

Improving Access to General Elections for People with Disabilities

Consultation Document

24 October 2006



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Foreword

We want to improve access to the parliamentary election process for people with disabilities. This aim is driven by the Government's New Zealand Disability Strategy as well as the specific organisational objectives of the electoral agencies.

Before the 2005 general election, the Chief Electoral Office consulted with the community on ways to improve services provided to people with disabilities. As a result, an Action Plan was developed and a number of improvements were made. The Chief Electoral Office, the Electoral Enrolment Centre and the Electoral Commission want to build on that progress for the 2008 election.

This is your opportunity to have a say in the services we provide for people with disabilities and how we provide these services. Please take the time to read this paper and let us know your views.



Robert Peden
Chief Electoral Officer
On behalf of the Chief Electoral Office, the Electoral Enrolment Centre
and the Electoral Commission

Making a submission

This document is in two parts:

1. Information about the 2008 disability project and its consultation process, including a discussion of the issues that we are seeking your feedback on
2. A questionnaire for you to complete and submit.

This document is available electronically at www.elections.org.nz.

Any organisation or individual can make a submission.

How do I make a submission?

1. Use the submission form attached to the front of the questionnaire.
2. Submissions must be with the Chief Electoral Office by **noon on Friday, 8 December 2006**. Address details are supplied below.
3. Make your submission in one of the following ways:
 - Hardcopy, by post, fax, or hand-delivery
 - Electronically, by email, on floppy disk or CD
 - Verbally, by telephone (contact us to make arrangements for this)
 - In Sign Language, on video cassette or DVD.

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Who we are

Three agencies are responsible for the administration of parliamentary elections:

Electoral Enrolment Centre

The Electoral Enrolment Centre maintains electoral rolls and conducts the Māori Electoral Option. The Centre is a self-contained business unit of New Zealand Post Ltd, under contract to the Ministry of Justice. The Centre has a team of Registrars of Electors – one for each electorate. The Registrars are responsible for compiling and maintaining the electoral rolls for their electorate.

Electoral Commission

The Electoral Commission is an independent Crown entity which registers political parties and party logos. It receives registered parties' annual returns of donations and returns of election expenses, and allocates election broadcasting time and funds to eligible political parties. The Commission also encourages and conducts public education about electoral matters.

Chief Electoral Office

The Chief Electoral Office is a division of the Ministry of Justice. It conducts general elections, by-elections and referenda. The Office employs Returning Officers for each of the electorates during the general election period. Approximately 16,000 field staff are employed to work on election day in the 2,700 polling places across the country. The Office provides information to voters, candidates and parties relating to electoral events. It also receives returns of donations and election expenses from parliamentary candidates.

Feedback on our performance at the 2005 general election

Prior to the 2005 general election the Chief Electoral Office developed a Disability Action Plan in consultation with the community. This resulted in significant improvements to the provision of services to voters with disabilities for the 2005 election. Details of the services available to people with disabilities at the 2005 election are contained in Appendix A.

The Chief Electoral Office has assessed its performance in the area of disability at the last general election based on complaints from voters and a survey of voters with disabilities. The majority of voters with a disability felt well-informed about the election and were satisfied with the services provided to them.

Many of the suggestions on how to make improvements to information and services included in this consultation document are a response to issues raised in complaints and in the survey. Specific information on complaints and the survey are contained in Appendix B.

The 2008 general election disability project

Access to general elections for people with disabilities is an area that requires specific and continuous attention.

Through this consultation we aim to build on the progress made for the 2005 election by further increasing access to elections for people with disabilities.

In conducting this project, the electoral agencies aim to:

- Improve access to the enrolment process for people with disabilities, so that they can easily enrol and keep their enrolment details up to date.
- Improve access to information about MMP and the election for people with disabilities, so that they know what the two ticks are for.
- Improve access to voting at the election for people with disabilities, so that wherever possible they can vote independently and in secret, without experiencing barriers.

This project supports the Government's New Zealand Disability Strategy and recognises the difficulties faced by people with disabilities accessing election information and processes independently. The New Zealand Disability Strategy considers physical, sensory, neurological, psychiatric, intellectual and other impairments. Further information about the Government's policy and direction is contained in Appendix C.

