



N E D A

Electoral Matters for people from NESB with disability

1. Introduction

Australia has a unique voting system with some aspects that the National Ethnic Disability Alliance (NEDA) views very positively. One such aspect is the practice of compulsory voting as it encourages all Australian citizens to have their say, including vulnerable groups like people from non-English speaking backgrounds (NESB) and people with disability.

The obligation to vote thus has potential to include every Australian voter regardless of disability, ethnicity, gender, etc. However more work needs to be done to better facilitate the enrolment, information and voting process for those who may be disadvantaged due to their disability and/or low English proficiency.

One in every four people with disability is a person of either first or second generation Non-English Speaking Background (NESB). This represents approximately 1 million people across Australia. Most individuals in this group are as capable and intelligent as their English speaking peers who have a disability, however their participation in the Australian State and Government elections are limited by the exponential interplay of their disability and ethnicity.

NEDA begins this paper by detailing some of the work that has been done by NEDA and particularly the Australian Electoral Commission (AEC) that has been highly inclusive of people from NESB.

It is discussed how electronic voting, if implemented properly, can include not only people with disability who have mobility difficulties and/or are print handicapped in the voting process, but also people from NESB.

This paper explores the current situation focussing on the factors that make it difficult for some people from NESB to participate in the Australian voting system and the Australian Government's obligations to involve them. This section is followed by suggestions for ways to increase the participation of people from NESB with disability in the Australian voting system.

The discussion concludes with a comparison of how other countries have attempted to involve people from NESB and people with disability.

1.1. About NEDA

The National Ethnic Disability Alliance (NEDA) is the national peak organisation representing the rights and interests of people from non-English speaking background (NESB) with disability, their families and carers throughout Australia.

NEDA is funded by the Commonwealth Department of Families, Community Services and Indigenous Affairs (FACSI) to provide policy advice to the Australian Government and other agencies on national issues affecting people from NESB with disability, their families and carers.

NEDA actively promotes the equal participation of people from NESB with disability in all aspects of Australian society.

It manages a range of projects relating to NESB and disability communities and works closely with its state and territory members to ensure that its policy advice reflects the lived experiences of people from NESB with disability. In states and territories where no NESB-disability advocacy agency exists NEDA undertakes development work to establish a structure that can support people from NESB with disability, their families and carers.

Definitions

NEDA uses the term *Non-English Speaking Background* in preference to *Culturally and Linguistically Diverse Background* as those from an English speaking background are encompassed by the latter term and they are not part of NEDA's constituency. NEDA contends that coming from a linguistic and cultural background other than Anglo-Australian can be a great social barrier and a source of discrimination in Australia. The intention of using NESB is not to define people by what they are not but to highlight the inequity people experience due to linguistic and cultural differences.

NEDA also uses the term *people from NESB with disability* rather than *people with disability from NESB* as we consider cultural background (not disability) an appropriate means of developing social identity.

NEDA maintains that disability is a social construct and arises when a society's infrastructure is not developed to ensure all individuals, regardless of capacity or impairment, can fully participate in society. Thus NEDA refers to *people with disability* rather than *people with disabilities* to underline that disability is not a characteristic of an individual but a consequence of a society designed (whether consciously or inadvertently) to exclude many of its citizens from equal participation.

2. Background

2.1 NEDA's Involvement with the Australian Electoral Commission (AEC)

Both disability groups and ethnic groups have often been overlooked in research projects.

As many people from NESB with disability are hampered by low English proficiency and restrictions caused by their disability, it has admittedly been difficult to hear their voices.

However, thanks to the principles of 'inclusion' and 'participation for all', greater efforts are being made by the Australian government to listen to issues and improve the participation of people from NESB with disability.

NEDA has been working enthusiastically to voice the issues of people from NESB with disability in the voting and electoral processes. In 2008 NEDA joined the AEC's Disability Advisory Committee and has been attending every year since. NEDA has also contributed to AEC's consultations including the Disability Action Plan in 2008-2011 and the 'Electoral Reform Green paper – Strengthening Australia's Democracy' in 2009.

2.2 AEC's Work to Involve People from NESB in the Voting System

The AEC has been making many positive developments that can render the Australian voting and electoral processes much more accessible to people from NESB and those within this group who also have a disability.

