Blind Citizens Australia submission: Review into the conduct of the 2010 Federal Election

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The Secretary
Joint Standing Committee on Electoral Matters (JSCEM)
PO Box 6021, Parliament House, Canberra 2600

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About Blind Citizens Australia

Blind Citizens Australia is the peak national consumer body of and for 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. As the national peak body, we have over 3100 individual members, 16 branches nationwide; in metropolitan, regional and rural locations. Blind Citizens Australia is also affiliated with 13 other organisations that represent the interests of Australians who are blind or vision impaired.

Blind Citizens Australia worked closely with the Australian Electoral Commission (AEC) in the lead up to the 2010 Federal Election. This included involvement in a formal working group to provide an accessible voting process for people who are blind or vision impaired.

Background

Electronic assisted voting was first trialled federally at the 2007 Federal election. This trial involved an electronic system fitted with a telephone style keypad. Voters were provided with headphones to listen to the instructions privately and were required to use the keypad to nominate their preferences. The de-identified vote, printed in code, was then placed in an envelope and placed in the ballot box. In 2008, the former Joint Standing Committee on Electoral Matters (JSCEM) recommended that this trial of electronic assisted voting should not be continued due to the perceived high operation costs.

Blind Citizens Australia, along with other organisations, met with the former members of JSCEM and worked with the AEC to find an alternative, accessible solution for future Federal elections. This collaboration has led to the development of a 'road map' for future Federal elections that will meet the goal of a completely independent and accessible vote. This 'roadmap' includes:

Stage 1:   Telephone assisted voting made available from AEC divisional offices (this was the system used for the 2010 Federal election). Details of the system can be accessed at www.aec.gov.au/Elections/federal_elections/2010/index.htm#bvi

Stage 2:   This interim model will only be used if Stage 3 cannot be implemented in time for the 2013 election. The process will be similar to Stage 1, with the exception of having a person in the call centre. In its place, the call centre will be automated and the system will prompt voters in the same way as the trial model in the 2007 election. This removes the need to have someone physically record the vote and allows for greater secrecy and a greater feeling of independence.

Stage 3:   This model is proposed for implementation at the 2016 election and for future elections. Voters will pre-register, receive a PIN and will be able to vote using any telephone, including a telephone in their own home. This will provide the greatest level of independence and secrecy.

In agreeing to this roadmap, Blind Citizens Australia and the working group were mindful that Stage 1 would and could not meet the needs of all people who are blind or vision

impaired. Stage 1 was rightly viewed as a necessary step in reaching the ultimate aim of telephone voting in a person's own home.

The ability to cast a vote within a person's own home will be a reality at the forthcoming 2011 NSW State Election. Blind Citizens Australia, along with other organisations, has worked closely with the NSW Electoral Commission to develop the "iVote", a general term given to phone and internet voting that can be conducted from a person's own home or from any other location in Australia. The process for telephone voting is similar to phone banking and uses human speech to ensure that the system is easy to understand. The internet system also boasts a high level of accessibility and complies with government standards.

Voters wishing to use either the internet or phone system will be required to register for the iVote, which can be completed over the internet or by calling a designated iVote centre. At the time of registration, delegates will be asked to supply a six digit PIN. A letter is then sent to the voter's enrolled address to confirm the voter's application for iVote. Once the electoral roll has closed, the voter is supplied with an eight digit iVote number, which can be sent via email or SMS or obtained by calling an iVote centre.

Voters have the option to cast their vote either by phone or the internet and are provided with a 12 hour period to complete their vote. The system has been designed to automatically remember where the voter is up to in the voting process. The voter will have the opportunity to review their completed ballot paper before it is submitted and voters using the phone system will have their preferences read back to them. Once the vote has been submitted, the voter will be issued with a receipt number, which can be used at a later date to confirm that the vote has been counted.

Telephone assisted voting at the 2010 Federal Election
Telephone assisted voting was provided at 126 locations around Australia for use during the early voting period and on election day (21 August 2010). In total, 410 people cast their vote using telephone assisted voting, with the highest proportion of voters located in Victoria and New South Wales. This figure was lower than voter turnout at the 2007 Federal election. We are mindful that this disparity may raise a question mark on the need to continue electronic assisted voting for people who are blind or vision impaired. It is, however, important that this figure is not viewed in isolation.

