

Joint Standing Committee on Electoral Matters	
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## Blind Citizens Australia

To: The Secretary of the Joint Standing Committee on  
Electoral Matters (JSCEM)  
Parliament House  
Canberra. ACT 2600

**Blind Citizens Australia submission to the Joint  
Standing Committee on Electoral Matters  
(JSCEM): Review of the October 2004 Federal  
Election**

This submission has been compiled by John Power,  
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been approved by both the President and Executive  
Officer of Blind Citizens Australia.

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## **Summary**

Blind Citizens Australia argues that the current federal voting system is discriminatory because it does not allow people who are blind the right to cast an independent, secret ballot. To remedy this explicit inequity in the federal voting system, Blind Citizens Australia advocates for the introducing of Electronic Assisted Voting (EAV) in all future Federal elections. Costs associated with the introduction of EAV, we assert, are secondary to delivering the same voting rights for people who are blind or vision impaired that are shared by all other Australians.



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## **Introduction: The 2004 voting experience for voters who are blind or vision impaired**

Blind Citizens Australia (BCA) is the National organisation of people who are blind or vision impaired. 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.

In the October 2004 Federal Election, as in all federal elections since federation, people who are blind or vision impaired were not able to cast a secret and independent vote. Under the provisions of section 234 of the Commonwealth Electoral Act 1918 (Cth) (CEA) a voter who is blind and vision impaired must disclose their voting intentions to a trusted partner, friend or family member who will execute the vote on their behalf. If these supports were unavailable, they must rely on the discretion of an electoral official present at the polling station.<sup>1</sup> In 1918, it is plausible to understand why such a law was introduced into voting procedures, however in the present climate of Australia's wealth and technological capabilities, the continuation of these practices is intolerable.

The following comments are from BCA members reflecting on their voting experience at the 2004 November federal election.

1. "I felt disenfranchised by having to tell someone else how I wanted to vote when I knew there was a way that I could have had a private or secret ballot. I'm sure most Australians think that everyone in our great democracy gets a secret ballot, and they would be very concerned if they knew that this was not the case".



2. "There was not one I could call on to act as a 'scribe' so I opted to let my spouse complete my ballot forms. This meant I did not have a secret vote & I did not have the opportunity to complete the Senate form as I would have preferred. I can only presume my spouse voted the way I stated but have not proof of this. I would like to be able to cast my vote myself".

3. "My mother filled out my ballot paper when I told her my preferences; it felt as if I was still a child and not an adult even though I was twenty. I should have been able to vote by myself had it not been for my vision loss".

4. "I live in a small community where I know the Electoral Staff helping out on Election Day. I feel uncomfortable having to reveal my voting choice to someone I know. It is my right to be able to vote secretly and independently. I feel discriminated against that there is no accessible mechanism through which I can cast my vote".

### **The secret ballot and democratic citizenship**

The technological provision of independent voting for people who are blind or vision impaired is not a matter of cost or security in the first instance, rather it is about the *provision of basic human rights*. Being able to cast an independent secret ballot in any election, whether it be at a federal, state or council level, is an integral part of democratic citizenship. To deny citizens this right is to arbitrarily diminish their standing in society.

**Blind Citizens Australia calls upon the federal government to end this discrimination against people who are blind or vision impaired.**

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## **Electronic Assisted Voting (EAV): A federal option for the future**

The Joint Standing Committee on Electoral Matters (JSCEM) report of the 2001 federal election raised a number of concerns about electronic voting. From the submissions received, the JSCEM reported that the potential for security breaches with electronic voting was high because it left “no paper trail, an important aspect of the accountable and transparent electoral system that exists in Australia”.<sup>2</sup> The JSCEM report also stated with trepidation, the issue of cost, saying “thousands of computer terminals and technical staff, as well as substantial amounts of expensive hardware, would be required to achieve the claimed advantages”.<sup>3</sup>

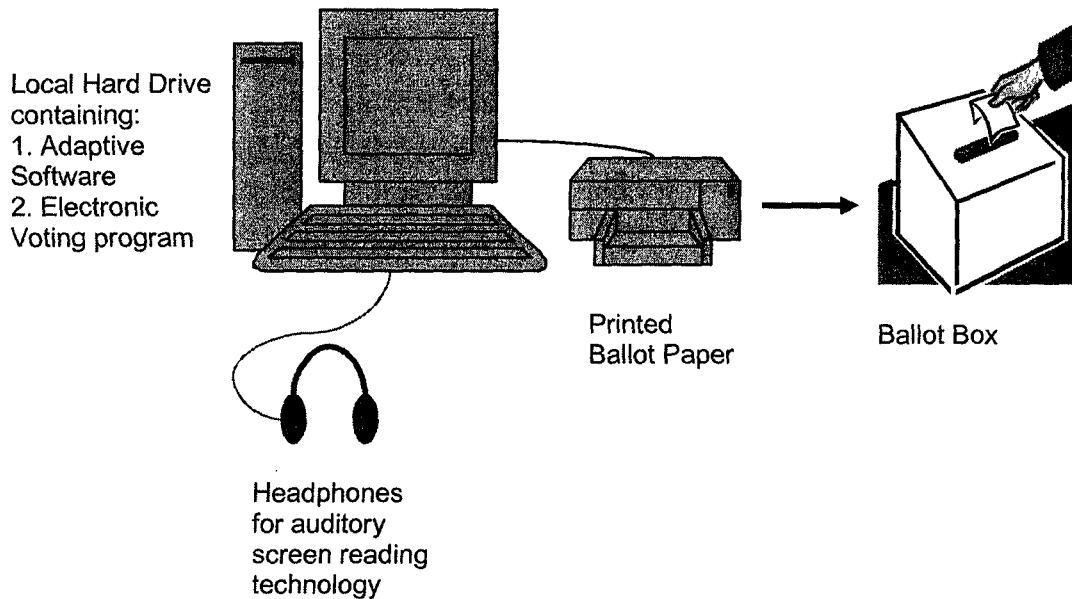
To allay these fears expressed by the JSCEM, Blind Citizens Australia would like to propose to the JSCEM a form of electronic voting that is comparable to the successful e-voting system employed in the past two Australian Capital Territory parliamentary elections (2001 & 2004), but which does not contain the ingredient of electronic recording and counting of votes. This system of e-voting is called *Electronic Assisted Voting (EAV)*. EAV uses the ingredients of a standard personal computer equipped with adaptive technology for the blind and vision impaired (audio screen readers and text enlarging software) to electronically register the vote. Following this, the voter actions a print command function to print their ballot paper from a printer connected only to the computer’s local printer port. Then, like all other voters, the ballot paper is placed in the designated ballot box. There is no Local Area Network (LAN) or Internet connectivity involved and a paper trail is maintained. Diagram 1 on the next page provides a diagram of EAV.