Such developments include:

- Information on the AEC's website in languages other than English
- The official Guide to the 2010 Elections in 14 languages
- 'How To Vote' information in the 2007 elections in 21 languages - http://www.aec.gov.au/Elections/federal_elections/2007/key_facts.htm
- And 'Your Vote Matters' DVDs in 12 indigenous languages - http://agencysearch.australia.gov.au/search/search.cgi?query=alternative%20languages&collection=agencies&form=simple&profile=aec&start_rank=11

NEDA is aware that the AEC recognises the importance of communicating with Australians who have limited English proficiency.

In the 1999 referendum on whether Australia should become a republic, an extensive campaign was launched to inform and educate the public. This campaign also targeted people from non-English speaking backgrounds.

http://www.aec.gov.au/Elections/referendums/1999_Referendum_Reports_Statistics/Public_Information_Campaign.htm

According to the Public Information Campaign (PIC) report, the national advertising of the referendum was translated into 17 languages in the ethnic press, 25 languages on ethnic radio and 11 languages for ethnic television.

In addition, radio advertisements were translated into 20 indigenous languages and advertisements were broadcast on the Radio for the Print Handicapped network. The cost of Ethnic and indigenous media accounted for approximately 8.6 per cent of media placement costs.

Further to the activities above, a 72 page pamphlet explaining the referendum was also available on the AEC's website in 14 languages other than English.

A telephone interpreting service was also available throughout the referendum campaign. The PIC report states:

The service had 15 language specific telephone lines and one line for electors who did not speak any of the 15 specific languages available. A caller to one of the 15 language specific lines was greeted by a recorded electoral message in their own language and if they required further information they could choose to be connected to an AEC officer with an interpreter on line.

According to the PIC report, during the referendum period, a total of 10 098 calls were made to the interpreting service with nearly 40 per cent of these callers choosing to speak further to an operator. The language lines that received the most calls during the period were the Cantonese, Mandarin and Vietnamese lines.

The report asserts that: "The interpreting service, which was first established for the 1997 Constitutional Convention election, has proven to be a very effective means of ensuring that people from non-English speaking backgrounds, especially those with limited English language ability, have access to electoral information".

NEDA commends the work of the AEC in the 1999 referendum and queries why such good practice work is not continued in the Federal elections.

2.3 Development of Electronic Voting

While it is still in the trial process, electronic voting is now a reality. However, the trials predominantly take into account the needs of blind/partially sighted voters and voters who are living/working outside of Australia. Yet e-voting also has great potential to include the option to vote in other languages.

In the 2007 Federal elections, specialised equipment was used so that blind/partially sighted people were able to cast an independent vote. While this provided an exciting new opportunity for many voters, the machines were costly and only available at certain locations. This made it very difficult for some people to travel to the venue to cast their vote. In addition, some training was required for people to learn how to use the machine and thus many blind/partially sighted people who were elderly or had an intellectual disability shied away.

In the evaluation report that followed the 2007 elections, a recommendation was proposed to discontinue the voting machines.

Telephone voting was introduced in the 2010 Federal elections.

NEDA has no access to information on expense increases or decreases from 2007 to 2010. However, it is known that telephone voting was made available in many more polling stations in 2010.

It is argued here that this shift from e-voting to telephone voting is not satisfactory as people with disability still experienced trouble attending the polling stations. Importantly, while there was an implication that the Telephone Interpreter Service would be available to cast a vote via the telephone, this was not broadly promoted by the AEC. There is no publicly available information on the take up rate of the TIS by people from NESB.

The Victorian elections toward the end of 2010 saw the introduction of telephone and touch screen voting which was accessible from any polling station, though the touch screen option was less available. Accessibility to people from NESB was also promoted in these elections. Accessible voting was available in 11 languages other than English including Arabic, Cantonese, Mandarin, Croatian, Greek, Italian, Khmer (Cambodian), Macedonian, Serbian, Turkish and Vietnamese.

IVote in the 2011 NSW elections took telephone voting a step further and made it available to voters from their home. However, as in the 2010 Federal elections, there was an implication that IVote was available via the TIS but it was not promoted.

