## Blindness. Low vision. Opportunity.

**Vision Australia Submission to Inquiry into Proposals to Increase Voter Engagement, Participation and Confidence**

Submission to: NSW Joint Standing Committee on Electoral Matters

Submitted: Online

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# Introduction

Vision Australia is providing this submission as a response to the JSCEM Inquiry into Proposals to Increase Voter Engagement, Participation and Confidence (**the Inquiry**) to once again highlight the barriers that people who are blind or have low vision encounter when engaging with the electoral system, and to reiterate our strong view that technology assisted voting is the only way people who are blind or have low vision can enjoy the right to a secret, independent and verifiable vote that is fundamental for the rest of the community. The majority of the content in this submission has been collated from previous submissions we have made to the JSCEM and the NSW Electoral Commission. We hope that the Inquiry will result in accelerated progress towards removing barriers to participation in and engagement with the electoral system by people who are blind or have low vision, so that it is no longer necessary for us to reiterate the same issues and concerns time and time again.

In preparing this submission we are mindful of the relevance of the Final Report of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. The report articulates an inspiring vision of an Australia that is truly inclusive of people with disability:

“a future where people with disability live free from violence, abuse, neglect and exploitation; human rights are protected; and individuals live with dignity, equality and respect, can take risks, and develop and fulfil their potential.”

Fundamental to the realisation of this vision is the incorporation into all areas of society of a positive duty to eliminate discrimination. The Commission explains:

“Achieving substantive equality requires more than making adjustments for one person. Positive action is required to remove systemic barriers. It means shifting the focus from a reactive model to one of preventing and eliminating systemic barriers for people with disability more broadly.”

While the Commission does not specifically discuss inclusive electoral processes in its Report, there can be no question that such processes are integral to the operation of a democratic society that values inclusion of people with a disability. As such, governments and electoral commissions must play their part in creating a more accessible, equal and inclusive society. They must be seen, and see themselves, as being impelled by a positive duty to remove systemic barriers – a duty that must encompass every aspect of the way electoral processes operate.

In 2023 Vision Australia was contacted by a sociologist who is affiliated with Kozminski university in Poland, and who is conducting international research into patterns of trust and distrust in internet voting. We know anecdotally that people who are blind or have low vision generally have much higher levels of trust in internet voting than the rest of community, presumably because paper voting such as traditional ballot papers is largely inaccessible, whereas internet voting provides independence, secrecy and verifiability of the voting process for people who are blind or have low vision. The research will explore this topic in greater detail and will allow meaningful comparisons to be made between the blind and low vision community and the rest of the community in terms of trust and distrust in internet voting.

It has taken some time to refine the research methodology so that it is accessible and convenient, but that has now been done and the research is due to commence in September 2024. The research is the first of its kind in the world, and we would be pleased to provide an update to the JSCEM if it would be of interest to the Committee.

# Barriers to Participation

In our numerous previous submissions we have drawn attention to barriers that prevent or limit the participation of people who are blind or have low vision in the electoral process. These include difficulties attending a physical polling centre, inaccessibility of paper-based ballots, inconsistent and unpredictable levels of disability awareness among the staff at polling centres, and lack of accessible information provided by political parties and candidates. With the number of people who are blind or have low vision expected to grow significantly in the coming years as the population ages, these barriers will have an increasingly negative impact on the community’s ability to engage with and participate in the electoral system if they are not addressed quickly and decisively.

In our submissions to the NSW Electoral Commission’s Review of Technology Assisted Voting, we highlighted the diversity in the blind and low vision community, and concluded that only a suite of accessible voting options would allow all people who are blind or have low vision to enjoy the same level of amenity and convenience in casting their vote as the rest of the community. While the telephone-assisted voting offered in several states and used (as part of the iVote platform) in NSW at all elections since 2011 does represent an important step forward, it is not sufficient because it fails to provide an independent, secret and verifiable vote. Only technology assisted voting, particularly internet voting, fulfils these requirements, although internet voting alone will not meet the needs of the entire community.

In this context it is sobering to reflect on the findings of a survey that Vision Australia conducted after the 2022 Federal election. Telephone-assisted voting was available during that election, but technology assisted voting, including internet voting, was not.

In response to a question about whether users of the telephone voting service were confident that their voting preferences had been recorded and submitted correctly, almost 20% of respondents said that they were not. This is hardly surprising, given the difficulty that voters can have keeping track of their preferences when they have to rely on someone on the other end of the phone to record them, and also because a voter has no way of independently verifying that their vote has actually been submitted.

In the survey we also asked users of the telephone voting service how confident they were that their vote was secret. Almost 25% of respondents indicated that they were not confident. In our view, one of the serious and inherent shortcomings of any form of human-assisted voting, including telephone-assisted voting, is that it is not secret, in the sense that in order to use it a voter has to disclose their voting preferences verbally to another person. While there are always separate registration and vote recording processes that aim to minimise the risk of identifying individual voters, it is nonetheless easy to envisage situations in which there is a higher risk. For example, if a person who is blind or has low vision is acquainted with call centre staff, or if they live close to where the call centre is located, or if they live in a rural or regional area where there are only a few voters who are blind or have low vision, then they may well have concerns about the secrecy of using the service. And the mere fact of having to verbalise one’s voting preferences to someone else compromises their secrecy by definition. One of our clients recently commented:

“When I tell the person in the call centre how I want to vote they may not know who I am, but they know how I’m voting. They have a pretty good idea of my gender from my voice, they know what electorate I live in, and because they know how I’m voting they can make some educated guesses about my political allegiances. That’s more information about me that a lot of hackers get when they steal data. If someone in the call centre had a mind to, they could do some internet searching and figure out who I was. So no, it’s not secret – no way is it secret.”