The introduction of a completely new voting system, combined with the recurring issues of distance and public transport access to voting locations, had a significant impact on user take up of the system. These complications were further exacerbated by:

- the short turn around time between the date the election was called and the commencement of voting. This created significant problems for blindness agencies and the sector to communicate information with clients and members and to encourage people to trial a different form of voting from that offered in 2007.
- Many states and territories have begun to investigate or have implemented electronic assisted voting for state elections. We do not believe that it is a coincidence that the highest use of telephone voting was in Victoria and NSW; states which have previously provided accessible electronic voting systems.

Individuals who have never used accessible voting are often concerned that they will not be able to use the system properly or will 'get it wrong' and cast an invalid vote. It is for these reasons that some individuals will stay with what they know until a system has been in place for a significant period of time.

As the peak body of and for people who are blind or vision impaired, it is clear from our members that a form of electronic assisted voting must continue to be offered not only for independence but to enable meaningful participation. In light of the above results, we do however recognise that more work needs to be done by both government and the disability sector to promote and support higher take up of this technology. We have identified a number of areas where improvements can be made and where barriers can be progressively rectified and removed.

We strongly hold the view that the implementation of Stage 3 will be the key to significantly increasing the participation of Australians who are blind or vision impaired in the voting process and strongly support the continued work of the AEC to reach this goal. We are particularly encouraged by the progress of the NSW Electoral Commission in developing accessible, home based voting systems as this provides a working precedent which can be further developed and modified by the AEC. Further recommendations for the future of electronic assisted voting are contained in the section titled 'Future considerations'.

Positive feedback

For the most part, those who used telephone voting stated that the system provided them with a satisfactory way to cast a secret, independent and verifiable vote.

> "I voted today for the first time independently and secretly via the telephone assisted voting…I explained to the electoral staff present and on the telephone that as I had never voted independently before and being blind had never obviously seen how a ballot paper looks or is set out. As a result I explained that I needed a little assistance in that regard. This was duly given so the process was easy and for me very exciting I must say…altogether a truly wonderful experience and very liberating." Member, Brisbane

> "Just cast my vote at the local (regional) electoral office and I was the first in this district to do so. It was a pleasant, quick and totally painless procedure and I'm very grateful for such a thing after all those years of voting at the local school." Member, regional QLD.

Many described the system as 'easy', 'stress free', 'simple and pleasant' and stated that AEC officials were helpful and friendly. First time users of electronic assisted voting were particularly grateful for the availability of an accessible voting system:

> "A mate voted yesterday and found it really simple apart from the guy at the Call Centre being unfamiliar with the Australian names…The people at the Electoral Office were very helpful as was the guy on the phone. This person did not vote electronic[ly] in the 2007 election but now wishes he had done so. [He has] not done his own vote for over 25 years and for about 10 years before that he reckons he probably did a donkey vote as he tried to do it himself". Member, QLD

Whilst the feedback from users of the system was mostly favourable, many users stated that the system did not provide comparable levels of confidentiality, privacy and independence as compared to the system offered in 2007. One key difference of the 2010 system was the need to voice numerical preferences which was less favoured.

> "The centre is on the other side of town so it took me over an hour by bus to get there, but it was definitely worth it. The system is extremely easy to use. It's certainly not as good as the computer system which was in place in the last federal election, and which will also be available in the upcoming Victorian election on November 27, but it is a far better option than what was available to us before, ie, going into a polling centre and having someone else fill out a ballot paper for you." Member, regional Victoria.

In addition, many users viewed the system as an interim voting measure – a step leading to the ultimate goal of accessible voting within a person's own home. Many stated that they used the 2010 system to ensure that electronic assisted voting would continue to be offered in the future – even if it were more convenient geographically for the person to cast a postal vote or visit their local school. There was a strong view amongst many people that support for this "imperfect" system was important to ensure a more widely available accessible vote for future Australians who are blind or vision impaired.

Areas for improvement

Knowledge demonstrated by staff

Some individuals advised that their experience could have been smoother, with recognition and acknowledgement of a person's vision impairment one of the issues experienced. As an example, two members who attended a voting centre offered by a blindness agency were offered standard print ballots despite their open use of a white cane. Knowledge of the process of telephone voting was also problematic at some sites.

