of voting during election time, what we advocate for is to use electronic voting, which provides a means for our members to be able to vote independently and privately without the assistance and supervision of any other individual.

The CHAIR — Okay. Thank you. That system you are suggesting — has that advanced so far? Have we got anywhere near providing that sort of service?

Ms NGUYEN — Currently in Victoria we do have some forms of electronic voting that have been trialled in the past. What electronic voting looks like is to be able to use a telephone-based system or an electronic system that is able to provide audible information regarding whom to vote for and the processes in terms of how to fill out the form, as opposed to in the past, where a person who is blind or vision impaired will go to election time and tell the person that is assisting them who they would like to vote for, which is obviously not private and independent or secret.

In the past elections we have had a telephone-based system with someone in a call centre, where the blind or vision-impaired person will call into the call centre and speak to the person and let them know what option they would like to choose. We have also trialled electronic systems where there is a booth for someone to put their headphones in and have the information on the screen read out to them. We have also had a system — what I am talking about as well is that in New South Wales they have trialled a system called the iVote system, which is a system they can use over the internet and over the telephone to be able to input their options. How the internet system looks is that they will be given a PIN that is specifically for themselves to input into the computer. They can have the options spoken to them that way from the comfort of their own homes, and the telephone will also be an option to use from their own homes as well.

Mrs VICTORIA — To Thai, and also to Helen — I suppose Thai from an advocacy role that your organisation obviously provides — are you aware of electronic systems throughout the world that may have got this right, through sister organisations throughout the world?

Ms NGUYEN — Unfortunately I do not have that information at this time, but I would be glad to get back to you regarding the overseas systems.

Mrs VICTORIA — Okay. So the system that is currently in place — one of the most stringent things, I think, this committee is looking at is the verifiability, if you like. So it is not only being able to cast that vote but also to make sure that the vote is cast in the way you want and to have that verified in some way. Do have some thoughts? Helen, do you have some thoughts about how you would like to see this verification given to you?

Ms FRERIS — Yes. In fact I can comment on it because I have participated in three different forms of voting in the state of Victoria: one electronically based using a keyboard, one phone based and in fact one most recently for local government elections, which was based on provision of ballot papers in braille.

In terms of verifiability, I think we as citizens and as voters are just as committed to the idea of our votes being not only cast but counted the same as Australia's other voting citizens. In fact in one voting trial I found after having voted that my vote had not been counted, because I received a letter asking me to pay a fine. After investigating it I found that it was all because the polling official involved had not made a clear enough mark on whatever he was supposed to mark. So I was left wondering whether in fact that vote had been included. In terms of processes by which verifiability can be secured, I would perhaps suggest that we look towards processes that involve such a high degree of security that financial institutions and other such bodies use them to ensure that votes reach the appropriate place after they have been cast.

Ms NGUYEN — I would just like to make a comment as well in terms of verifiability. You said that you want to know that the vote is cast in exactly the same way as by the person who cast the vote. I would just like to read a quote from one of our members about their experience. This was something that happened to one of our blind and vision-impaired members in one of the federal elections:

I had the official read the ballot paper to me. He sniggered when he got to the sex party and made a disparaging comment about the party I was actually going to give my vote to.

This experience meant our blind and vision-impaired member was uncomfortable in the situation having a third party assist him and was unsure whether or not the third party actually cast the vote the way he actually wanted it to be cast. There are issues with having someone physically assist you, and there are issues, obviously, when it comes to using systems such as the internet and any electronic system, as employed by financial institutions, when you do banking over the internet. Obviously issues will be there in terms of security. In saying that, our organisation would still like to advocate for development and research into how to make that system secure, verifiable and, obviously, accurate as well.

Ms RYALL — What are the numbers of blind citizens in Victoria, approximately?

Ms NGUYEN — Our organisation is a member base-driven organisation. How we differ from Vision Australia is that our organisation consists of those who are blind and vision impaired. Our organisation currently has over 3000 members all over Australia, and I am commenting from the direct experiences of these individuals as opposed to the wider population of the blind community.

Ms RYALL — Can you give me an indication of the numbers of blind people in the wider community?

Ms NGUYEN — Unfortunately I do not have the exact number, but I would love to get back to you regarding that.

The CHAIR — Do you think in certain instances people with vision impairment are actually discouraged from voting? Do you think perhaps we are not doing enough to enable the process to be straightforward and easy enough for them to have confidence in the system? How can we change that?