Of course, our survey result does indicate that around 75% of service users were confident that their vote was secret. Nevertheless, we believe that if it were found that 25% of the general community were not confident in the secrecy of the voting process then there would be a public outcry and pressure on politicians and administrators to fix it. The tradition of the secret electoral ballot is very strong in Australia, and one reason for the high satisfaction with internet voting whenever it has been used, especially in NSW when iVote was available, is that it does ensure a secret vote for people who choose to use it.

The reintroduction of internet voting in NSW would substantially increase the confidence of voters who are blind or have low vision. Noting the intention of the NSW Electoral Commission to offer internet voting on a limited basis in the 2027 election subject to a market solution being available, we call on the NSW government to ensure that sufficient resources are allocated so that the Commission is able to implement this intention without compromising the security and integrity of the voting process for people who are blind or have low vision.

# Digital Inclusion as a Key to Voter Engagement and Participation

Most aspects of life in Australia are now digitised to one degree or another. The electoral process is one of the few remaining areas where traditional paper is the primary means of participation, both in terms of casting a vote and accessing political information produced by parties and candidates. We recognise that there are complex factors, such as the need for security and integrity, that have slowed the uptake of digital technology in the voting process itself, but such factors do not apply to the production of party- and candidate-related information. All political parties have largely failed to produce information such as how-to-vote cards in formats that are accessible to people who are blind or have low vision, despite the abundance of guidance and resources on how to do this.

Being unable to access key political information that is distributed to the rest of the community in considerable quantities and at considerable expense makes people feel humiliated, belittled, and the objects of discrimination. As one client said:

“I vote because if I don’t I’ll be fined. Because why should I have to vote for someone who cares so little about me that they can’t be bothered to give me information I can read myself?”

Ignoring the need for accessible information is not consistent with the vision of an inclusive society articulated by the Disability Royal Commission, and it certainly does not encourage voter engagement, participation or confidence. There is no plausible reason for not requiring that all information produced by political parties and candidates be available in accessible digital formats, and we therefore strongly recommend to the Committee that it give further consideration to this matter with a view to making suitable recommendations to the Government for legislative or regulatory change.

It is also important to emphasise the need for websites, apps, social media content and other public-facing digital assets to be designed and maintained in compliance with the Web Content Accessibility Guidelines, which are the internationally recognised standard for accessibility in this area.

It is inevitable that electoral processes will become increasingly digitised, and it is essential that such digitisation proceeds with an accessibility-centric focus so that further barriers to engagement and participation are not created. Accessibility never happens coincidentally without careful planning, and there are unfortunately far too many examples of where a failure of planning has resulted in digital exclusion and discrimination.

# NSW Electoral Commission: Equal Access to Democracy

## The NSW Electoral Commission’s Equal Access to Democracy Reference Group continues to be an effective and valued mechanism for increasing the engagement, participation and confidence of voters in the disability sector. The group allows stakeholder representatives to receive updates on the Commission’s activities, and to provide feedback, which is always given due consideration and typically incorporated. Through its consultation with the Group, the Commission demonstrates to voters that it takes their concerns and perspectives seriously and, in turn, voters feel more engaged because they know that by providing feedback to the Group through representatives such as Vision Australia, they can have a tangible influence over processes that directly affect them.

We therefore strongly recommend that the Committee highlight the ongoing importance of the Equal Access to Democracy Reference Group and recommend to the Government that the Commission is given adequate resources to allow the Group to continue playing such an important role in increasing the engagement, participation and confidence of voters.

# About Vision Australia

Vision Australia is the largest national provider of services to people who are blind, deafblind, or have low vision in Australia. We are formed through the merger of several of Australia’s most respected and experienced blindness and low vision agencies, celebrating our 150th year of operation in 2017.

Our vision is that people who are blind, deafblind, or have low vision will increasingly be able to choose to participate fully in every facet of community life. To help realise this goal, we provide high-quality services to the community of people who are blind, have low vision, are deafblind or have a print disability, and their families.

Vision Australia service delivery areas include: registered provider of specialist supports for the NDIS and My Aged Care Aids and Equipment, Assistive/Adaptive Technology training and support, Seeing Eye Dogs, National Library Services, Early childhood and education services, and Feelix Library for 0-7 year olds, employment services, production of alternate formats, Vision Australia Radio network, and national partnership with Radio for the Print Handicapped, Spectacles Program for the NSW Government, Advocacy and Engagement. We also work collaboratively with Government, businesses and the community to eliminate the barriers our clients face in making life choices and fully exercising rights as Australian citizens.

Vision Australia has unrivalled knowledge and experience through constant interaction with clients and their families, of whom we provide services to more than 30,000 people each year, and also through the direct involvement of people who are blind or have low vision at all levels of our organisation. Vision Australia is well placed to advise governments, business and the community on challenges faced by people who are blind or have low vision fully participating in community life.

We have a vibrant Client Reference Group, with people who are blind or have low vision representing the voice and needs of clients of our organisation to the board and management.

Vision Australia is also a significant employer of people who are blind or have low vision, with 15% of total staff having vision impairment.