22 June 2018

Association of Blind Citizens of New Zealand

Submission in response to the Local Electoral Matters Bill

Emailed to Justice Committee Secretariat at: ju@parliament.govt.nz

# Introduction

The Association of Blind Citizens of New Zealand Inc (Blind Citizens NZ) is pleased to have this opportunity to provide comment in response to the Local Electoral Matters Bill.

Blind Citizens NZ is a disabled people’s organisation (DPO). Our members are blind, vision impaired or deafblind, hereafter referred to as blind. Our response to the Bill will predominantly be from a blindness perspective.

In our submission, we use the term “alternate formats”. This refers to the various means by which blind people access information other than through standard print, i.e. large print, braille, audio, electronic devices, email and the telephone.

We agree to the release of any comments made in our submission.

We welcome an invitation to speak to and elaborate on the extent of feedback provided in our submission. To arrange this, please contact the Executive Officer Rose Wilkinson via either of the following options:

**Phone**: 021 222 6940

**Email**: [rwilkinson@abcnz.org.nz](mailto:rwilkinson@abcnz.org.nz)

# Blind Citizens NZ’s Position in a Nutshell

**1. Support:** Blind Citizens NZ supports all amendments proposed in the Local Electoral Matters Bill. Ideally implemented for the 2019 Local Authority Elections, these amendments will introduce flexibility and recognition of the diverse needs of New Zealand’s population. For blind people, their rights to independently cast a vote with dignity and confidence is paramount.

Having signalled our support for all amendments, our submission addresses the needs of blind voters and the benefits that will accrue once these are implemented. We cannot emphasise strongly enough how crucial these amendments are to recognising blind people have rights and are citizens too!

This omnibus Bill (as explained in the Bill’s explanatory note) provides greater flexibility to enable local electoral arrangements to adapt to changing circumstances by:

* Amending the Location Elector 2001 to support trials of novel voting methods;
* Amending the Electoral Act 1993 to enable the design of future voting methods to utilise date of birth information (but not publicise it); and
* Amending the Electoral Act 1993 to ensure that analysis of voter participation in local elections (including trials) can utilise age group information.

**2. Call to Action:** Blind Citizens NZ calls on Local and Central Government:

* to make all election materials issued to the public available to blind people in alternate formats as of right; and to
* introduce mechanisms that will enable blind people to independently cast their vote, whether in a polling booth or from home.

# Background

Blind Citizens NZ is proud to have played significant roles historically, in securing the rights of blind people to cast votes as they choose. We were instrumental in securing the rights of blind people having the right to select someone of their choice to accompany them into the polling booth and assist them cast their vote as required, when voting in elections within New Zealand.

Telephone Dictation Voting is further evidence of Blind Citizens NZ’s influence where we secured a commitment from the Government of the day for an independent and confidential voting option for blind people. The introduction of telephone dictation voting means that blind voters experience independence, secrecy and confidentiality around their vote. Staff who mark the ballot papers over the phone have no idea who they are talking to because voters identify themselves by an assigned number and prearranged password. One staff person marks the ballot paper and another reads it back to the voter to validate the ballot paper has been correctly marked. Telephone Dictation Voting is an essential option for voters who do not have technology and/or internet access. As evidenced with the 2018 Census, the lack of uptake with online form-filling identified a digital divide which reinforces the need for telephone dictation voting. While the outcomes to which we refer have been advantageous, and dictation voting remains as relevant as ever, technological advances mean more can be achieved to enable blind people with technology and internet access, to independently cast their vote with confidence and dignity.

For blind voters, independence and well-informed participation is often compromised because much of the material distributed as part of Local Authority and General elections is in print, which they cannot read. This includes candidate biographies, election issues, postal voting forms and ballot papers in polling booths.

# Voting Method for elections and polls (Section 36)

In support of the amendments in Section 36, and referring to our experience and efforts with the Electoral Commission and the introduction of Telephone Dictation Voting, we encourage Local and Central Government to include blind people in trials. In particular we emphasise two areas that will benefit blind voters (and many others) i.e. telephone dictation and online voting.

We expand a little more… Blind people continue to be marginalised in local authority elections which moved from polling booths to the postal system some time ago. While it may be advantageous for some to complete the ballot paper at home, it is not the case for blind people. In our view, postal voting has introduced a genuine step backwards for our population of people.

While some local authorities in 2016 such as Auckland Council for example, put measures in place to provide assistance, the fact remains that blind people still cannot, in local authority elections, cast a secret vote. This has an impact on approximately 12,000 registered blind voters turning up and voting at elections. The reality for blind people currently is they are required to place their trust in too many elements of the electoral process. From reliance on a postal service and knowing when their ballot papers have arrived, to placing trust in someone else to cast their vote for them. For some this will be family or friends, while for many, trust will often be placed in someone they do not know. Therefore when a blind person does vote, they can only hope their trust is not misguided, and that their directions are carried out. This is why we need legislation in place that recognises the diversity of New Zealand’s voting population. For blind people, there needs to be the flexibility to cast a paper-based vote (standard and large print), telephone dictation voting for those without technology and/or internet access, and on-line voting for those who can use this option.

