1. Contents

2. Introduction

Thank you for the opportunity to comment on the use of Technology Assisted Voting.

NSW Council for Intellectual Disability (CID) is a systemic advocacy organisation that works to ensure all people with intellectual disability are valued members of the community. We have consulted with our advocacy group, a group of our members with intellectual disability who meet regularly to develop and inform advocacy and campaign for the rights of people with intellectual disability. We have also consulted selected CID staff members with intellectual disability. The comments of the advocacy group and staff with intellectual disability are included in quotes throughout this submission. We have also drawn on CID's professional experience in advocating for accessible voting for people with intellectual disability over the past 20 years.

3. Responses to the Questions posed

The *Technology Assisted Voting Review Questions and Issues paper* asked how the different types of Technology Assisted Voting can support or challenge the principles and objects of electoral law**.**

This is what people told us about the challenges they face voting

> *"I only vote at the community hub. My mum supports me. The voting paper is difficult. Too many categories. No clear instructions. Very small writing. Abbreviations and big words."*

> *I don't vote, I am not on the electoral roll. I have never been on the electoral roll. Just like we should be treated like any other person in the community, we should be able to vote for our premier. It is important that we have a say in government issues that are important to us. I would need support to vote and to explain the form in a way I can understand."*

> *"I find politics so confusing. I am interested in how my vote is going to impact my life and so I need to know more about who I am voting for."*

The now repealed Parliamentary Electorates and Elections Act 1912 NSW excluded many people with intellectual disability from voting under 'unsound mind' provisions.

Previous laws, along with a lack of accessible communication and support, may mean that people with intellectual disability have not been encouraged or given adequate support to enrol to vote.

People with intellectual disability should be considered an important group to work with when developing Technology Assisted Voting. If done in an accessible manner, Technology Assisted Voting could provide options to enhance some people's participation and privacy when voting.

The *Technology Assisted Voting Review Questions and Issues paper* asked which categories of electors should still have access to Technology Assisted Voting, if eligibility criteria are changed.

This is what people told us about the types of people who should be able to use Technology Assisted Voting

> *"There shouldn't be criteria for using technology to vote, anyone should be able to use technology if it helps them vote."*

> *"There should be no rules why they need to use technology, some people don't want to share that personal information."*

> *"I would say everyone should be able to use it, because we don't know what a person's situation is."*

This is what people told us about the risks for using technology to vote

> *"There are risks with using technology because if it doesn't work then the votes won't be recorded.*

> *"There is a risk that if people with intellectual disability need support to use the technology then that support person would see what their vote is and it wouldn't be a secret anymore."*

> *"There need to be options to have support people you trust to help you vote to minimise the risk of someone telling you who to vote for."*

> *"It is a tricky situation if people need help voting but also need to keep their vote a secret. It would be a good idea to ask lots of people with intellectual disability what they think about this. It is a complicated issue and might have different solutions for different people."*

> *"Too complicated."*

> *"I vote in person. Technology is very confusing for me."*

> *"Too many steps, too many questions. I would find it too hard to use."*

> *"There should be a way for people to get support and have a secret vote."*

People with intellectual disability are often reliant on support workers or family members to support them to vote at elections which can open them up to the risk of coercion. It is essential that any Technology Assisted Voting has the appropriate safeguards to ensure people with intellectual disability can vote in secret and without influence from others but still access appropriate support.

The Issues and Questions paper asked which Technology Assisted Voting methods – or combination of methods – best meet the needs of any category of electors that should have access in the future.

This is what people said about the types of technology, and features that would make them most accessible

> *"People should be able to choose from different types of Technology Assisted Voting to pick what works best for them, there should be many different options available. People should be able to use technology to vote from home."*

> *"Needs to be option of (android) tablet or iPad, not just one. Can make you frustrated if you can't do it properly."*

> *"Should be able to ask for help if you need help."*

> *"There needs to be more Easy Read instead of jargon."*

> *"There need to be options for people who have sensory overload from computers, maybe a quiet space people can go."*

> *"Need to have no time limit or time pressure."*

The Issues and Questions paper asked about kiosks at voting centres.

This is what our members said about voting kiosks

> *"One size fits all won't work. We need different options for different disabilities."*

> *"It needs to be touch screen. (Have) different colours for different parties. Bold headings. Clear easy read instructions on how to use the kiosk. Party logos and symbols instead of long words."*

> *"Touch screen, for a person in a wheelchair, we would have to make sure is at the right level for people to use. So many touch screens, like in [major shopping centres], I cannot reach it, it is on a slant, it is*

too wide and I can only reach a third of the screen because I am in a wheelchair."

"High adjustable voting screens is needed so people in different wheelchairs can use it. Maybe something like an IPad would make it more accessible as it is moveable. It could be on an adjustable stand so it could be brought down to the appropriate level."

"Screens are frustrating and annoying. I find they are designed for one person only."

"I would support it but need to have someone next to it to show you how to use it"

"Technology for everything is not the solution, we still need the person to person interaction."

