

INQUIRY INTO 2008 LOCAL GOVERNMENT ELECTIONS

Organisation: NSW Disability Discrimination Legal Centre (NSW) and
People with Disability Australia Inc.

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Submission: Inquiry into 2008 Local Government Elections

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1 Introduction

The New South Wales Disability Discrimination Legal Centre (“**DDLC**”) and People with Disability Australia Incorporated (“**PWD**”) welcome the opportunity to contribute to the Inquiry into the 2008 Local Government Election.

It is our position that New South Wales has a legal duty to provide accessible voting for people with disability under the *Disability Discrimination Act 1992 (Cth)* (DDA) and the United Nations Convention on the Rights of Persons with Disabilities (CRPD).

This submission outlines the government’s national and legal obligations under disability discrimination law and has made recommendations to improve the franchise of people with disability to vote.

The ability of people with disability to vote independently and in secret has been a key focal point for our organisations over a number of years. We have made submissions concerning the proposed reforms to the *Parliamentary Electorates and Elections Act 1912* in 2006 and to the Inquiry into the Administration of the 2007 NSW Election and Related Matters.

A highlight in our campaign for achieving electoral rights for people with disability was the success of *Fittler v NSW Electoral Commission and anor (No.2)*¹, where it was found that a failure to provide a ballot paper in Braille was unlawful discrimination. In the 2008 Local Government Elections, Mr Fittler was provided a ballot in Braille, which enabled him to vote independently for the first time.

We strongly recommend you seriously consider our recommendations for the benefit and equality of all Australian citizenry.

2 About DDLC

The NSW DDLC was set up in 1994 to help people with disability to use disability discrimination laws. Our role is to provide accurate and easy to comprehend advice to people with disability in NSW who want to make a complaint of disability discrimination. We give free legal advice, run disability discrimination cases and represent people with cases of disability discrimination.

The NSW DDLC aims for a society where people will be able to participate in all aspects of life through the:

- removal of barriers;
- elimination of discrimination;
- empowerment of people with disabilities;
- promotion of awareness; and

¹ [2008] NSWADT 116

- ability to exercise rights.

DDLC's objectives are:

- To promote community awareness of the potential to use discrimination laws to advance the rights of people with disabilities;
- To provide legal services for people with disabilities, their associates and representative organisations, who have been discriminated against;
- To ensure the effective participation of people with disabilities in the management and operation of the Centre;
- To reform laws and change policies, practices and community attitudes that discriminate against people with disabilities;
- To develop and be involved in appropriate networks; and
- To maintain the necessary infrastructures and administration systems in order to further the Centre's aims and objectives.

3 About PWD

People with Disability Australia Incorporated is a national disability rights and advocacy organisation. We exist within the international human rights framework and provide a number of activities, which include individual, group and systemic advocacy, consumer protection, information, education and training.

Individuals with disability and organisations of people with disability are our primary voting membership. We also have a large associate membership of people and organisations committed to the disability rights movement.

We were founded in 1980, in the lead up to the International Year of Disabled Persons (1981), to provide people with disability with a voice of our own. We have a fundamental commitment to self-help and self-representation for people with disability, by people with disability.

We have a cross-disability focus – membership is open to people with all types of disability. Our services are also available to people with all types of disability and their associates.

We are governed by a Board of directors, drawn from across Australia, all of whom are people with disability. We employ a professional staff to manage the organisation and operate our various projects. A majority of our staff are also people with disability.

We are part of an international network of disabled peoples organisations through Disabled Peoples International.

We have a vision of a socially just, accessible, and inclusive community, in which the human rights, citizenship, contribution, potential and diversity of all people with disability are recognised, respected and celebrated.

4 Summary of recommendations

Recommendation 1:

That all polling sites utilised by the Electoral Commission of NSW (NSWEC) be fully compliant with Australian Standard 1428: Design for Access and Mobility, Part 2.

Recommendation 2:

That polling venues be close to accessible transport nodes

Recommendation 3:

That information on how to vote and accessible polling venues be made available to persons with disability in a timely, user-friendly, and accurate manner.

Recommendation 4:

That section 114A and 114P of the *Parliamentary Electorates and Elections Act 1912* (NSW) be amended to allow a postal vote on the basis of disability.

Recommendation 5:

That the *Parliamentary Electorates and Elections Act 1912* (NSW) be amended to allow postal vote applications to be submitted electronically.

Recommendation 6:

That the electoral timetable be re-examined in relation to rural and remote areas with a limited postal service.