3. Current Situation

3.1 Lack of Community Education

More and more information is becoming available in languages other than English about the Federal as well as State elections and the voting process.

The majority of information is available on the internet and voters have access to a telephone interpreter service where they can ascertain information they specifically require.

However, the availability of information does not seem to reach people from NESB. Research indicates that informal votes are high in areas where there is a concentration of people from NESB. The 2003 'Research Report - Informal Vote Survey House of Representatives – 2001 Election' states that "the *Not Fluent In English* variable is the major predictor and highly statistically significant".
http://www.aec.gov.au/About_AEC/Publications/Strategy_Research_Analysis/paper1/index.htm)

NEDA suspects that, unlike in the 2009 referendum where a large effort was made to reach out to people from NESB, such efforts are not made in the Federal elections.

The 2009-10 AEC Annual Report lists the activities the AEC undertook to promote the 2010 elections to NESB groups www.aec.gov.au.

These activities included:

- Conducting electoral information sessions to the Chinese community in Bankstown and Arabic community in Campbelltown in Sydney.
- Attending a migrant expo in Victoria "to raise awareness about elections and voting with new citizens".

Again there is no information about how successful these visits are and what else the AEC can do to improve the participation of people from NESB in the Australian voting system.

3.2 Cultural Barriers to Voting

In many developing countries, vulnerable groups such as women and people with disability are simply not encouraged to vote. Sometimes there are practical reasons for this, such as lack of access to and safety of polling booths. Other times it is due to the culture not recognising the value of certain groups of people.

When people from such cultures make Australia their new home, they tend to practise their own culture. Many women shy away from voting and often get a male family member to vote in their name. Some women with disability may not even be registered as they would not be expected to make contributions to the community through employment, social activities etc. The situation of these women is a prime example of the exponential interplay of gender, ethnicity and disability.

A woman from NESB may not be encouraged to vote by her family but she may be registered and her vote be delegated to a male family member. Her partial inclusion may be due to her visibility as an active member of her family as a mother, a daughter, etc. Often though, her son or husband will decide on who to vote without consulting with her as she may not have literacy skills to obtain the information to make her own decisions, even if it had been transcribed in her language. If the woman also has a disability, she may not be encouraged to be an active member of the family and her lack of contribution will render her less valuable in her family's eyes.

The negative attitudes towards her often can cause her to be isolated from her community. In extreme cases, her existence may bring shame and stigma to her family and she may be hidden away. Consequently, she will miss out on many opportunities, including her right to vote. Therefore, her gender, ethnicity and disability have coalesced and present altogether new issues.

However, culture is ever-changing, and the way gender and disability are viewed in some cultures can improve through education and government policies.

3.3 Australia's Obligation to Involve NESB and Disability Groups in the Political System

Below are a list of regulations and policies that the AEC must comply with. Failure to follow the laws can lead to discrimination claims.

The laws and regulations are:

- Australian Human Rights Commission Act (1986)
- Disability Discrimination Act (DDA) (1992)
- Racial Discrimination Act (1975)
- Social Inclusion Policy Framework

4. Ways to Achieve Electoral Independence for People From NESB With Disability

4.1 Extensive Community Education Program

NEDA has established in this paper that an extensive community education program can spearhead cultural change so that cultural barriers for vulnerable groups in the NESB communities are reduced and eventually eliminated.

Such program needs to target potential citizens, refugees and Australian citizens from NESB who have lived here for a long time, including those from second and third generations.

The education program must include information about:

- Australia's political enrolment system including major and minority parties, compulsory voting, etc.
- How to vote

The program can be carried out by community groups who either cater for a specific ethnic group or all ethnic groups. As these groups are already established, they would presumably have many clients and members. It can also be carried out in the education system through programs such as English as Second Language (ESL).

Due to factors such as post traumatic stress disorder (PTSD) some people may still not fully comprehend, or forget what they have learned through the election education. In order to encourage them to make enquiries, NEDA proposes that the AEC promote a question sheet which contains a list of questions that people can ask. It can also be used by citizens from NESB who do not undergo the education program.

Such a Question Sheet need only be one page (to reduce the cost of translation) that is translated into as many languages as possible.

