Discussion Paper - Accessible Voting

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# Introduction

The purpose of this paper is to identify some of the current difficulties in voting for people with sight loss and for people with intellectual disabilities, and to outline some of the possible solutions to those difficulties. The paper also raises some issues around postal voting.

The National Disability Authority has previously advised the Department of Environment, Community and Local Government on broader issues around accessibility of voting procedures, including:

* Accessible polling stations checklist (March 2009)
* Feedback on manuals for returning officers and presiding officers (March 2009 and June 2011)
* Areas for legislative change (June 2011)

## Legislation on voting

The Electoral Act 1992 and the Electoral (Amendment) Act 1996 set out the main legal provisions on voting for people with disabilities. The main provisions in the 1992 Act are:

* Section 17 – Special Voters List – for people with a physical illness or physical disability
* Part XIV – Voting by Special Voters
* Section 79 – Voting by special voters
* Section 80 - Special presiding officers
* Section 81 - Ballot paper etc. for special voters
* Section 82 - Method of voting by special voters
* Section 100 - Authorisation of physically ill or physically disabled elector to vote at another polling station
* Section 103 - Voting by blind, incapacitated and illiterate electors
* Section 150 - Unlawful marking of ballot papers by persons acting as companions

The 1996 Act amends a number of provisions in the 1992 Act to provide for:

* Accessibility of polling places for wheelchair users
* Provision of accessible polling procedures for wheelchair users
* Provision for Ministerial order to make arrangements for voters with visual impairments to mark their ballot papers without assistance
* Extension of postal voting to disabled persons
* Accessibility of places for vote counting to wheelchair users

## International provisions on legal capacity to vote

Ireland has signed, and is working towards ratification, of the UN Convention on the Rights of People with Disabilities. Article 29 of that Convention is says:

States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake to:

a. Ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected, inter alia, by:

i. Ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use

ii. Protecting the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation, and to stand for elections, to effectively hold office and perform all public functions at all levels of government, facilitating the use of assistive and new technologies where appropriate

iii. Guaranteeing the free expression of the will of persons with disabilities as electors and to this end, where necessary, at their request, allowing assistance in voting by a person of their own choice

The European Commission for Democracy through Law (Venice Commission) has issued a Code of Good Practice in Electoral Matters on the Participation of People with Disabilities in Elections in 2002. This Code set out “the five principles underlying Europe’s electoral heritage are universal, equal, free, secret and direct suffrage”. In October 2010, the Venice Commission approved an Interpretive Declaration to the Code of Good Practice. This declaration states that “People with disabilities should therefore be able to exercise their right to vote and participate in political and public life as elected representatives on an equal basis with other citizens”. It expands on how the five principles of suffrage noted above could be achieved.

# Postal voting facility

The Electoral (Amendment) Act 1996 introduced the option of postal voting for people with certain disabilities. While this is a very welcome facility, there are a number of difficulties with it.

## Eligibility conditions

The provision in the Electoral (Amendment) Act 1996 on postal voting limits this option to cases where a person is unable to go in person to vote at the polling station by reason of physical illness or physical disability. This wording appears to confine this postal voting facility to situations where someone’s mobility is affected, and not to encompass people with sight problems.

## Registration as a postal voter

While it is open to someone to register to vote as a postal voter at the normal registration stage, the statutory deadlines for registration once an election or other poll has been called are extremely tight – one or two days after the official Electoral Order in some cases – causing difficulties for those who need to get onto the postal register, and who just become aware of this option at election time. Also, the deadline for return of postal votes comes before the final week of the election campaign. In the 2011 Presidential Election, postal votes had to be returned before the final TV debate, which had a major role in the voting intentions of many people.

## Extend the options

The National Disability Authority suggests that consideration be given to amending the 1996 Act to extend the option of postal voting to others whose disability poses a potential obstacle to voting, including people with little or no vision. We also suggest amending the statutory 2 day deadline once the Electoral Order is made for postal voters in the disability category, to align it with the deadlines that apply to others seeking a postal vote.

# Voting for People with Sight Loss

## Difficulties with voting procedure

Many people with sight loss will be unable to vote independently under the current Irish electoral system. They may use any of the following methods to vote:

* They may bring a trusted companion into the voting booth with them to mark their vote on the ballot paper
* They may review the large-print ballot paper available in each polling station to help them to mark their own ballot paper
* They may ask the Presiding Officer for assistance with marking their ballot paper

As noted above, people with sight loss appear not to be included in the criteria for postal voting.

This situation is unsatisfactory for many people with sight loss, who expect to be able to vote independently, just like other voters. The National Council of the Blind in Ireland have called for the implementation of alternative methods of voting for people with sight loss. Complaints have been made to both the Ombudsman and the Irish Human Rights Commission about the inaccessibility of the voting procedure for a person with sight loss.