**Diagram. 1**

**Electronic Assisted Voting (EAV)**

- No Local Area Network (LAN) or Internet connectivity
- No permanent electronic registration of votes
- No electronic counting of votes
- Paper trail maintained
- Only requires a standard PC, adaptive software and basic peripherals



The simple method of EAV effectively eliminates the security issues outlined by the JSCEM, and if implemented in a similar manner to the ACT using well designated pre-polling and polling day stations, the costs would not be excessive. The 2003 JSCEM report claimed that “the cost of introducing electronic voting to parliamentary elections on anything but a small scale would be prohibitive compared to the benefits associated with the scheme”.<sup>4</sup> It would only take the small scale

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implementation of EAV to alleviate the *democratic deficit* that currently exists for voters who are blind and vision impaired.

## **Other Issues**

The following three issues have been raised by members of Blind Citizens Australia. While BCA considers these matters pertinent to improving voting accessibility, the major reform BCA is advocating for, to allow voters who are blind or vision impaired to cast an independent, secret and verifiable ballot, is the introduction of EAV.

### Other Issues

1. Provide 'Electoral Visitors' during federal elections to assist people who are blind or vision impaired in the home to fill out and collect their ballot paper/s. These visitors should be established and operate in a manner that reflects the current conditions available to blind or vision impaired citizens in Queensland where electoral visitors are made available during State and Local Authority Elections.

2. Provide consistency in the audio cassette booklet titled 'Your Guide to the Federal Election' made available to people who are blind or vision impaired during federal election time. Elements of consistency to incorporate into the cassette booklet would include:

*Braille Identification:* All information printed on the cassette covers and the cassettes themselves to be marketed with braille.

*Indexing:* To provide audio indexing on all cassettes.





*Specific Requests:* All required requests for blind and vision impaired persons to receive further candidate information or to act on any other matter should be made explicit on the cassette.

*Candidates and Voting Instructions:* Candidate and 'how to vote' information should be provided for both the House of Representatives and the Senate, including 'above and below the line' information and instructions.

3. Provide braille ballots for polling stations and to postal voters who are blind or vision impaired. This measure should be used as an interim measure while waiting on the introduction of EAV and to be continued once EAV is adopted to cover all circumstances that may face people who are blind or vision impaired during federal elections, including computer illiteracy.

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## **Conclusion**

In 2001 the deputy commissioner of the Human Rights and Equal Opportunity Commission Mr. Graeme Innes, who is blind, commented that the situation for blind and vision impaired voters for the then 2001 federal election was one which “all Australians deplore and one which we need to change very quickly”.<sup>5</sup> In 2004 nothing had changed and blind and vision impaired voters were once again denied the right to an independent and secret ballot. As the peak national advocacy organisation for the blind or vision impaired, Blind Citizens Australia wishes to assert that when the JSCEM considers their recommendations in this review of the 2004 Federal election that it decides to take on board recommendation 9.2 of the recently released Productivity Commission Inquiry Report of the Review of the Disability Discrimination Act 1992, which states:

The Commonwealth Electoral Act 1918 should be amended to ensure that federal voting procedures are accessible (physically and in provision of information and independent assistance), and the Australian Government should encourage State and Territory governments to follow suit.<sup>6</sup>

Considering the option of Electronic Assisted Voting, it is hard to think why this recommendation can't be fully implemented.



## End Notes

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<sup>1</sup> Commonwealth Electoral Act 1918 (Cth).

<sup>2</sup> Joint Standing Committee on Electoral Matters (JSCEM) (2003). *The 2001 Federal Election Report of the Inquiry into the conduct of the 2001 Federal Election, and matters related thereto*, p.263 [7.55].

<sup>3</sup> *Ibid.* pp.263-264.

<sup>4</sup> *Ibid.* pp. p.263.

<sup>5</sup> Australian Broadcasting Corporation (ABC) (2001). 'Blind call for electronic voting to be introduced for federal election' *News Online* (online) Available: <http://abc.net.au/news/newsitems/s378678.htm> (29th September, 2001).

<sup>6</sup> Productivity Commission (2004). *Review of the Disability Discrimination Act 1992, Report no. 30*, Melbourne, p.258.