Recommendation 1:

NEDA recommends that the Government make funding available to community organisations to carry out an extensive community program targeting people from NESB in the Australian voting system which is inclusive of people with disability.

4.2 Citizenship Test Preparations

Australia's voting system is unique, particularly our compulsory voting principle. Participating in State and Federal elections is one of the most 'Australian' values we have and it should not be passed over lightly.

Currently the citizenship test for migrants applying for Australian citizenship does not include formal training though it does require knowledge of the Australian electoral system. However, Australia's voting system is complex and challenging, even for people born in Australia who do not have language difficulty. It is important to have classes on the Australian electoral and voting system as there are concepts, such as the three tiers of government and Australia's political party system that may require some time and discussion for the information to be fully understood.

Recommendation 2:

NEDA Recommends that the Government fund formal classes for migrants preparing for their citizenship test to explain and teach the Australian electoral and voting system.

4.3 Electronic Enrolment and Voting

NEDA commends the AEC for trialling electronic voting and moving towards electronic enrolment for Australian voters. Developments in this direction are a reflection of the use of technology in everyday life.

At the moment the AEC permits electronic enrolment updates online only; it states:
For first time enrolment or to change your name, you will only be enrolled when the AEC receives a printed and signed copy of the form. You will need to post or fax your form to the AEC.

The AEC does not require a printed and signed form for a change of address only. If you are only changing your address and can provide a driver's licence, your enrolment will be completed by this online submission.

<https://forms.australia.gov.au/forms/aec/Electoral%20Enrolment/>

As transport is a major challenge for many people with disability, it is believed that electronic options offer easier access for people with restricted mobility as well as those living in remote and regional areas, providing they can be arranged from home.

On the other hand, voting at a polling station is a cultural experience and at times considered a social event for many people and thus future electronic voting options should not be considered as a replacement of fully accessible and inclusive voting at polling booths. Rather, all Australians with disability must have access to polling places.

The AEC may wish to consider adopting legislation to make accessibility of polling stations mandatory, similar to the Voting Accessibility for the Elderly and Handicapped Act of the United States, US CODE: Title 42,1973, see 1. Selection of polling facilities.

For further information, visit <http://www4.law.cornell.edu/uscode/42/1973ee-1.htm>

Similarly, access to interpreters must be mandatory at polling stations to ensure that people with limited English proficiency receive up-to-date information about the elections.

Recommendation 3:

NEDA recommends the development of an electronic voting system in the future that aims to include all Australian voters, not restricted to polling places. This option would make voting much more accessible for people experiencing difficulty accessing transport to a polling place or information in alternative formats and languages.

Mainstream availability to electronic voting would also greatly increase the number of users, and thus make it difficult to identify voters who have a disability and/or are from NESB. It may also reduce the cost of e-voting.

4.4 The AEC Website

NEDA commends the AEC for developing a page with information about the Australian electoral system, including how to vote, in alternative languages.

However, other information also must be made available more readily on the AEC website such as the party and candidates' profiles. At each election, there are numerous minor parties and candidates that Australian citizens are able to vote for but little information is easily accessible about them.

Recommendation 4:

NEDA recommends that the AEC website contain information in brief about what each party and candidate stands for. This material should have a word limit of around 200 words and translations in alternative languages and formats be included. Where a translation may not be possible and to include as many people to access the information, the blurb must be written in easy English.

A link to the website of parties and candidates should also be provided so NESB internet surfers can obtain further information.

Furthermore, unlike in the 1999 referendum, there are no statistics on the use of the material by people from NESB including those who have a disability. This information may already be available but it is not public.

Recommendation 5:

NEDA recommends that statistics on the downloads of information in languages other than English from the AEC website and the use of the telephone information service should be made available publicly.

In so doing, interested parties would be able to ascertain important information that could go a long way to decrease informal votes in the Australian Federal elections.

It will, for example, provide a guide to the NESB groups which require more awareness raising programs.

4.5 Enrolment and Voting Process

Australia's three tiers of government – Federal, State and Local – can render Australia's electoral enrolment and voting system difficult to comprehend for many people with disability from NESB. Not only are citizens required to enrol and vote for each tier of government but failure to follow the particular requirements of the State and Federal Government enrolment and voting process can lead to the casting of invalid votes.