Consultation process

We now seek your feedback to make further improvements for the next general election.

This year's consultation document seeks your input on access to, information about and services for voter enrolment and information about MMP. In doing so, the consultation process for the first time will cover the work of all three electoral agencies.

The accompanying questionnaire seeks your feedback on our suggestions and asks for your suggestions on ways that the electoral agencies could make improvements to be implemented for the 2008 general election.

Constraints

In undertaking this project, we have identified the following constraints:

- We expect to accommodate any changes to processes under current legislation. Details of the legislative provisions relating to disability are contained in Appendix D
- We expect to accommodate any changes to processes within our current budgets
- The resulting proposals must be administratively feasible.

Limitations

- We are not responsible for providing information on the policies of political candidates and parties in any form, including TV debates between parties.
- We are not responsible for the administration of local government elections (however the Electoral Enrolment Centre does maintain electoral rolls for this purpose).
- The Chief Electoral Office is conducting a separate project on the feasibility of electronic voting solutions. We are not seeking your feedback on electronic voting in this consultation. Further information about the electronic voting project is contained in Appendix E.

Issues for consultation

1. Information provision

Background

There is a range of different ways the public can obtain information about enrolment, MMP and how to vote. Some of these sources of information are developed with the needs of people with disabilities in mind and / or are distributed to disability organisations.

Information about enrolling, MMP and how to vote can be obtained from:

- The Elections website
- A range of brochures – in hardcopy and in pdf format on the Elections website
- The Elections freephone service, via phone or email
- The Foundation for the Blind's TTY service
- The 2005 election Sign Language DVD. The DVD includes Sign Language, captions and audio. It is also in MP4 format on the Elections website, with a full transcript.
- Articles in disability organisations newsletters and publications
- The EasyVote pack (information on MMP and voting only)

Other sources of information specifically about *enrolment* are:

- Registrars of Electors

Other sources of information specifically about *how to vote* are:

- Some brochures on how to vote are distributed to disability organisations
- Some information on how to vote is available in large print and Braille

Subtitles are on all TV advertisements about enrolment, MMP and voting which are longer than five seconds in duration.

Issues

- We would like to make access to information easier for people with disabilities. We have identified in particular the need to improve

access for people who are blind or have vision impairments and people who have intellectual impairments.

- Some people with disabilities did not find the Elections website a helpful source of information.
- Some relatives and caregivers of people with intellectual impairments are not aware of the person's entitlements to vote and how they go about voting.
- Some people with disabilities were unaware of all of the options for voting in advance, including that they could cast a postal vote.

Possible solutions

- Increase the range of alternative formats that are suitable for people with disabilities, including information on the Elections website.
- Workshops / presentations delivering the enrolling, MMP and voting messages delivered to disability organisations.
- Distribute information through caregivers' networks about the entitlements of people with intellectual impairments to enrol and vote, and the assistance that can be provided to help them vote.
- Improve provision of information about options for voting in advance, including postal voting.
- Targeted distribution of the election information that is of most interest to people with disabilities.

2. Obtaining enrolment forms

Background

People must be enrolled for their vote to count. To simplify the enrolment process, electors can request a form that is already complete with all of their details. This is called a pre-printed form and is sent to the elector to check, sign and send back.

Pre-printed forms are available from the Elections website and the Elections freephone number.

Enrolment forms must be signed by the person enrolling declaring the information is correct. A person with a physical disability may have someone with Power of Attorney or a registered elector complete and sign the enrolment form on their behalf. A person who lacks the capacity to understand the decision to register as an elector may be enrolled by someone else on behalf of that person.

Issue

- We would like to increase awareness of options for enrolling for people with disabilities. If there is a preferred method for enrolling, we would like to promote this option in particular.

Possible solution

- Targeted promotion of the different options for enrolling to vote for people with disabilities.

3. Accessibility of voting and voting places

Background

We aim to provide good coverage of accessible voting places in the community. We do not own any of the premises used for voting.

As a result of feedback received prior to the last general election, arrangements were made for voting to be available to all voters at the premises of some disability organisations. This was in addition to other locations. The National Offices of disability organisations identified to the Chief Electoral Office which of their local offices may be suitable to be set up for voting. The Chief Electoral Office's field staff then made contact with the local offices to arrange this.

