

From: Colin Watson [REDACTED]
Sent: Saturday, 18 July 2015 12:35 PM
To: Electoral Matters Committee
Subject: Submission on conduct of last State Elections

Please find below a submission to your parliamentary committee that Geelong and Districts Branch of Blind Citizens Australia wishes to make.

It has been pointed out that submissions were to be made by 8 July but we were not aware of this deadline so trust you will consider our submission anyway.

Yours Faithfully,

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Submission to the Victorian Parliamentary Committee re the limited accessibility of Victorian State Elections to those voters who live with blindness or severe vision loss.

The right to vote in a free, independent and secret manner, is one of the fundamental rights of every adult Australian citizen. Unfortunately, this right to vote in a free, independent and secret manner, is frequently denied in practice, by restricting the number of venues capable of enabling adult Victorians, who are blind or have severe vision loss, to cast their vote. Since the number of Victorians, who will be living with vision loss is increasing – Vision Australia estimates the number of Australians now living with blindness and severe vision loss, as presently, surpassing 300,000, and will continue to increase as the total population increases. The following data on the incidence of blindness and vision impairment in Australia is sourced from the 2009 Australian Bureau of Statistics Survey, and gives credence to the above estimate. In 2009, 501,700 people had partial and total loss of sight across all age groups. Of this number, 242,700 people had partial loss of sight and 259,000 people had total loss of sight.

The voting rights of all Victorians are enshrined in the Constitution, and these voting rights should not be restricted through a lack of venues and essential procedures enabling these rights to be exercised, by a lack of funds.

The current situation, where people who are blind or have severe vision loss, and who experience great difficulty when they attempt to cast their vote in a free, independent and secret manner, exists on account of several historical factors. These factors include:

- Voting centres do not have the equipment needed for a person who is blind or who has severe vision loss, to cast their vote on election day, and only a small, select number of early voting centres, in recent elections, have had this equipment installed.
- The poor accessibility of some voting centres
- The information which voters, who are sighted, receive, and often depend on to cast their vote in an informed manner, is not provided in a format which voters, who are blind or have severe vision loss, need in order to cast an equally, informed vote.

The Geelong and Districts Branch of Blind Citizens Australia (BCA: see Appendix 1) is lodging this submission with the Victorian Electoral Matters Parliamentary Committee (which is reviewing the 2014 Victorian State election) in order to highlight members' experiences and difficulties encountered when casting their vote. The following comments summarise their experiences of the 2014 State election, and contains suggestions for improvements to the election process in Victoria.

1. The limited number of voting centres equipped to enable a voter, who is blind or has severe vision loss, to cast their vote in a free, independent and secret manner is of concern.
 - No Election Day voting centre had the facility to accept a member's vote in a free, independent and secret manner.
 - The Victorian Electoral Commission (VEC) had 25 early voting centres offering electronic voting in 2014 (24 in Victoria and 1 in London). Six of those were accessibility super centres, equipped to enable a voter, who is blind or has severe vision loss, to cast their vote in a free, independent and secret manner.
 - The postal vote option frequently used in past elections by voters who are blind or have severe vision loss, relies on the assistance of another person, often the spouse, family member or friend, when filling in the ballot paper, and consequently, effectively negates the possibility of casting their vote in a free, independent and secret manner.

The Victorian Electoral Commission (VEC) has endeavoured to provide accessible voting systems in the past two Victorian State elections, which, unfortunately, have not adequately addressed the needs of those who are blind or those who have severe vision loss. Consequently, these systems have not been embraced largely by the blind community. There are several reasons which have contributed to this situation, many of which are historical, but the advance of accessible technologies have opened the way to extend to the blind community the same voting rights as their sighted peers.

Several of the reasons which have contributed to this situation, are:

- Generations of voters who are blind or who have severe vision loss, and who have become accustomed to voting with the assistance of others, as this procedure was the only option available to them when previously casting their vote, are now unwilling or believe themselves unable, to change the way in which they cast their vote. They have become habituated to relying on assistance.
- Many voters who are blind or who have severe vision loss, and who rely on their partners, family or friends, for transport, prefer to travel with these companions, when these people cast their vote, which is on election day - when the adaptive technology to vote is not available.
- Many voters who are blind or who have severe vision loss, have lost their confidence in performing many tasks independently, and consequently, need assistance to both learn new techniques and become motivated to transit from their previous practice when voting.