Recommendation 7:

That section 103, 108 and 108A of the *Parliamentary Electorates and Elections Act 1912* (NSW) be amended to provide for reasonable adjustments to enable people with disability to vote independently and in secret.

Recommendation 8:

That section 21 of the *Parliamentary Electorates and Elections Act 1912* that disqualifies people from enrolment on the basis of being of 'unsound mind' be removed.

Recommendation 9:

That section 120C of the *Parliamentary Electorates and Elections Act 1912* be amended to include people with an intellectual or psychiatric disability who are unwell at election time, as a sufficient reason under s120C(6) for the failure to vote.

Recommendation 10:

That electronic voting be trialled and implemented.

5 Legal Obligations

National Law

Disability discrimination is unlawful in Australia.

The laws that make disability discrimination unlawful include:

- *Disability Discrimination Act 1992 (Cth)*
- *Disability Discrimination Act Regulations 1996*
- *Disability Discrimination Act Standards*
- *Anti-Discrimination Act 1977 (NSW)*

International Law

Freedom from discrimination is a basic human right recognised at international law. Australia is obligated under the following international human rights treaties and declarations:

- *Convention on the Rights of Persons with Disabilities*
- *International Covenant on Economic, Social and Cultural Rights*
- *International Covenant on Civil and Political Rights*
- *Declaration on the Rights of Mentally Retarded Persons*
- *Declaration on the Rights of Disabled Persons*

Convention on the Rights of Persons with Disabilities

Australia ratified the Convention on 17 July 2008. Under the *Convention on the Rights of Persons with Disabilities*, Article 29 provides that State parties guarantee persons with disabilities, political rights and the opportunity to enjoy them on an equal basis with others. This includes the right and opportunity for persons with disabilities to vote and be elected.

Article 29 provides that states must

- i) Ensure that voting procedures, facilities and material are appropriate, accessible and easy to understand and use
- ii) Protect the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation, and to stand for elections, to effectively hold office and perform all public functions at all levels of government, facilitating the use of assistive and new technologies where appropriate;

- iii) Guarantee the free expression of the will of persons with disabilities as electors and to this end, where necessary, at their request, allowing assistance in voting by a person of their own choice;

6 Social Model of Disability

The *Convention on the Rights of Persons with Disabilities* enshrines a social model conception of people with disability. Persons with disabilities are to be viewed as “holders” of rights, not “objects” of welfare or medical treatment. ‘Disability’ does not reside in the individual as the result of some impairment, but is the result of environmental barriers. This means that ‘disability’ in Australia depends on the criteria and practices the government set in place.

Australia must conduct better practices in its environment, so that Australian citizens do not face disadvantage.

A failure to provide accessible, independent and private voting procedures in New South Wales is the disability, not the person.

7 Issues

Effective, systematic improvements need to be made to current voting procedure to entitle people with disability the right to vote freely and independently.

Change is needed in the following areas:

- 1. Access**
- 2. Ensuring a secret ballot**
- 3. Electronic Voting be implemented**
- 4. Capacity**
- 5. Penalty Notices**

7.1 Access

Accessibility of polling places

An increase in accessible polling booths is required over time, with the aim of achieving full accessibility.

It is imperative that all polling sites utilised by the Electoral Commission of NSW be fully compliant with Australian Standard 1428: Design for Access and Mobility, Part 2. It is understood that there are limited accessible venues available for short term rental. This means more planning needs to be implemented to ensure accessible venues are hired.

DDLC has received a number of complaints about wheelchair access at the 2008 Local Elections. For example, one of our clients stated that her closest accessible polling booth was 45 minutes away by electric wheelchair and would cost around \$20 to \$50 if she caught a taxi.

It is also imperative that polling venues be close to accessible transport nodes. An accessible building may be of no use if the cost of getting there is prohibitively expensive, such as having to get an accessible taxi because of the unavailability of accessible public transport.

Access to information

The provision of information on accessible polling venues must also be made available to people with disability in a timely and accurate manner. Both PWD and DDLC have received complaints from clients that information provided has proved frustratingly inaccurate or unobtainable. For example information relating to accessible polling venues was inaccurate. In particular, easy English should be distributed to people with intellectual impairment. Hearing augmentation or AUSLAN interpreters should also be widely available to people with hearing impairment and Deaf people.