NEDA recommends the three tiers of the Australian Government collaborate to establish consistent and simple enrolment and voting processes. This would not only prevent confusion and invalid voting among people with disability and the NESB communities, but to the wider Australian community as well.

Recommendation 6:

NEDA recommends the three tiers of the Australian Governments collaborate to establish consistent and simple enrolment and voting processes.

4.6 Development of a Multicultural Action Plan

In the recent 2011 NSW elections, the NSW Electoral Commission (NSW EC) devised a Multicultural Action Plan to involve people from NESB and culturally diverse backgrounds in the NSW elections.

Outcomes of the plan include:

- Planning and evaluation – where multicultural goals are incorporated in all the NSW EC's policies, planning, research and review mechanisms.
- Capacity building – where the principles of multiculturalism are promoted in the NSW EC, people from NESB are employed in the NSW EC and NSW EC staff receive training to work in culturally diverse environments.
- Programs and Services – to be developed to eliminate the barriers that keep people from NESB from accessing NSW EC's services and using a range of communication formats and channels to inform people about elections enrolment, elections and voting.

http://elections.nsw.gov.au/publications/plans/nswec_action_plan_2010-12_multicultural

Recommendation 7:

NEDA recommends that the AEC develop a multicultural action plan, similar to that of the NSW EC and work to implement the plan.

4.7 Need for Research

There is a great lack of research into the voting patterns of people from NESB, and even less so for those who also have a disability.

The research could investigate into:

- Who votes in the NESB communities and who doesn't
- What are the best ways to communicate with people from NESB

- How can the AEC get disenfranchised groups in NESB communities to participate in the federal elections
- To what extent do people from NESB understand the Australian voting system
- Do they make invalid votes intentionally

Recommendation 8:

NEDA strongly recommends that the AEC conduct an initial research specifically into the voting behaviour of people from NESB and explore ways to reach disenfranchised people in this group.

Recommendation 9:

NEDA also recommends that all future research conducted by the AEC includes people from non-English speaking backgrounds as well as those within this group with disability.

4.8 More Accurate Data Collection

Currently data on ethnicity is primarily based on a person's country of birth. While this provides a good representation of people living in Australia who were born overseas, it does not provide information about people who are born in Australia to parents born overseas.

People born in Australia to parents from NESB are often brought up heavily influenced by their parents' culture. Therefore, failure to include this group causes an under representation of voters from NESB and may undermine plans and policies that are implemented by the AEC, even if they do include provisions for people from NESB.

Data on ethnicity currently also excludes people with disability. This makes it very difficult to obtain information on people from NESB with disability and develop plans and policies that are inclusive of them.

Recommendation 10:

NEDA recommends that data on ethnicity be revised to provide a better representation of people from NESB. Elements apart from country of birth can include language spoken at home, place of birth of parents and ethnicity of parents.

Recommendation 11:

NEDA also recommends that disability in the NESB communities should also be recorded in NESB data.

4.9 Future AEC Disability Action Plans

NEDA currently provides advice to the AEC through its Disability Advisory Committee. The AEC's 2008-2011 Disability Action Plan demonstrates AEC's recognition of people with disability but does not yet seem to appreciate the diversity within disability. While the AEC understands that information needs to be available in alternative formats, NEDA is not certain that the need for alternative formats also extends to information in languages other than English.

Moreover, while the 2008-2011 Disability Action Plan puts emphasis on the organisational culture of the AEC, staff training in cultural awareness and competence is not mentioned. Cultural competence is vital in the interaction of AEC staff with each other and with the public.

“Cultural competence is a set of attitudes, skills, behaviours, and policies that enable organizations and staff to work effectively in cross-cultural situations. It reflects the ability to acquire and use knowledge of the health-related beliefs, attitudes, practices, and communication patterns of clients and their families to improve services, strengthen programs, increase community participation, and close the gaps in health status among diverse population groups.” (Cited at <http://erc.msh.org/mainpage.cfm?file=2.1.htm&module=provider&language=English>)

Recommendation 12:

The AEC better demonstrate and plan for the diversity in disability.