At the last general election, table top voting was introduced at every voting place. Table top voting is an alternative to standing while completing the ballot paper. This option is particularly suitable for people who wish to sit while voting and wheelchair users.

Metal 'parking' signs with the International Symbol of Access were also introduced. These were placed at the top of accessible car parks where there was no other signage for the car park, to reserve a designated space for voters with disabilities.

Issues

- At the last election, not as many disability organisations premises were available for use as voting places as had been hoped.
- We would like to continue to provide voting for all voters at the premises of disability organisations where possible, in addition to voting being available at other locations. We would like to increase provision of this service and identify what might help to enhance this service for voters with disabilities.
- Some voters with disabilities did not notice table top voting or an accessible car parking space at the polling place.
- We would like to identify ways to ensure that accessible voting places provide good coverage for all members of the community.

Possible solutions

- Increase the number of disability organisations where voting is available.
- Increase promotion of the option of voting at a disability organisation.
- Emphasise in staff training that aged voters or voters with physical disabilities should be made aware of the table top voting screen.
- Have a sign in the polling place indicating where table top voting is available.
- Improve signage at polling places indicating where accessible car parking spaces are.
- Have magnifiers at all voting places designated as having unassisted access for people with disabilities, to assist people with vision impairments to read their voting papers.
- Have temporary facilities / products at voting places that make the sites more accessible. For example, mats for unpaved car parks and paths or door knob grips.

What will happen next

- Submissions close at noon on Friday, 8 December 2006.
- Staff from the Chief Electoral Office may contact you to discuss your submission in more detail.
- By early 2007 we plan to have completed an analysis and summary of submissions received on this consultation document.
- By the end of March 2007, the Electoral Enrolment Centre, Electoral Commission and the Chief Electoral Office will create an Action Plan, detailing the initiatives we intend to adopt for the 2008 general election.
- Once the Action Plan is complete, a summary of its contents will be sent to each organisation and individual who made a submission on this consultation document. We may also want to meet with respondents to discuss submissions and the Action Plan in detail.
- The Action Plan will be published on 1 May 2007.
- Once the Action Plan is published, we will be available to speak to disability organisations about improving access to general elections for people with disabilities.
- Regular progress updates against initiatives contained in the Action Plan will be posted on our website.

Appendix A: Services available to people with disabilities at the 2005 general election

The following services were designed to help people with disabilities at the 2005 general election.

Provision of information

- The Elections website (www.elections.org.nz) was re-developed for the 2005 election, meeting Government accessibility guidelines.
- Sources of information included an Elections freephone and email enquiry service, which responded to enquiries about enrolment, MMP and voting. The freephone number received 160,000 calls during the election period.
- A Sign Language DVD explaining the enrolment and voting processes was produced in collaboration with the Deaf Association. The film used Sign Language, captions and sound and was provided to disability organisations and was available on the Elections website.
- Articles for newsletters and publications were provided to disability organisations. These emphasised the advance voting option (voting before election day).
- The brochure 'Unable to get to a polling place?', explaining alternative options for voting, was distributed to disability organisations.
- The brochure 'Voting in the 2005 election – the easy way!' was produced in Braille, large print, audio cassette, html and pdf formats.
- All TV advertisements about enrolment, MMP and voting of more than 5 seconds in length included captions.
- Before the election, people already enrolled were posted an enrolment update pack containing a pre-printed enrolment form. Electors were asked to check their details were correct and to update any details that had changed.
- A voter information pack was posted to every enrolled person. This included details of polling places and candidates for their electorate, Returning Officer contact details, Elections freephone service and website contacts.
- An EasyVote card was posted to all people enrolled when the electoral rolls closed for printing. Election staff could process a vote simply with the information supplied on the card.
- All information in the voter information pack was also placed on the elections website.

- Accessible voting places were advertised with the International Symbol of Access or the Accessible with Assistance Symbol on the Elections website, in local advertising and in the EasyVote pack.