A particular concern of the Branch is the development of differing electronic voting systems by the different electoral organizations based on federal and state boundaries. The development of a single system, truly accessible to the blind and vision impaired community, and utilized by federal and state electoral authorities, would deliver:

- financial savings - by negating development of different systems for each jurisdiction.
- a uniform system throughout Australia which would:
 - minimise the training needed for future elections by a voter who is blind or has severe vision loss.
 - overcome any confusion by a voter who is blind or has severe vision loss, when faced with a federal or state election.
 - assist a voter who is blind or has severe vision loss, if, or when, that voter moves to another state to reside.
 - better extend the franchise to voters who have disabilities, enabling them to exercise their right to vote in a free, independent and secret manner.

The application of these new technologies enabling the blind community to vote in a free, independent and secret manner in Victoria, depends on the Victorian Parliament passing the required legislation, and providing the funding to enable the VEC to comply with the necessary electoral reform. The VEC is aware of the requirements of the Disability Discrimination Act (DDA), but the VEC's primary charter is the Electoral Act 2002 which, at present, inhibits the VEC from providing the necessary procedures, to provide both a system, and the information, which will allow the blind community to cast such a vote.

2. Inadequate access to voting centres

Accessibility of voting centres is a major factor when the VEC searches for voting centre locations that can cater for all voters, including those who have special needs. The VEC does attempt to locate accessible sites for voting centres, but this search is restricted by the temporary tenure and dearth of suitable accessible sites. In addition, the VEC has quite a stringent audit tool for assessment of these centres.

Buildings must conform to the various standards for access, established under the Disability Discrimination Act (DDA) and the Disability (Access to Premises – Buildings) Standards. BCA has had no adverse reaction from members re the access to the actual buildings selected to host the voting centres in the 2014 State election.

The issue for many of our members is the ease of actually travelling to and from the site of the voting centre. A voting centre should require that access to the voting centre is readily available from multiple modes of travel, namely, pedestrian, public transport and automobile. The VEC has endeavoured to include different modes of transport in their template when selecting a site for a voting centre.

However, the limited number of early voting centres (and no voting centres on election day) offering the adaptive technology needed by a voter who is blind or has severe vision loss, limited the number of these voters able to access the few early voting centres equipped with the adaptive technology needed, on account of these geographical factors.

The concern of BCA is the consequence of a poor response by the blind community – in terms of voter numbers – with regard to the future provision of adaptive technology needed for a free, independent and secret vote. The relatively small number of voters using the technology in 2014 was no doubt impacted by the limited number of voting centres equipped with the necessary adaptive equipment. In addition, poor access further exacerbated the situation.

The situation with regard to the use of adaptive technology at the North Geelong early voting centre highlights BCA's point. The VEC followed its normal practice when searching for a suitable accessible venue. The VEC engaged Vision Australia to provide wayfinding instructions for its six accessibility supercentres. The guide accurately identified the availability of a bus route with a bus stop within two blocks from the early voting centre, when travelling from Geelong CBD. It also accurately mentioned that in order to return via bus to the Geelong CBD, it necessitated the voter to return to the same bus stop and travel further away from Geelong, to another venue where the voter could safely cross this major six lane highway, and then hail a bus travelling in the direction desired. This was an extraneous challenge for a blind voter!

What the report did not mention was the state of the bus stop and the footpath linking the bus stop to the early voting centre! The bus stop was a grassed area, with no concrete slab, no tactile ground surface indicators (tgsi) and only the bus pole to indicate where to locate the stop. How could a blind person locate this stop! The footpath

between the bus stop and the early voting centre was only a partly constructed concrete path. Along this same path was an untrimmed Council tree which almost completely covered the concrete path alongside it. The surface of the grassed portion of the footpath, was uneven and contained two deep depressions (up to 15 cm) at a drainage pit and another pit for one of the services. There were no tgsi at the point needed to cross a street between the bus stop and the early voting centre. The lack of any pedestrian crossing on this street, was an added possibility of peril for a voter who is blind or has severe vision loss, when endeavouring to travel by public transport to the early voting centre. These obstacles certainly deterred many of the Branch members from using this facility.