> "Turning up at the Cairns Electoral Commission office I was told telephone voting was available at the Show Ground, this is some distance from the CBD and is not adjacent to a street. I insisted they confirm what it said on the web. They cleared the room used for out of state voting and found a mobile phone. From there everything went well. Since then I have been told by two people that when they went to the Electoral Commission office, they were directed to go to the Show Grounds, one went and one gave up. The Electoral Commission was not properly organised [and] should have had the correct information out well before the event, and be prepared before the blind voter arrived to vote." Member, regional Qld.

Lead in time from election announcement

As noted earlier, the short lead in time from the calling of the election to election day created a number of specific problems which is very likely to have impacted on the number of people who trialled telephone voting. These problems present a number of important considerations for the immediate and long term future.

As JSCEM would be aware, there was only a five week period between the call of election and election day. This short timeline, coupled with last minute amendments to the *Electoral Reform Act* permitting other methods of voting, left blindness organisations

unable to provide ready and specific details about telephone voting until after the first week. Many individuals expressed frustration that they were not being told what was happening, even though this was beyond the control of organisations. Insufficient time to promote and encourage people to trial voting – particularly in states where no electronic voting had previously been provided – was a shortfall.

Many individuals commented that information about accessible means of voting, such as telephone voting, were not included in campaigns directed to the public. A good example is the 2010 Victorian State Election, where significant promotion of accessible methods of voting was promoted in print media and other communications.

Blind Citizens Australia recommends that information about accessible voting processes be included in public campaigns at future elections.

To complicate matters further, the Victorian State Election was held in November 2010. Whilst there was a two month period between the elections, many organisations including Blind Citizens Australia were promoting accessible information about the Victorian election well before the announcement of the Federal election. With two very different systems of voting, individuals were unsure of what was being offered at which election.

This confusion extended to other factors, including whether a companion assisting a blind voter to an early voting centre was able to cast a vote at the same time using a paper ballot and the availability of telephone voting on election day. Others were dubious about the system's safety, with at least one person commenting that "I wouldn't trust someone I didn't know on the other end of the phone to register my vote on my behalf".

Length of time taken to cast an electronically assisted vote
Whilst a number of our members commented that the voting process from start to finish was conducted reasonably quickly – with some noting they had finished the process within ten minutes - others experienced longer waits which dampened their experience. These concerns mainly centred on the length of time taken to link the voter with the call centre staff.

> "I was a bit disappointed with the whole experience this time. Yes the Electoral staff were very nice. It was quite a long drawn out event though. Waiting for the Electoral Staff to put me on the system, cross me off the roll and then wait to be hooked up to the call centre. It was nearly half an hour. I had voted electronically in the last Vic State Election and the last Federal Election in 2007. I was in and out in a flash and it was a total private vote and I felt I had cast my vote independently."
> Member, regional Victoria

Some individuals who used the system indicated that they undertook their own preparation before attending a voting centre. This included looking at political preference material prior to their visit to a centre offering telephone voting. Pre-preparation, as well as whether a person chose to vote below the line, may have had an impact on people's perception of how long the process took.

Privacy whilst voting

For some, the perceived level of privacy whilst casting their telephone vote was an issue, particularly when compared to the 2007 Federal election and state elections. As an example, one member who voted at a blindness agency in Melbourne noted that the concertina door providing him with privacy was opened during the casting of his vote by cleaners who were rustling behind him. He asked the cleaners to leave and to close the door behind them, however the door remained open. As the member put it:

> "..This meant that anyone hanging around outside the curtain could overhear me verbally casting my votes. As I got up to close the curtain myself, I noticed several people in possible listening range chatting or walking nearby. I felt that this venue spoilt the whole sense of privacy to which I was entitled". Member, Melbourne metro

Blind Citizens Australia recommends that the AEC work closely with election venues to ensure that the privacy of voters is maintained at all times during the voting process.

Accessibility of electronic assisted voting for people with dual sensory loss

> "I didn't use the accessible voting procedure basically because I didn't want to have to go through the rigmarole of ensuring that there would be a phone that was hearing aid compatible to use…and often when you talk to someone at a local office like that, they don't know what you're talking about anyway. I understand why they opted for a phone based voting system in a polling booth for logistical reasons, but if I'd been able to use my own phone, it would have been a lot more accessible for me. I don't know that thought was put into the needs of people with the combination of vision and hearing impairment to any degree". Member, regional Queensland

Research conducted by Access Economics in 2005 indicates that 288,300 people experience a dual sensory impairment - a combination of vision and hearing loss. When reviewing the figures for sensory impairment coupled with other disabilities such as psychological, physical and intellectual disability, this total figure increases to 730,000 people. A staggering 97% of this population is aged over 65 years of age[1]. Despite these figures, the needs of people with dual sensory loss are often not considered in the development of accessible systems, as outlined by one of our members above.