Recommendation 13:

That the AEC include cultural awareness and competence training for its new and existing staff.

4.10 Protecting vulnerable People with Disability

Some disability groups are less outspoken than others, such as people from NESB with disability and people with intellectual disability. This can be due to the physical, intellectual and mental limitations of the body and/or cultural barriers, be they of people from NESB or the culture of people from English speaking backgrounds. The lack of voice equates to lack of information about people living with such prohibitive disability.

Through the Fundamental Rights Agency (FRA), the European Union is in the process of conducting research into the Fundamental rights situation of persons with intellectual disabilities and persons with mental health problems” (FRA Disability Project Facts Sheet).

Areas of research include:

- access to justice (Article 13 UN CRPD);
- accessibility (Art 9 UN CRPD);
- independent living (Article 19 UN CRPD);
- involuntary treatment and involuntary placement (Articles 14 and 15 UN CRPD);
- legal capacity (Article 12 UN CRPD);
- political participation (Article 29 UN CRPD).

See: http://fra.europa.eu/fraWebsite/disability/disability_en.htm

Recommendation 14:

The Australian Government work across its agencies to conduct research into the fundamental rights situation of people with disability who are largely excluded from the electoral process.

5. Inclusive Elections in other countries

It seems that Australia is the only English speaking country so far which has introduced forms of electronic voting.

5.1 Canada

Canada has the most services for people with disability in elections after Australia, but not yet electronic voting.

Elections Canada provides information, education and accessibility services to persons with special needs, seniors and those with limited reading and writing skills. Material is available in multiple formats: large print, Braille, DVD and CD.

Below are some of the services provided by Elections Canada for persons with special needs:

- information, e-mail access and special ballot registration forms, available at www.elections.ca
- a dedicated page on the Elections Canada Web site, providing information to voters with special needs
- documents written specifically for persons with disabilities, including reading difficulties
- a sign-language DVD with open- and closed-captioning for people who are deaf or hard of hearing
- a voting template for persons with a visual disability
- a large-print list of candidates
- a toll-free information line for people who are deaf or hard of hearing: TTY 1-800-361-8935 (toll-free in Canada and the United States)
- mobile polling stations for certain types of institutions, as specified in the Canada Elections Act, where seniors or persons with disabilities reside
- a special ballot that allows early voting by mail, in person at the local Elections Canada office or at home in the case of people who cannot read or who cannot go to the local Elections Canada office because of a physical disability
- help with registration at the advance polls and on polling day
- options for voting at advance polls, polling stations and local Elections Canada offices that have guaranteed level access (Elections Canada takes every measure possible to select level-access polling sites; accessibility is indicated on the voter information card)
- transfer certificates to permit persons who use wheelchairs or who have other physical disabilities to vote at facilities that provide level access if, in exceptional cases, their own polling sites do not provide this
- language or sign-language interpreter services on request
- assistance, at the voter's request, in marking the ballot at the advance polls, the polling station or the local Elections Canada office
- in hospitals and certain residential institutions, transferring the ballot box from room to room to facilitate voting

<http://www.elections.ca/content.aspx?section=vot&dir=spe&document=index&lang=e>

There are also provisions for ethnic voters including:

- A list of material for the ethnocultural communities
- Voter Information Guide in 27 languages [Voters from Ethnocultural Communities](http://www.elections.ca/content.aspx?section=vot&dir=eth&document=index&lang=e)
<http://www.elections.ca/content.aspx?section=vot&dir=eth&document=index&lang=e>

However, the site has not been maintained and many links are now unusable.

5.2 United Kingdom

While electronic voting has not yet been adopted in the UK, the emphasis has been on the provision of information. There are a number of websites that contain information specifically for people with disability and other sites in which there is general information beneficial for everyone.

A specific website on catering for special needs in elections contains information relating to the physical aspects of the polling booths. This includes those which have disabled parking spaces, entrance ramps, low-level polling booths and specialised equipment such as magnifying glasses for voters with a vision impairment.

Advice on voting is also available including who can mark the ballot paper if a person is unable to do it themselves – namely family members or staff of the UK Electoral Commission.