Members were further puzzled when they became aware of other early voting centres in the Geelong area which had very good access for voters who are blind or have severe vision loss. These centres had good public transport and footpaths, and pedestrian signals at street crossings. If the adaptive technology for assisting the blind community to vote, had been installed in these centres, then several more members have indicated that they would have used this facility.

The Branch believes that the VEC has made every effort to provide an accessible voting system (although limited by financial factors beyond its control), and access to the early voting centre, where it acted on advice, which belatedly was found to be inadequate.

3. Current legislation prohibiting the VEC providing such information.

Our members have identified "How to vote Cards" as one of the problems facing the blind community when casting their vote. It is extremely difficult to cast a free, independent and secret vote when they cannot access the same information as that provided to their sighted peers. The Branch is unaware of any candidate, or political party, in the 2014 State election, who provided "How to vote cards" from which a member of the blind community can gain the information they need, to independently cast their vote in an informed manner.

The VEC is capable of providing this facility in conjunction with the accessible voting procedures which the VEC already offers to the blind community, but cannot at the present moment, due to:

- Current legislation prohibiting the VEC providing such information within voting centres.
- The lack of time between the opening of the early voting centres, and the publication of the "How to vote cards" from the relevant candidate or political party. For example, in the 2014 Victorian State election, the "How to vote cards" were only finalized by political parties within 24 hours of the opening of the early voting centres. Such a short time frame would not allow the VEC (or anyone else) to provide these cards in a format accessible to the blind community before the start of voting.

Consequently, the Geelong & Districts Branch of Blind Citizens Australia (BCA), has approached all major political parties in Victoria, requesting their support on this matter. Their response has encouraged the Branch to lodge this submission with the Victorian Electoral Matters Parliamentary Committee for its review of the 2014 Victorian State election.

The Branch is seeking the support of the Victorian Electoral Matters Parliamentary Committee with regard to the recommendations below.

Recommendations:

Change of this nature can only occur, if and when, the Victorian Parliament enacts the legislation and grants the funds required, to enable the VEC to provide the necessary procedures which will allow the blind community to cast a free, independent and secret vote.

- 1) That the Victorian State Parliament supports the right of each citizen to cast a free, independent and secret vote.
- 2) That the Victorian State Parliament acknowledge its obligation to ensure that all voters are provided with the same electoral information, and distributed in a format that all members of the blind community can access, as expected under the Disability Discrimination Act.
- 3) That the Victorian State Parliament, after investigation into the differing adaptive technologies for accessible voting now used throughout Australia, and in a co-operative process with other appropriate

authorities, support the establishment of a single uniform accessible voting system throughout the whole of Australia.

- 4) That the Victorian State Parliament support the right of each voter to cast their vote on election day in an accessible format.
- 5) That the Victorian State Parliament fund the provision of a universal accessible voting system, which enables all voters to cast an informed vote.
- 6) That the Victorian State Parliament pass, or revoke, all necessary legislation needed to enable the Victorian Electoral Commission to provide voters with the information that a voter needs, and in an accessible format, to cast an informed vote.
- 7) That the Victorian State Parliament establish an adequate time period between the publication of “How to vote Cards” and the opening of the early voting centres, which will allow the production of this information in a format accessible to a blind voter, that is, in either audible, electronic or Braille formats.
- 8) That the Victorian State Parliament will provide universal access for all voters to all voting centres in regard to the building, travel to and from voting centres, and where possible, the availability of multiple modes of travel.

The Branch would appreciate a response outlining the intention of your committee in addressing the concerns of our members. The Branch is available to discuss any points in this proposal.

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Appendix 1: Blind Citizens Australia.

Blind Citizens Australia is the united voice of blind and vision impaired Australians. Our mission is to achieve equity and equality by our empowerment, by promoting positive community attitudes and by striving for high quality and accessible services which meet our needs.