To Whom it May Concern,

Attached is the Joint Standing Committee on Electoral Matters - 2004 Election review Submission. This document is relevant to your inquiry into the NSW State Election. It has been provided as information to your members.

Submitted by,

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JOINT STANDING
COMMITTEE ON
ELECTORAL
MATTERS

**2004 ELECTION
REVIEW
SUBMISSION**

MARCH 2005

1 BACKGROUND

Current Federal legislation (the *Referendum (Machinery Provisions) Act 1984* and the *Commonwealth Electoral Act 1918)* effectively excludes anyone who cannot independently fill out a ballot paper from casting a secret vote. Both acts clearly specify that the only legal vote is one that is made on the prescribed printed ballot paper. Many voters with a print disability rely on others for assistance to complete the ballot paper. They cannot cast their vote in secret and are unable to independently verify how they voted.

The current system of voting only on a printed paper ballot paper effectively discriminates against any Australians who cannot cast an unassisted vote. There is significant anecdotal evidence that many cast an informal vote and there is also a proportion of the blind and vision impaired community who refuse to enrol, as they cannot participate on an equal basis.

Improvements in technology have meant that people who are vision impaired or blind do not need assistance to be independent in their professional and their personal lives. It appears unjustifiable that somebody who independently does their banking by electronic methods is still required to rely on another individual, whether family, friend or stranger, in order to fulfil their democratic rights and responsibilities. This is openly discriminatory to people who are blind and vision impaired and is undemocratic.

As voting within Australia is compulsory, it is incumbent on the government to provide the means to facilitate independent and empowered access to the electoral process, access which at present is clearly denied.

2 ELECTRONIC VOTING

Electronic voting is a generic term that describes the capture and processing of electronic data in order to authenticate electors, and to then record and count their votes to determine the election result.

Electronic voting can be divided into two distinct processes:

- **The method of filling in a ballot paper i.e. via computer interface**
- **The use of electronic means for counting and recording the votes**

At present there is considerable debate amongst many politicians, the media and the general public about the accuracy and security of electronic voting.

A range of concerns are continually raised in relation to the introduction to Electronic Voting. Issues including the lack of a paper trail and an inability

to scrutinise In the traditional manner provide a level of discomfort to those who are unfamiliar with technological innovation.

While the paper form of voting suits many, there are significant proportions of the population to which this form presents barriers. Latest Australian Bureau of Statistics(ABS) identify that 20% of the community have a disability (disability Ageing and Carers 2004) In addition to this figure, over 22% of the population speak English as a second language. Recent research conducted by RPH Australia indicated that 17% of the population have some form of print disability which our current method of voting presents, in varying degrees, some form of barrier.

2.1   Electronically Assisted Voting

The term electronically assisted voting refers to any system that makes use of an electronic device to assist people to cast a secret ballot. Unlike electronic voting, electronically assisted voting only results in the marking of ballot papers, not the recording or counting of votes. The printed ballot papers can then be:

- **Printed and deposited into the ballot box and counted in the traditional way with scrutineers present, or**
- **Scanned and counted electronically**

2.1.1   Advantages of Electronically Assisted Voting

From the perspective of the voter, electronically assisted voting has substantial benefits. Being an electronic medium, the ballot paper can be rendered in a range of formats including:

- **Audio- synthetic speech or human recorded voice**
- **Audio in multiple languages**
- **Large print format**
- **A variety of screen colours and contrasts**
- **Multiple languages**
- **Refreshable Braille display**

A number of computer applications can be used to provide a solution for a broad range of end users. In addition, this system has the ability to be used in the polling place environment or ultimately, to enable voting on the Internet.   The JSCEM and the Australian Electoral Commission has stated that because of security considerations, and the lack of transparency, they are unlikely to support Internet voting at this stage.

3 PROPOSED SOLUTION

RBS.RVIB.VAF does not specifically advocate any specific method of voting, whether that be online internet voting or closed system local voting in polling places. The specific issue of importance is that individuals are provided access to a method that enables independent participation through completing and verifying their vote.

It is our view however, that electronically assisted voting methods can be implemented at polling centres to offer a practical and affordable solution to enable independent voting.

A range of options now exist to facilitate equitable access to voting utilising electronic means. The ACT Elections in both 2001 and 2004 used electronic voting (LAN based and not online). Such a system has the opportunity to significantly expand an equitable democratic process. The Victorian Electoral Commission are currently proposing to explore this as an alternative voting option for the 2006 State Election.

At present the legislation prevents the Australian Electoral Commission from trialling alternative means of voting which includes electronic voting. Many countries around the world including the United Kingdom, Brazil, Canada and the United States have utilised electronic voting in a variety of ways with varying degrees of success. The Government in the United Kingdom has made a public commitment that electronic voting will be available after 2006. While we do not advocate for a single specific system, Australia's legislation is behind many parts of the world and should be reviewed to provide an equitable electoral environment, particularly when the means exists.

We strongly urge the Joint Standing Committee on Electoral Matters to conduct a review on equitable access to the democratic process for individuals with a disability. This review needs to identify barriers to equity with recommended changes to legislation and improvements to electoral services.

We would also like to take this opportunity to congratulate the AEC on their continuing efforts to improve access to electoral information including candidate information through the provision of accessible formats such as audio tapes and Braille. We would like to see this continue and urge the JSCEM to consider recommending legislative change which would require political parties to provide equitable access to their party political information. Without this people who are blind or vision impaired struggle to get access, or are mostly denied access, to party policy platforms and general electoral information.

RBS.RVIB.VAF Ltd, along with other specialist blindness agencies, has the expert knowledge to assist the Government with advice about accessibility and electronically assisted voting. We would also be pleased to discuss

these issues with the JSCEM and would welcome an opportunity to make a presentation to the Committee.

Democracy is an enshrined right within our Constitution. However it is a right that is not currently fully afforded to or enjoyed by individuals who are blind or vision impaired. We therefore encourage the Australian Government to review this as a priority and adopt an all inclusive strategy for future Federal elections.

ACKNOWLEDGEMENTS

This document has been prepared by Sue Crane, Tony Clark and Michael Simpson.

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