The UK has adopted a requirement for all polling stations to provide at least one large print and one tactile display version of the ballot paper. This gives people who are blind or vision impaired a feel for what the ballot paper is like.

http://www.direct.gov.uk/en/DisabledPeople/Everydaylifeandaccess/Everydayaccess/DG_4018637

A website, 'Our Vote, Our Voice', has been developed with the help of people who have learning difficulties. A DVD can be downloaded from there or ordered free of charge, which contains:

- Information about making choices, current political leaders, how to vote and how to keep in touch with the parliamentarians
- Links to useful contacts and resources
- ideas that other people and groups have tried
- a glossary of difficult words

<http://www.otbds.org/vote/>

For people from NESB, information in 12 languages other than English is available here: http://www.aboutmyvote.co.uk/accessibility/electoral_information_in_audi.aspx

5.3 The United States of America

The Voting Accessibility for the Elderly and Handicapped Act of 1984 generally requires polling places across the United States to be physically accessible to people with disabilities for federal elections. Where no accessible location is available to serve as a polling place, a political subdivision must provide an alternate means of casting a ballot on the day of the election.

This law also requires states to make available registration and voting aids for disabled and elderly voters, including information by telecommunications devices for the deaf (TDDs) which are also known as teletypewriters (TTYs).

See <http://www.napas.org>

When providing advice to people with disability, the US seems to put great emphasis on the assistant.

In the Information Paper for people with intellectual disability, voters are advised to bring, “Someone to assist you if you need help voting” at the polling station - http://www.napas.org/issues/voting/resources/People_with_Menta_%20Disabilities_have_the_right_to_vote.htm.

The Election Day Resource Sheet for People With Disability , clearly defines the overall role of the assistant “ to simplify, translate, explain ballot papers” <http://www.napas.org/issues/voting/day/default.htm>.

Currently there is no provision of tools, such as information in alternative formats, which may assist a person to reach a decision and vote independently. However, the Election Assistance Committee (EAC) announced in 2010 the availability of up to approximately \$7,000,000 to support research on transformative technologies and approaches to meet the critical challenge of making voting more accessible to all eligible voters. This may mean that Americans with certain disabilities, such as blindness, may be able to cast an independent vote soon. It is interesting to note too that the NAPAS homepage contains some information in English, Spanish and French.

5.4 New Zealand

New Zealand has similar practises to Australia and Canada. New Zealand will be trialling electronic voting from 2014-2020, however trials may begin as early as this year. So far, electronic voting will be available to “blind, disabled and advanced and special voters” and thus unless NESB groups are considered to be in the “special voters” category, electronic voting will not be open to them.

For further information, <http://www.elections.org.nz/administration/ceo-corp-info/access-08-may-1-2008-update.html>

5. Conclusion

Research towards the development of this paper has found that Australia is well ahead in catering for its population of people from NESB and people living with disability among English speaking countries, particularly in relation to the development of electronic voting.

However, there is still plenty of work to do to better involve people from NESB and with disability. An extensive and effective education program and the other recommendations made in this paper can effectively work to progress cultural change to make the Australian society more inclusive.

The AEC’s legal obligations can also be better fulfilled through the adoption of these recommendations.

Finally, NEDA recommends the AEC for the work it has already done to include people from NESB with disability, including its efforts to promote information about the 1999 referendum to people from NESB. Ultimately, we envision all future elections to be promoted and evaluated in a way similar to the Public Information Campaign of the 1999 referendum.

Further References

http://www.aec.gov.au/Elections/referendums/1999_Referendum_Reports_Statistics/Public_Information_Campaign.htm

http://www.aec.gov.au/About_AEC/Publications/Strategy_Research_Analysis/paper1/index.htm

http://www.aec.gov.au/Elections/federal_elections/2007/key_facts.htm

http://agencysearch.australia.gov.au/search/search.cgi?query=alternative%20languages&collection=agencies&form=simple&profile=aec&start_rank=11

http://www.aec.gov.au/About_AEC/Publications/Annual_Reports/2010/files/aec-ar-10-Outcome-3.pdf - AEC Annual Report 2009 10: Report on performance

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<http://www.napas.org>

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