Postal Voting

The following problems currently exist with postal voting, preventing equal access to democracy for people with disability:

1. Section 114A and 114P of the *Parliamentary Electorates and Elections Act 1912* (NSW) does not permit a person to cast a postal vote purely due to disability. Although, a postal vote is permitted if a person is more than 8 kilometres away from the nearest polling booth on the day of the election, not all polling booths are accessible and therefore people with a disability who have to travel more than 8 kilometres to a nearest accessible polling booth must also incur additional travel costs. These sections should be amended to allow a postal vote on the basis of disability.
2. The *Parliamentary Electorates and Elections Act 1912* (NSW) still prevents postal vote applications from being submitted electronically. This policy adversely impacts some people with disability who experience difficulty travelling to the post office to submit an application, and makes it more likely that they will be excluded from the process. This should be amended to allow for a postal vote to be applied for via the Electoral Commission of NSW Website. Of note, on 11 May 2009 the Australian Parliament's Joint Standing Committee on Electoral Matters encouraged the implementation of options to facilitate electronic transactions by electors in Australian Government elections, as evidenced in the Proof Committee Hansard².
3. People living in rural and remote areas with a weekly postal service are being excluded from entering a timely application and postal vote. This disproportionately affects a number of people with disability, especially Indigenous people, many of whom do not have the means

² Proof Committee Hansard, Joint Standing Committee on Electoral Matters, Reference: Conduct on the 2007 federal election and matters related thereto, 11 May 2009, Canberra

to travel to a polling booth on election day. The electoral timetable should be re-examined to avoid this exclusion.

The electoral system should be open to all citizens. The opportunity for people with disability to register as a General Postal Voter is not the only answer to equalising access in the electoral system. Creating a separate or special system for people with disability is not the comprehensive answer. There should be a system that is universally accessible to all people rather than special systems for people with disability.

7.2 Ensuring a secret ballot

The following problems currently exist that prevent a secret ballot for people with disability:

1. The 'how to vote' requirements set out in section 103 of the *Parliamentary Electorates and Elections Act 1912* (NSW) do not provide for people with dexterity disabilities who are unable to write legibly and manipulate the ballot paper. This means these people must rely upon another person to assist them to complete their ballot. They are therefore unable to vote in secret as prescribed by this section.

2.

People who are blind or visually impaired are also unable to vote in secret as prescribed by this section. *Fittler v NSW Electoral Commission and anor (No.2)*³, found that failure to provide a ballot paper in Braille was unlawful discrimination. The legislation must be amended to provide for alternative means for people with a disability to vote secretly. Some suggested alternative means to print ballot papers are discussed below.

3. Section 108 and 108A of the *Parliamentary Electorates and Elections Act 1912* (NSW) prevents a secret ballot for people with disability. While the sections aim to assist people with disability by enabling them to be assisted by another person when casting their vote or providing their preferences to another person, they fail to provide for reasonable adjustments for people with disability so that a vote may be cast independently and in secret on an equal basis with other voters. This is in breach of section 24 of the *Disability Discrimination Act 1992* (Cth) as the service of providing people with the facilities to enable them to vote is provided on different terms and conditions. Section 108 and 108A of the the Act should be amended to provide for reasonable adjustments to enable people with disability to vote independently and in secret.

In *Fittler v NSW Electoral Commission and anor (No.2)*⁴ the tribunal found that the failure to allow Mr Fittler to vote privately was discriminatory. The tribunal stated that the failure to

³ [2008] NSWADT 116

⁴ [2008] NSWADT 116

afford privacy was a 'serious consequence, because the activity that Mr Fittler was excluded from was not trivial: it was a dimension of his right to participate on an equal footing in Australia's democratic process'⁵. The tribunal heard uncontested expert evidence from Mr Bryan Mercurio of the Faculty of Law, University of New South Wales, that the "right to vote in secret is now such a well-established, deep-rooted principle that many view absolute secrecy of the ballot as a necessary ingredient to maintaining democratic integrity"⁶. The tribunal adopted Mr Mercurio's opinion that "voting with assistance at the polling station means that voters are denied the rights and protections associated with the secret ballot"⁷. The tribunal held that the loss of privacy when voting was significant, and that its effect was that electors who could not comply with the Electoral Commissions requirements received a different service: voting with assistance and therefore without privacy.

7.3 Electronic Voting be implemented

DDLC and PWD strongly recommend that electronic voting be trialled and implemented in local government elections. Electronic voting would greatly improve the franchise of people with disability.