Blind Citizens Australia recommends that further work is undertaken by the AEC to ensure the participation and inclusion of people with dual sensory impairments in the voting process.

Accessibility of Information

Information in accessible formats has only marginally improved since the 2008 JSCEM Review and remains a significant barrier for people who are blind or vision impaired. A key area of concern continues to be the insufficient and inaccessible access to how to vote information.

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[1] Taylor, P. 2010 Making Sense: *The economic impact of dual sensory impairment and multiple disabilities*, presented at the 2010 International Deafblind Conference, Melbourne.
http://www.ableaustralia.org.au/content-files/Penny%20Taylor%20Presentation.pdf

For most people, reading through party policies and how to vote documents is a critical part of deciding their vote. Unfortunately, people who are blind or vision impaired are still largely excluded from this process. Policies and how to vote documents from political parties are often only made available in standard print or as a PDF on a website. Neither of these formats is accessible to someone who relies on large print, Braille or screen reading software on their computer to access printed information. A number of members noted that if they had not done their own preparation and reading beforehand, they would have had no information to guide them on which way to vote once at the voting centre. Accessibility of how to vote information also extended to the AEC website:

> "One thing which immediately comes to mind was the inaccessibility of the Senate Group Voting tickets on the Australian Electoral Commission website. The information was provided in PDF documents only which didn't work well with JAWS [a text to audio screen reading program]. Fortunately there was another site at www.belowtheline.org.au which is separate from the AEC, but was perfectly accessible and provided all of the necessary information. Why then couldn't the AEC provide this information in an accessible form? I raised this with the AEC at the time of the 2007 election, but it was just as bad in 2010." Member, NSW

It was only through the information sharing between members via email lists that others became aware of this accessible website.

As expressed in our report to JSCEM in 2008, we maintain that people who are blind or vision impaired should have the same opportunity to cast an informed vote as every other Australian citizen.

Blind Citizens Australia restates our recommendation that the Senate Review acknowledge the need for better practice in this area, and to recommend that the AEC formally remind political parties of their moral and legal obligations to comply with the *Disability Discrimination Act 1992* (Cth) by providing information, including information on websites, in accessible formats.

Bringing electronic assisted voting to the voter

For many of our members, the sheer distance to their nearest AEC divisional office and insufficient access to public transport were two of the largest barriers which impacted on the numbers of people who used the system. Many commented that their nearest AEC voting centre was not on a public transport route, that the nearest location was significantly out of their way and/or that it was not practical to seek orientation and mobility to a place that they would only visit once.

> "Pity they don't put these places in locations that are easy to get to. The one for my electorate is about a 35 minute train trip plus a 20 minute walk away. Vision Australia in Kooyong is about another 20 minutes on top of that so I don't think I'll be taking advantage of this one. Good to see it's working for some of you but I think I'll pass until they get it a lot more wide spread. Ah well looks like the fiancée will be filling out the forms yet again!". Member, Melbourne Metro

> "Today I rang 132326 to enquire about voting by telephone and was informed of my location options. This consisted of travelling to the Vision Australia Office in

Brisbane some 1,500 kms away to use their telephone facilities. The second choice was to travel across town and use the telephone at the local Electoral Office about 15 kms away….It is a great pity that the voter has to travel to the telephone rather than having some way of using his or her own telephone to cast the vote. Hopefully some method can be devised where this is possible. If so, I for one would use the system". Member, Queensland

"The nearest place available to our home to participate this way is…a 45 minute drive away. My husband takes me to [suburb]… about once a month or so, but if the availability of the electronic voting is not at a time that we would be going [there] for other reasons, it is simply too far away. I strongly believe that more consideration needs to be given to people with print handicaps who live in rural and/or regional areas, because they also have to contend with the problems involved in travelling to a designated facility to participate in electronic voting." Member, regional Queensland

As one person put it:
"I too am trying to think how to get to the nearest AEC venue, which is not on the public transport route…yes, I could drop into the blindness organisation and vote, but I wish to show the need to have polling places all over Perth, not just in one venue." Member, Perth

A number of members noted that they would not have been able to vote accessibly if a family member had not driven them to the site. As another person put it "I was lucky I had someone to take me".