"If you vote on your phone or at home it chews up your data."

For those who require support to attend a polling booth, Technology Assisted Voting at home could provide an opportunity to vote with appropriate support, in a relaxed environment away from the hustle of Election Day. However, many people with intellectual disability do not have access to internet at home or smart devices. A kiosk option, if made cognitively accessible, will be an important feature to provide equal access.

The *Issues and Briefing paper* asked if government or other forms of digital identity should be used as an elector verification channel for Technology Assisted Voting.

This is what people told us about identification requirements for Technology Assisted Voting

"Lots of people with intellectual disability don't have access to photo ID."

"People find photo ID very difficult to get and it would exclude people with intellectual disability if the rules required it."

"If you have to show ID a pension card would be ok."

"It is tricky, you might not have enough ID to verify."

"I don't want to show ID and digital ID is not something I'm comfortable with or know how to use."

> *"Spelling and literacy can be big barriers to verifying your identity. When I need to give people my information like address or name, I need to get out my pension card to help me spell it. It makes me embarrassed."*

People with intellectual disability often do not have identification, particularly photo ID which is hard to obtain. Most people with intellectual disability will have a Centrelink Pension card. At present, a voter only needs to provide their name and address to vote. We believe that the need to show ID to use Technology Assisted Voting is an unnecessary step that is likely to exclude some people with intellectual disability.

The *Issues and Briefing paper* asked when people with disability should be involved in the development of Technology Assisted Voting systems.

This is what people with intellectual disability told us about consultation and implementing Technology Assisted Voting:

> *"The outcomes will be better if people with intellectual disability are involved. Things will be more accessible and improved."*

> *"We should be included from the start. We should be included in focus groups about the design of the technology as well as how it is used."*

> *"Road test the system what they've come up with. It needs to be [done] before [you] launch it."*

> *"Everyone is an individual and is different. What works for me might not work for other people. They need to test it with lots of different people."*

> *"[Consultation should be] Before and during the development.*

Our experience is that technology that is pre-made on the market often does not meet access needs. This can result in unforeseen discrimination and costly retrofitting by government departments.

We are connected with a range of people with intellectual disability who would be willing to be consulted on implementing and designing any proposed Technology Assisted Voting systems.

The only way to ensure technology is accessible for people with intellectual disability is to design and user-test this technology with them. This will ensure that the technology caters to their needs and allows them to navigate it with ease.

The *Issues and Questions paper* asked what is the best way to balance the risks and benefits of Technology Assisted Voting, thinking about the different people who could use it.

This is what people said about how to get it right

"The EC shouldn't rush the process

"Do trials for people with intellectual disability and user testing."

"Must have follow ups and expect that there will be problems that need to be fixed."

"We need to be shown how to use the technology before voting actually starts."

"It is the responsibility of the Electoral Commission to make sure people can use the technology."

"Do education and awareness programs."

Any system needs to offer different options to suit different people. Making sure that people are aware of technology assisted options for voting and can practice using them before hand, will help to balance risks and benefits.

The *Issues and Questions paper* asked whether there are other principles of objectives which should be considered.

This is what people told us about whether people with intellectual disability will use Technology Assisted Voting

"Some people won't because they don't know how to use technology. Some people won't because they will be concerned with privacy."

"Anything that is brand new will always take a long time to learn."

"I think it's 50/50 (that people will use it)."

"Some people will use it and some people won't."

"Some people will try and then decide if they like it or not."

"I would not use it because I don't like to do important things like voting on the internet."

"I would consider it but be pretty nervous as well. It's a lot of unknowns and would want it to be properly tested, and they've got to have different options for different people."

"I wouldn't like it because there are so many complications of trying to use it on my own."

"I would need support to use it."

"We should still be able to get help if we need it."

Technology assisted voting uptake by people with intellectual disability is likely to be limited due to access issues, lack of experience with technology, the need for support, and not owning suitable devices. While we want to ensure that Technology Assisted Voting is an accessible option for people with intellectual disability, it should never replace face-to-face voting as this will exclude some people with intellectual disability.

4. Recommendations

Recommendation 1 - Ensure that any interactive technology-based voting systems are designed with cognitive accessibility and inclusion in mind.

Recommendation 2 - Involve and consult people with intellectual disability throughout the entire process from design, to user testing, to implementation of Technology Assisted Voting systems. This includes making sure all touch screens and other devices are designed to be used by people with varying disabilities, and in consultation with people with disability.

Recommendation 3 - Provide clear information about how to register and vote using Technology Assisted Voting, in accessible formats, such as Easy Read and videos. Conduct education and awareness programs for people with intellectual disability about the technology before launch.

Recommendation 4 - Develop appropriate safeguards to protect people with intellectual disability from coercion or influence while using Technology Assisted Voting.

Recommendation 5 - Explore options to allow people to vote using technology without showing photo ID.

Recommendation 6 – Technology assisted voting should never become a replacement for face-to-face voting.