Ms NGUYEN — Based on current feedback from our members we can see that people often opt for the easy way out, which is to have a family member or someone else assist them in terms of voting. In saying that, not everyone will have a family member who is able to assist them in voting or who is able to drive them to the election. For instance, if you were completely blind you would have to rely on a third party to vote, and there are several issues in terms of even attending election day. If you are blind or vision impaired, you will need special training from an orientation and mobility instructor to even attend that session on polling. Training to attend a specific area within the community involves three to four sessions. That is the first barrier: being able to get there. Often we find that the election sites are not on public transport routes, so people have to obtain taxis to get to the election area. So it is quite expensive for people even for a once-only trip in one year. It is quite impractical to obtain training from orientation and mobility instructors for a once-only visit within the year. There is no certainty that they will be able to obtain that training either — for example, if 50 people were needing training just to attend the session, the service provider might not be able to fulfil that capacity.

Like I said, the location, not having assistance and having to pay for taxis to attend these elections are some of the barriers that people perceive. Other barriers that they might perceive would be staff training. In terms of providing blindness-specific assistance, you will need to be able to provide guided site training. For example, if I were to lead Helen in the room, I would need to describe the surroundings and let her feel comfortable. In those circumstances our members do not feel comfortable that staff can assist them in the way they would like to be assisted; the customer service is not quite there. In saying that though, we are aware that the commission has been very proactive in wanting to understand what the issues are in terms of disability and voting. We are very grateful for that approach and the consultation we have had with the commission in the past.

Ms FRERIS — Could I add to what Thai has said, if I may, regarding unwritten policies that discourage voting? The way I view the situation is to think that a citizen of Australia who votes, as we are required to do, follows a fairly straightforward process: they usually know when the election is; they know where the polling facility is; they can usually get themselves to that location; they can complete their required ballot paper; and they can then finish the process. For a blind and vision-impaired person there are significantly greater tasks involved in doing the same thing — that is, meeting our obligations in the democracy in which we live. In some elections — local government ones in particular — those tasks can include finding out when the election is, which is not always clear; finding out information about policies of parties and independent candidates for whom to vote; finding the location of the polling booth or the polling centre; finding appropriate assistance to complete the ballot paper; and somehow verifying, if possible, that the vote has in fact been cast. That is quite a lot of items on the agenda for what should be a simple and straightforward process. If we in this country and in the state of Victoria are encouraging people to meet their obligations as citizens, I would imagine that the idea is to make it as straightforward as it possibly can be.

Mrs VICTORIA — Can I ask two questions that are related? There is a trend in local government elections towards having postal-only votes. Obviously people receive their ballots at home, and they send them off. If that were the case for state and federal elections — obviously all citizens have the opportunity to get a pre-poll vote by mail and do a mail ballot, especially if they are travelling and that type of thing — would it just be easier, given it makes no difference to the validity of the vote, for people who are not able to have assistance at a booth to be able to vote from home? In that case, how do we make that easier for you — and I want to make this as clear as possible — so you would be able to vote independently but from the comfort of your own home without needing assistance? This is part 2 of the question — I do not know how difficult it is to have something churned out in braille; I do not know the technology — but can you type into a computer and have braille printed out at the other end?

Ms NGUYEN — Braille is actually quite difficult to produce. We have specialists who produce that. We tend to rely on Vision Australia to produce braille. Like I was saying before, in terms of blindness, no one size fits all. Not every blind person will be able to read braille. There are some people who might become blind later in life and that is why they will not get the opportunity to be able to read braille. They tend to rely on things such as audible information. That is why we have such an emphasis on electronic voting. If people want to be able to vote from the comfort of their own homes, there needs to be a choice.

There needs to be a choice of having large print or a braille pack sent to their homes or even being able to have a telephone option from their own homes. I guess what I am trying to get at regarding having a telephone option is a system that is similar to the banking system, where there is an automated voice and you can input numbers on the keypad as opposed to telling the person at the other end your credit card number and what it is you want to do. That system, as I was saying before, has been trialled by the New South Wales government and our members have looked at that quite favourably. I could provide you with more detailed information about how the system works at another time. In terms of verifiability, that is something that is obviously a concern. We know that there is concern. We want to further develop it, work with the commission to implement it and make sure that it is a verifiable system.

Mrs VICTORIA — If it was in a home-type situation — and I am not sure if you will know the answer to this — what proportion of people who are either blind or vision impaired would have access to a computer that would enable them to access an iVote-type situation?

Ms NGUYEN — Technology is quite advanced lately; these days technology has advanced for our vision-impaired members. A lot of our members are able to use smartphones and the internet now and they are able to use electronic systems that have a software program called JAWS, which is a screen-reading program that enables everything on the screen to be read out with a voice.

Mrs VICTORIA — What is it called?

Ms NGUYEN — JAWS screen-reading software. They have also developed it on the Apple iPad and the different tablets — sorry, I have forgotten their names — that have been developed lately. I know that the commission is in the process of developing a system using the iPad for the next state election. I am aware that a system is currently being developed, and I would love to provide you with that information at a later date.