Although proposed amendments are silent on the need for vitally important candidate information that informs voters, to be available in a range of alternate formats, Blind Citizens NZ takes this opportunity to bring this issue forward. In the 2016 local authority election, Wellington City Council and Auckland Council for example, had web-based information that was both accessible and usable by blind people who had the technology to take advantage of this online option. Our expectation therefore, is that all local authorities should be required to have candidate and election information available, accessible for, and usable by everyone. For blind people this means providing the full range of alternate format options. While we give kudos to Councils that in 2016 had online options that voters with technology could easily look up, blind people without technology were often left bereft of information to inform their vote.

Blind Citizens NZ firmly believes all local authorities have a responsibility to serve **all** the public. In this context, websites, and the information on them, needs to be available to everyone, including blind people who use blindness technology such as screen readers, to access that information. Introducing consistency in the way local authorities conduct elections, and building on good examples will go a long way towards meeting the diverse needs of New Zealand’s voters, and improving their experience. It is imperative that information is available in a range of alternate formats.

As voting methods are developed to include for example, Telephone Dictation, and Online Voting, Blind Citizens NZ looks forward to local authorities including blind people in those trials, and engaging with us as these are scoped and rolled out.

# Accessing Candidate Information

We mentioned previously about the importance of blind voters being able to access electoral and candidate information. Constraints imposed upon blind people limits the extent to which this community of New Zealand’s population can fully participate in local politics. This includes standing for candidacy, making a nomination, and generally being able to read the range of information so readily available to the sighted public.

All too often information about the process to stand as a candidate, and about a candidate standing for election, is available only in print (pamphlets and hand-outs), via bill-boards and hoardings, or on the internet. With respect to election material and ballot papers, these often utilise small, italicised fonts, embrace poor colour contrast and lack consistency in terms of presentation. Consequently, the information is inaccessible to someone with low or limited vision. Large print election material and ballots would offer some benefit in terms of vision impaired voters being able to independently participate in and cast their vote in the electoral process. Of significance is that blind people unable to read printed matter, will still be disadvantaged and therefore, continue to be discriminated against.

# International Conventions

New Zealand led the way internationally in the adoption of the United Nations Convention on the Rights of Persons with Disabilities (the Convention). A rights-based convention, New Zealand ratified this in September 2008 Currently, while local government does not have to comply with the Convention, we congratulate those working towards ensuring their communities, information etc., are accessible to disabled people.

Article 9 – Accessibility, recognises the responsibility of Governments to take measures on several accounts. One of these being to ensure disabled people access, on an equal basis with others, information and communications, including information and communications technologies and systems. Barriers to accessibility are to be removed!

Article 29 – Participation in Political and Public Life recognises the entitlement of people with disabilities to be represented or to participate in government and other civic activities.

Blind Citizens NZ congratulates Government on the proposed amendments to the Local Electoral Act 2001, and the Electoral Act 1993. These amendments go some way towards recognising the rights of all disabled people, including blind people, and mirroring these in local authority legislation.

# Conclusion

As we conclude our feedback, and mindful of the importance of increasing voter turnout, Blind Citizens NZ urges Government to both support and adopt proposed amendments brought forward in the Local Electoral Matters Bill in readiness for the 2019 Local Authority Elections. Blind people look forward to online voting because, for those who have the technology, they will be able to vote like anyone else without being marked out as different.

Blind Citizens NZ advocated strongly in the lead-up to the 2016 Local Authority Elections, for the introduction of online voting. While this did not proceed for 2016, we nevertheless applause those Councils that stepped and were prepared to support online voting. Now, in response to this Bill, it is pleasing to see Councils such as Wellington, Selwyn Districts and Auckland for example, publicly declaring their support for online voting.

Blind Citizens NZ has a set of “briefs” that identify specific requirements across a range of areas. In relation to the issues raised in our submission. We include for your reference and guidance, briefs that address access to public information (published 2017), websites (published 2011) and The Great Barrier Brief (2nd Edition/published 2017).

# About Blind Citizens NZ

Founded in 1945, the Association of Blind Citizens of New Zealand Inc (Blind Citizens NZ) is New Zealand's leading blindness consumer organisation and one of the country's largest organisations of disabled consumers. Blind Citizens NZ’s aim is to heighten awareness of the rights of blind and vision impaired people and to remove the barriers that impact upon their ability to live in an accessible, equitable and inclusive society.