These systemic barriers remain difficult to resolve, particularly for individuals living in a regional and rural location and individuals who are reliant on significant others to remain involved in the community. Until the availability of electronic assisted voting is increased to allow people to vote closer to or in their own home, many people will continue to rely on family and friends to cast their vote on their behalf or use a postal vote. This will continue to be the case even if this compromises a person's independence.

Age is another barrier which requires further consideration. Access Economics estimates that over 575,000 Australians aged over 40 experience vision loss, with this figure set to rise to just over 800,000 by 2020. The amount of people who are blind is expected to rise to 102,750[2]. In our experience, many individuals who experience sight loss would not think to identify themselves as having a significant vision impairment or disability. This reasoning has implications on the use of location specific voting systems, with "blind voting" at selected sites not automatically resonating with all people who experience vision impairment.

We are firmly of the view that the introduction of Stage 3 voting will significantly remove the effects of these barriers on voter participation. The implementation of Stage 3 is also likely to better cater for the needs of older Australians who may have limited mobility and are reluctant or unable to travel great distances to use a system that is new and unfamiliar.

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[2] Access Economics (2010) *Clear focus: The economic impact of vision loss in Australia in 2009.* Canberra: Access Economics for Vision 2020 Australia.

With the extensive work being undertaken by the NSW Electoral Commission, we see no reason why the NSW system of accessible voting (telephone and internet) could not be adapted or modified for use at the next Federal election.

Feedback from voters who cast a standard vote

Blind Citizens Australia received very limited feedback from members regarding standard voting processes, such as in person voting and postal votes. We were however concerned to hear feedback from one member which is included below.

An individual who assumed that telephone voting was available at his local site commented that the AEC representative had no knowledge of telephone voting. The representative called a senior official who advised that the polling site was several suburbs away. The individual decided to cast a standard vote at his local site and shared the following:

> "I ended up going back to my local polling booth and 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 to actually give my first vote to". Member, NSW

In addition to being inappropriate, this conduct raises further consequences for a voter who is blind or vision impaired. In this instance, there was no certainty that the vote was cast in line with the preferences of the voter. It is crucial that this conduct continues to be stamped out.

Future considerations and recommendations

With the balance of power resting with four Independents, there is a very real possibility that Australians may be required to head to the ballot box well before the official call for the next Federal election. If this were to occur, it is likely that the turnaround time between the call of election and election casting would once again be short. This would present a similar timing and coordination issue as outlined earlier at the 2010 Federal election.

Blind Citizens Australia reinforces the concerns of our members that individuals who are blind or vision impaired could be required to cast an inaccessible vote due to insufficient time to implement an accessible voting mechanism if an early election were called.

Blind Citizens Australia recommends that the Federal Government provide the AEC with the directive and power to implement Stage 3 accessible voting before the 2013 Federal election. Accessible voting should include options for both telephone and internet based voting which can be undertaken in a person's own home or location of their choice, similar to arrangements for the 2011 NSW State Election.

It is also imperative that the AEC is provided with the power to appropriately plan for an interim accessible voting strategy should an early election be called prior to 2013.

Blind Citizens Australia advocates that Stage 3 accessible voting be implemented at the next Federal election, including at an early called election (pending timing). We believe that this is attainable in light of the precedent and timely work undertaken by the NSW Electoral Commission. In the instance that Stage 3 is unable to be provided at an early

election, we would call for a replication of Stage 1 as the minimum. Whilst this is not the preference of our members, we are adamant that we cannot afford to take a further step backwards, as seen in 2008.

It is imperative that a decision regarding the development of accessible voting is made by JSCEM and the Federal Government within a timely manner to ensure that the AEC are provided with sufficient time to plan and implement an accessible and flexible Federal voting system for the next Federal election.

We call on JSCEM to support our recommendations as outlined to improve the participation of people who are blind or vision impaired and individuals with dual sensory disability in the voting process. Blind Citizens Australia would welcome further discussion on the issues raised in this submission.

This submission is available in large print, audio, Braille and in electronic formats on request for access by people who are blind or vision impaired