Electronic voting is permissible under Part 1 section 29 of the *Constitution Act* 1902. The section does not specify that the method of voting must be by means of a written ballot paper, thereby allowing electronic voting. In addition, the Australian Human Rights Commission has supported the use of electronic voting machines to people who are unable to cast a secret ballot by pencil and paper due to a physical disability and people who cannot effectively use written instructions in completing a ballot paper due to an intellectual or learning disability, as such people may benefit from having their input read back to them electronically.⁸

The NSWEC has stated that it cannot trial electronic voting. PWD and DDLC recommend amending the legislation, especially in light of the fact that the federal government trialled electronic voting in their election held in November 2007.

The Report on the 2007 Election Electronic Voting Trials

⁵ Ibid at 42

⁶ Ibid

⁷ Ibid at 43

⁸ Report on the 2007 Election Electronic Voting Trials, pp.61-62

Unfortunately the Report on the 2007 Election Electronic Voting Trials recommended that electronically assisted voting for electors who are blind or visually impaired should be discontinued in future federal elections due to the high average cost per elector.⁹

PWD and DDLC believe that the discontinuation of these electronically Assisted Voting Trials would be in breach of national and international disability discrimination law. PWD and DDLC also argue that the Report's recommendation to discontinue the Trials is based on an insufficient analysis of the Trials. In addition, although extra costs may be required to provide people with disability with equal rights, "there is of necessity a trade off in allowing one group of electors to exercise the same quality of franchise as most of the community and the availability of resources."¹⁰

850 blind or visually impaired voters successfully cast their votes electronically at the 2007 Federal Election. 97 per cent of respondents to the evaluation survey were very satisfied or satisfied with the use of the electronic voting machines.¹¹

An assessment of the 2007 Federal Election Electronic Voting Trials is attached at annexure one. PWD and DDLC feel this assessment and the recommendations contained there in are fully relevant to the trialling and implementation of electronic voting in local government elections.

7.4 Capacity

Section 21 of the *Parliamentary Electorates and Elections Act 1912* (the Act) disqualifies a person from voting if they are found to be incapable of understanding the nature and significance of enrolling and voting, due to 'being of unsound mind'.

DDLC and PWD are greatly concerned about this section for the following reasons:

- a) The section allows a person to be disqualified from voting on the grounds of their disability.
- b) The Act fails to state who can make this disqualification decision. This judgement could be made by someone who is not engaged with the person regularly, someone who does not understand the complex nature of capacity, or someone who has a desire to exert control over the person. This means the section is open to being used as a form of abuse towards people with disability.
- c) People with an intellectual impairment or psychiatric impairment who **are** able to understand the ramifications of enrolment and voting, could be judged to fall into this definition inappropriately.
- d) The section's test as to whether the person in question understands "the nature and significance of enrolment and voting" is unsuitable. It could be argued that people of 'sound

⁹ Ibid., p. 65

¹⁰ Ibid., pp.55-56

¹¹ Ibid., p.51

mind' do not have this understanding when it comes to the electoral system. This is not a test applied to a person of 'sound mind'. It is a person's right to make a bad decision regardless of whether they have a disability that impacts on their decision making capacity.

An incorrect assessment of a person's capacity can result in the denial of a fundamental human right to make autonomous decisions, thereby depriving people with disability the opportunity for self-determination.

The NSWEC report on the administration of the 2007 state election reported particularly troubling evidence of the finding of capacity in relation to declared institutions. The report read that the Electoral Commissioner has the power to appoint hospitals, nursing homes, retirement villages and like facilities as declared institutions. These institutions are visited by election officials in the week of the election for the purpose of taking votes from residents who are unable to attend a polling place on election day. It is up to the manager of each facility to agree to these visits. The report stated that in many cases managers advised the NSWEC that this service would not be required as their residents were "too sick or frail" to vote¹².

The decision that residents are not capable of voting is particularly alarming, as there is no transparency as to how this determination was made. The determination has the potential to deny people with an individual right to vote, particularly in cases where a section of the institution may be able to vote and have been excluded because the majority of the institution is "too sick or frail".

In making a determination as to capacity in relation to people with disability, an assumption should be made from the beginning that a person does have the capacity to understand the implications of a decision. The onus should then fall on the person questioning capacity to prove that a person lacks the capacity. This proof should then be put before an independent person. There should also be an easily accessible avenue of appeal if a determination is made against a person with disability. This process would be in line with obligations under Article 12 of the Convention on the Rights of Persons with Disabilities, procedural fairness and natural justice. Such procedures are mandated by the *Guardianship Act 1987 NSW*

The NSW Attorney General's Department (AGD) has produced a Capacity Toolkit¹³ which provides information and guidance to people in correctly identifying whether an individual has the capacity to make their own decisions. The Capacity Toolkit outlines the following 6 principles of assessing capacity¹⁴:

1. Always presume a person has capacity
2. Capacity is decision specific
3. Don't assume a person lacks capacity based on appearances
4. Assess a person's decision making ability – not the decision they make

¹² Ibid., p 31

¹³ Capacity Toolkit, Attorney General's Department of NSW, Diversity Services Unit.