Access to voting places

- All advance voting places and polling places were assessed by election staff against disabled access criteria drawn up with input from the Barrier Free New Zealand Trust. Criteria assessed included external and internal access routes and car parking.
- Accessible voting places were identified by the International Symbol of Access or the Accessible with Assistance Symbol.
- 80% of advance voting places (more than 180 nationwide) and 80% of polling places (more than 2000 nationwide) had access for people with disabilities.
- Advance voting places and polling places with access for people with disabilities had directional signage to mark external access routes.
- In addition to voting at other locations, the premises of some disability organisations were used as advance voting places and / or polling places for all voters.
- All advance voting places and polling places had a table top voting screen, suitable for voters in wheelchairs or those who wanted to sit while voting.
- Accessible car parks at voting places were identified by a sign with the International Symbol of Access.

Customer care and assistance with voting

- All Returning Officers were trained in accessibility by the Barrier Free New Zealand Trust and disability awareness by disability trainers.
- All election day staff were trained in customer care.
- Enquiry Officers were appointed at busier polling places to answer voters' questions or to provide directions within the polling place.
- Sign Language interpreters were available at polling places in regions with large Deaf communities.
- Voters who required help reading or marking the ballot paper could request the Issuing Officer or another person accompany them behind the voting screen to assist with marking the ballot paper. If requested, the names of parties and candidates could be read aloud to the voter and the voter say their choice aloud.

Services for voters unable to get to a polling place

- All known rest homes and hospitals were visited before election day, providing an advance voting service.
- To ensure the integrity of the ballot, rest home and hospital visiting teams were accompanied by candidate scrutineers or a Justice of the Peace.
- On request, Returning Officers posted ballot papers to voters or sent them via an agent (person acting on the voter's behalf).
- Returning Officers received ballot papers via post or by hand delivery.
- Agents appointed by parties and candidates were trained to witness special declaration votes.

Election staff

- The Chief Electoral Office's recruitment policy provided that election staff should reflect the community. All advertisements for election staff stated that applications from people with disabilities were welcome. Of the 16,000 people employed to work at the election, 246 identified themselves as living with the effects of an injury or a long standing illness or disability.

Appendix B: Complaints and post-election day survey

Complaints

The Chief Electoral Office received 21 complaints regarding disability issues and voting during the election period. Most complaints received related to voters with disabilities living in rest homes and / or with intellectual impairments, assistance provided to voters at the polling place and the physical accessibility of polling places. The table below analyses these complaints by category.

Topic	Number of complaints	% of all complaints about disability issues
Voters in a rest home and voters with intellectual impairments	11	52%
Complaint that a voter with an intellectual impairment should not be able to vote or their vote should not be allowed <i>This issue is included in the issues for consultation, section 1</i>	4	
Voter felt they did not have sufficient independence and privacy when voting at their rest home <i>For the next election, staff who issue votes at rest homes will receive additional training</i>	3	
Voters in a rest home were not given the opportunity to vote <i>Investigation indicated that the matter was not due to a process failure</i>	3	
Rest home residents were not informed in advance that voting would be provided <i>Investigation indicated that the matter was not due to a process failure</i>	1	

<p>Voter assistance</p> <p>Election staff did not allow a nominated person to assist the voter <i>We will continue to include customer care in our training for staff and monitor their performance</i></p> <p>Complaint that voters were receiving assistance to vote <i>We will continue to include customer care in our training for staff and monitor their performance</i></p> <p>Election staff did not provide service appropriate to the voter's disability <i>Investigation indicated that the matter was not due to a process failure</i></p>	<p>5</p> <p>3</p> <p>1</p> <p>1</p>	<p>24%</p>
<p>Accessibility of advance voting places and polling places</p> <p>Voter could not find a parking space near the polling place <i>This issue is included in the issues for consultation, section 3</i></p> <p>Polling place was advertised as fully accessible when it was not <i>Investigation indicated that the matter was not due to a process failure</i></p> <p>Polling place was poorly signposted and difficult to find <i>Investigation indicated that the matter was not due to a process failure</i></p> <p>Ramp and doors at polling place were dangerous in bad weather <i>Investigation indicated that the matter was not due to a process failure</i></p>	<p>4</p> <p>1</p> <p>1</p> <p>1</p> <p>1</p>	<p>19%</p>

<p>Form of ballot paper Circle to mark vote on ballot paper is too small for the voter to clearly mark with the large tip of the marker <i>The ballot markers for the next election will have a finer tip</i></p>	<p>1 1</p>	<p>5%</p>
<p>Total complaints about disability issues</p>	<p>21</p>	

Post-election day survey

The survey of voters with a disability conducted after election day found that voters with a disability are:

- Most likely to get information from a disability organisation rather than other sources
- Usually aware of advance voting as an option
- High users of advance voting
- Likely to go to vote with family or friends
- Likely to have help casting their vote.