Ms FRERIS — Can I elaborate on the technological side of it? I endorse everything that Thai has said about the high proportion of people who use some form of technology in their homes just because it eliminates certain barriers around banking, online shopping and other things. There is in fact, as Thai said, a screen reader called JAWS. There are other ones that are less costly; I think there is a free one. There are a range of products that people use. The people who would be disadvantaged by technology would be people who have acquired vision loss at a time in life when technology may not have been something that they have used prior to their loss of vision or sight. It then becomes a bit more difficult to acquire skills in the use of technology. However, if that capacity is not there, most people would have some sort of phone-based system that they use for banking or other such tasks. That could be incorporated into a voting system, if that is possible.

Mr SOMYUREK — Just on that technology at home, JAWS is obviously text to speech?

Ms FRERIS — Yes.

Mr SOMYUREK — How important is speech to text, because we have a lot of institutions and organisations throughout our community using speech to text and I do not think the technology is up to it at the moment. Is that important for the blind?

Ms FRERIS — No.

Ms NGUYEN — I would say that is more important for the deaf community.

Ms FRERIS — Yes, it is important for people who do not voice, so the deaf community would find it very useful. People who are blind and vision impaired, despite popular belief, in fact do not often require assistance to input into their devices because we can use keyboards. Finger use is not usually impaired by sight loss, unless there are other disabilities like arthritis or things that people experience. It is much more vital to know the contents of the text on the screen through a screen reader than it is to be able to input via speech.

Mr SOMYUREK — And you made the point that not everyone reads braille. What percentage of blind people do not read braille?

Ms NGUYEN — Braille is something that people tend to learn from a young age. For example, if we were suddenly to go blind, we would not have had the opportunity to learn braille and that is why for us, as people who acquired blindness later on, we would have to rely on other means — for example, we would use audible information. If we were lucky enough to have a little bit of residual sight, we would be able to use different technology, such as closed-circuit television that enlarges writing on paper. There is a small percentage of people who use braille, but that does not mean that we should not provide braille just because they are a small population.

Mr SOMYUREK — So we do not have a ballpark figure?

Ms NGUYEN — No.

Ms FRERIS — I am sure we could probably — —

Ms NGUYEN — I could obtain that information for you. Like I said, because we are member-based we speak directly on behalf of our members.

Mr SOMYUREK — But the assumption is that most blind people do not read braille?

Ms NGUYEN — There is an assumption, yes.

Ms FRERIS — Just to add to that comment, the other reason why braille perhaps is not as common as some of us, including myself as a braille reader, would like is that people are encouraged, usually through the education system, to use the sight that they have and make the most of it by using magnification technologies and screen-reading technology. Some people actually reach a point in their lives where braille could be useful because their residual vision is diminishing, or reading is painful or awkward, but they have just not been given the skills in braille. Depending on other things that people are dealing with in their lives, they may or may not find it easy to acquire enough of that skill to use it in a process such as voting.

The CHAIR — Would it be of assistance to a blind person if they did not have to fill in all the boxes? You would just have to fill in one box on the ballot paper.

Ms NGUYEN — I am sorry, could you repeat that question?

The CHAIR — At the moment if you have 10 candidates, you have to fill in all the boxes on the ballot paper.

Ms NGUYEN — Yes.

The CHAIR — Would it be of assistance if you only had to put a ‘1’ in a box next to one name?

Ms NGUYEN — I guess the thing with our members is that we want to be the same as everyone else, so whatever processes that people who are sighted are going through, we want to go through the same processes and we want to do in a way that suits us. If we wanted to have all those options read out to us, that should be our preference.

The CHAIR — I am certainly not suggesting that it be just be for blind people, but if we were to change the system to optional preferential voting, which would allow people just to put a ‘1’ in one box, would that be of assistance to you?

Ms NGUYEN — I am not able to comment on that.

The CHAIR — Okay.

Mr SOMYUREK — Good call.

Ms FRERIS — But I will because I am always making comments. I will just continue if that is all right. The process of changing voting requirements is something that the Parliament can debate beyond this hearing, but coming from the perspective of rights, which is the perspective of Blind Citizens Australia, we as citizens of this democracy, Victoria, and more broadly Australia, have the right to vote for and place a number in the box of every candidate from 1 to 40. I have taken a polling official through that process before and I will again because that is what we are entitled to do and that is what we are required to do, so we will do it for as long as that lasts.

The CHAIR — Thai and Helen, thank you very much for joining us today. You will receive a copy of the transcript in about a fortnight. If you could check it for typing errors and not matters of substance, it will then go on the record. Thank you very much for coming in today.

Ms NGUYEN — Thank you for your time.

Ms FRERIS — Thank you.

Witnesses withdrew.