¹⁴ Ibid, p 27 .

5. Respect a person's privacy
6. Substitute decision making is a last resort.

PWD and DDLC strongly recommend the removal of section 21 of the Act that disqualifies people from enrolment on the basis of being of 'unsound mind'. If section 21 is not removed, we would recommend a more rigorous, comprehensive, and clearer system that disqualifies people from the electoral roll on the basis of capacity. This system would take into consideration the principles outlined in the AGD's Capacity Toolkit and would set out a clear and reviewable decision making process for determining a person does not have the capacity to vote. A determination that a person lacks capacity should only apply once, (ie the determination should be made at each election, unless the person with a disability elects for it to apply for a longer period).

7.5 Penalty Notices

Section 120C of the *Parliamentary Electorates and Elections Act 1912* (the Act) provides for penalty notices for those who fail to vote at an election.

People with disability may inadvertently suffer under this section. For example, a person with an intellectual disability may be unable to understand when booths are open and their location, and a person with a psychiatric disability may be unwell during an election. DDLC and PWD recommend that such a reason would be sufficient for the failure of an elector with disability to vote at an election, and thereby not receive a penalty notice.

This section should be amended to include people with disability who are unwell at election time preventing them from voting, as a sufficient reason under section 120C(6) for the failure to vote.

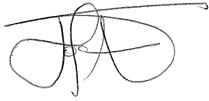
8 Conclusion

Enrolment and voting is a fundamental right of a system of parliamentary democracy.

The NSW Government must reform its legislation to conform with current national and international legal obligations under disability discrimination law. We urge the government to allow people with disability living in NSW to participate fully and equally in political life.

Thank you for the opportunity to make this submission.

Yours Sincerely,



Jo Shulman

Principal Solicitor

NSW Disability Discrimination Legal Centre



Therese Sands

Executive Director, Leadership Team

People with Disability Australia Incorporated



Sasha Krouk Gonda

Legal Clerk

NSW Disability Discrimination Legal Centre

ANNEXURE 1

REPORT ON THE 2007 FEDERAL ELECTION ELECTRONIC VOTING TRIALS



people with disability



13 May 2009

Mr Daryl Melham MP
Chair
Joint Standing Committee on Electoral Matters
Department of House of Representatives
PO Box 6021
Parliament House
CANBERRA ACT 2600
jscem@aph.gov.au

Dear Mr Melham:

Re: Report on the 2007 Federal Election Electronic Voting Trials

People with Disability Australia (PWD) and the Disability Discrimination Legal Centre of NSW (DDLC) are writing to you regarding the *Interim Report of the Inquiry into the Conduct of the 2007 Federal Election and matters related thereto: Report on the 2007 Federal Election Electronic Voting Trials* (the Interim Report). We are extremely concerned that recommendation 4 of this report is to discontinue the Electronically Assisted Voting (EAV) Trials.

PWD is a national disability rights and advocacy organisation established over 25 years ago by people with disability for people with disability. Our Board is made up entirely of people with disability. PWD has advocated for the rights of people with disability to participate equally in electoral processes for many years.

DDLC was established in 1994 to help people with disability understand and protect their rights under disability discrimination law. We do this through the delivery of direct legal services to people with disability, delivery of community legal education and undertaking policy work. NSW DDLC aims for a society where people will be able to participate in all aspects of life.

PWD and DDLC are concerned that if recommendation 4 from the Interim Report is accepted then discrimination will continue against people with disability, in breach of the Government's international and domestic obligations. PWD and DDLC also argue that this recommendation is based on an insufficient analysis of the 2007 EAV Trials. We strongly recommend the continuation of the EAV Trials. We believe an expanded trial will improve the systems that have been developed and progress towards the permanent introduction of EAV for all voters.

Obligations

Australia has ratified a number of international treaties that outline the Australian Government's obligations to implement civil and political rights. Australia is a party to the International Covenant on Civil and Political Rights (ICCPR). The ICCPR provides that elections undertaken by signatories must provide "universal and equal suffrage and shall be held by secret ballot" (Article 25). The United Nations Convention on the Rights of Persons with Disabilities (CRPD), which the Australian Government recently ratified, provides that "voting procedures, facilities and materials are appropriate, accessible and easy to understand" and further that state parties must protect "the right of persons with disabilities to vote by secret ballot in elections and public referendums" (Article 29).