The survey also found that the vast majority of voters with a disability:

- Spent less than 10 minutes in the polling place
- Were satisfied with the service provided by polling place staff.

The survey identified a number of areas where we could improve our services to voters with a disability:

- Increase awareness of postal voting as an option for advance voting
This issue is included in the issues for consultation, section 1
- Provide more information about the EasyVote card, polling place locations, MMP and how polling places deal with particular disabilities
This issue is included in the issues for consultation, section 1
- Improve the usefulness of the Elections website
This issue is included in the issues for consultation, section 1
- Increase awareness of accessible car parking spaces and table top voting
This issue is included in the issues for consultation, section 3
- Improve our service at the voting place
We will continue to include customer care in our training for staff and monitor their performance.

Appendix C: Government policy and direction

In April 2001, the Ministry of Health published the New Zealand Disability Strategy. The Disability Strategy is a long term plan for '*changing New Zealand from a disabling to an inclusive society.*' Disabled, as defined by the Disability Strategy, includes physical, sensory, neurological, psychiatric, intellectual or other impairments.

Under the Disability Strategy, government departments are required to develop work plans which set out specific steps to implement the Disability Strategy. For general elections, the Chief Electoral Office contributes to the Ministry of Justice work plan. Work plans are monitored by the Office for Disability Issues.

The Disability Strategy contains fifteen specific objectives. Of these, the following are relevant to this project:

1. Encourage and educate for a non-disabling society.
2. Ensure rights for disabled people.
3. Provide the best education for disabled people.
4. Provide opportunities for employment... for disabled people.
6. Foster an aware and responsive public service.
10. Collect and use relevant information about disabled people and disability issues.
11. Promote participation of disabled Māori.
12. Promote participation of disabled Pacific peoples.
14. Promote participation of disabled women in order to improve their quality of life.

Appendix D: Legislative considerations

The Electoral Act

The Electoral Act 1993 is the principal legislation under which parliamentary (general) elections are conducted. The Act and associated regulations have various provisions to assist people with disabilities, and services provided by any of the electoral agencies must comply with requirements of the Act. Provisions include:

- A person with a physical disability may have someone with Power of Attorney or a registered elector complete and sign the enrolment form on their behalf
- A person who lacks the capacity to understand the decision to register as an elector may be enrolled by someone else on behalf of that person.
- There must be voting facilities in hospitals and similar institutions
- At least 12 polling places in each electorate must have access suitable for the physically disabled
- Election staff or a person nominated by a voter may read out the names of parties and candidates to the voter
- Election staff or a person nominated by the voter may assist marking the voter's voting paper according to the voter's instructions.

The New Zealand Bill of Rights Act

Section 12 of the New Zealand Bill of Rights Act 1990 provides that "Every New Zealand citizen who is of or over the age of 18 years has the right to vote... by secret ballot." The objective of this project is to enable disabled voters to vote in secret wherever possible, and is therefore consistent with the Bill of Rights.

Appendix E: Electronic voting

Remote electronic voting has the potential to greatly enhance access to parliamentary elections, particularly for voters with disabilities.

The Chief Electoral Office aims to develop a long term electronic voting (e-voting) strategy by the end of 2007. The strategy will analyse the desirability and feasibility of e-voting solutions.

We are aware that e-voting raises many issues that need to be resolved before this technology can be safely introduced for use at general elections. Social, legal and procedural issues, rather than technical issues are likely to be the more significant challenges that will need to be overcome to successfully implement remote e-voting solutions.

There is not sufficient time between now and the 2008 general election to safely introduce telephone or internet voting. For this reason, we are not seeking your feedback on the merit of introducing electronic voting in this consultation.