The obligations relating to voting are reflected in the *Disability Discrimination Act 1992* (Cth) (DDA). The DDA renders it illegal to discriminate against people with disability in the administration of Commonwealth laws and programs, which includes access to voting. In particular, blind people and people with vision impairments do not enjoy equal access to a secret ballot, and this was recognised in a NSW case run by the DDLC, *Fittler v New South Wales Electoral Commission and anor* (No.2) [2008] NSWADT 116. Accordingly, PWD and DDLC argue that recommendation 4 of the Interim Report is contrary to the DDA and CRPD.

Assessment of the Electronically Assisted Voting Trials

PWD and DDLC are concerned that the assessment of the EAV Trial has been inadequate. The Interim Report states that the Joint Standing Committee on Electoral Matters (JSCEM) would evaluate the trial by measuring how EAV improved the "quality of franchise" of blind people and people with vision impairments. We believe this is an appropriate measure of success as it assesses whether equal rights are being achieved.

However the Interim Report focused its arguments about the EAV trials on the cost of conducting the trials. The Interim Report stated that the average cost of a vote cast using EAV was \$2597 and the average cost of a general vote was \$8.36. This additional cost was used to argue that the EAV Trial was unsustainable. The Australian Electoral Commission (AEC) noted the lower than expected turn out and uptake of these trials, finding that the average cost per vote would have almost halved if usage expectations had been reached. PWD & DDLC argue that this is not a measure of the "quality of franchise" but a measure on the basis of costs.

The evidence provided to the JSCEM from people who did access the trials clearly indicated support for the EAV Trial. It was noted that this was the first time that many people had been able to cast a secret ballot, resulting in considerable excitement and empowerment. The value that blind people and people with vision impairments place on the ability to cast a secret ballot was also noted throughout the Interim Report. PWD & DDLC argue that this demonstrates that the "quality of franchise" was clearly improved.

In addition, PWD and DDLC believe that assessment of the EAV Trial should have included an evaluation on whether information to publicise the Trial was adequate and sufficient for people with disability. It is not clear whether appropriate resources were provided to let people know of the EAV Trial, whether additional resources promoting the EAV Trial would have been likely to result in a greater number of people using EAV.

Expanded Electronically Assisted Voting Trials

PWD and DDLC believe that EAV should be available to all people, not just blind people and people with vision impairments. Many people who are not blind or vision impaired could prefer to use EAV. Not only would this have assisted other people with disability, such as those who are DeafBlind and those with print disability, it would also have resulted in a higher usage rate by the community resulting in lower costs. Potentially, EAV would be a universally accessible voting option that reflects the values of inclusion and full participation for all.

PWD and DDLC argue that further trials should be undertaken to address concerns about sustainability. We suggest that some of the features of the Australian Capital Territory (ACT) model of EAV should be incorporated in future trials. These trials should be available to anyone who wishes to use EAV, not just blind people or people with vision impairments.

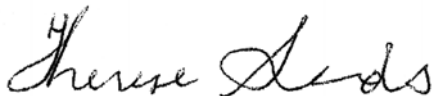
In addition, PWD and DDLC believe the ACT's provision of multilingual options would improve the franchise of people with disability from non-English speaking backgrounds. This is likely to be beneficial for people without disability from non-English speaking backgrounds as well. The benefits of this would reach a wider group of people and dramatically reduce the cost per vote.

Alternatives to Electronically Assisted Voting Trials

While PWD and DDLC support the expansion of options to assist people with disability to vote independently, but do not the discontinuation of EAV based on other alternatives. We therefore support recommendation 5 in the Interim Report in relation to the provision of electronic magnifiers. Electronic magnifiers are helpful to a number of people with disability, and we argue that they should be provided alongside the provision of EAV and other complimentary measures that improve the franchise of people with disability.

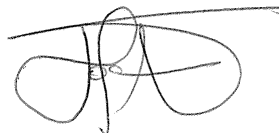
If you would like to discuss any of the matters raised in this submission, please contact Dean Price, Advocacy Projects Manager on 02 9370 3100 or deanp@pwd.org.au.

Yours sincerely



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The Hon Bill Shorten, Parliamentary Secretary for Disabilities and Children's Services;
Senator the Hon John Faulkner, Special Minister of State