## Statistics

The CSO National Disability Survey 2006 shows that there were approximately 48,000 adults in Ireland who had significant difficulties in seeing for everyday activities. Over half of these were aged 65 or over at the time of the survey. About 2,300 could not see at all.

With appropriate aids, some people with significant sight loss may still retain some useful vision. The National Disability Survey gave data on use of such aids to vision. About 16,000 people used a magnifier, large print materials or Braille reading materials, with about 3,500 using large print or Braille on computers. About 1,900 used a screen reader when using a computer. About 3,900 people used audible or tactile devices.

## Possible Solutions

There are a number of methods used in other countries to allow people with sight loss to vote independently. The following systems are in use in Germany, Austria, Australia and parts of the USA:

* Templates
* Assisted voting
* Electronically assisted voting

These countries have different electoral systems to Ireland, so these methods may not be immediately transferable to Ireland.

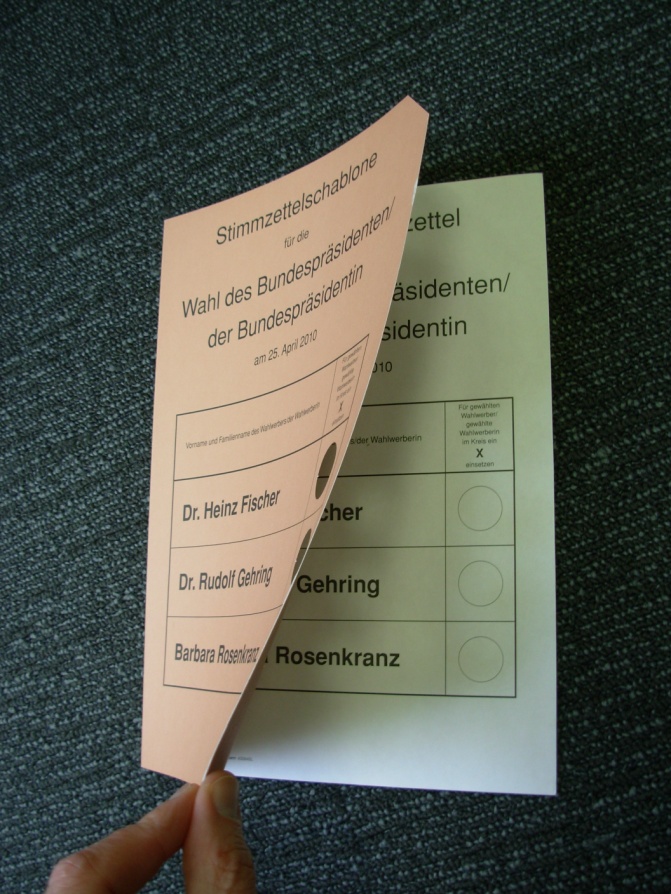
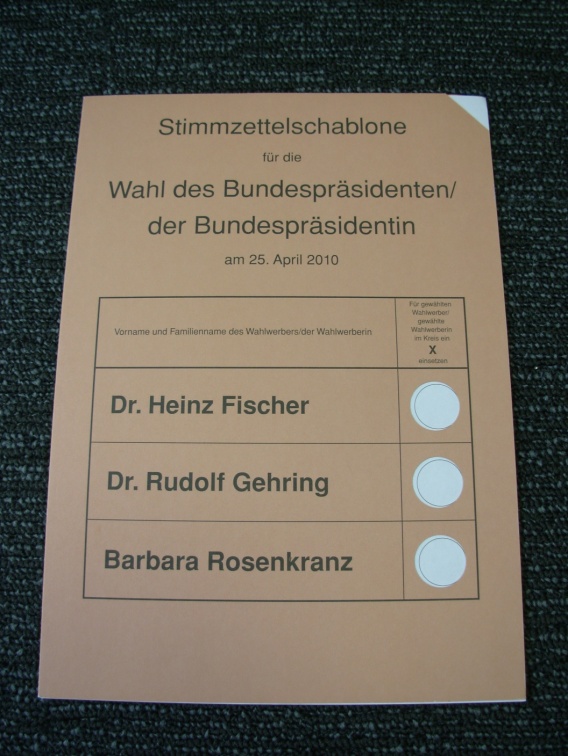
### Templates

Templates or stencils are used in some other countries to allow people with sight loss to vote independently. These templates are usually made of card or light plastic, and have holes to allow the ballot paper to be marked in the correct position. The standard ballot paper fits into the template. Information may be provided on the front of the template using raised lettering and Braille, with a simple sequence number to identify each row (or candidate) on the ballot paper. Alternatively, the voter may be able to find the relevant position on the paper by feeling for the cut-out section. The voter then needs some separate information to cross-reference each row.

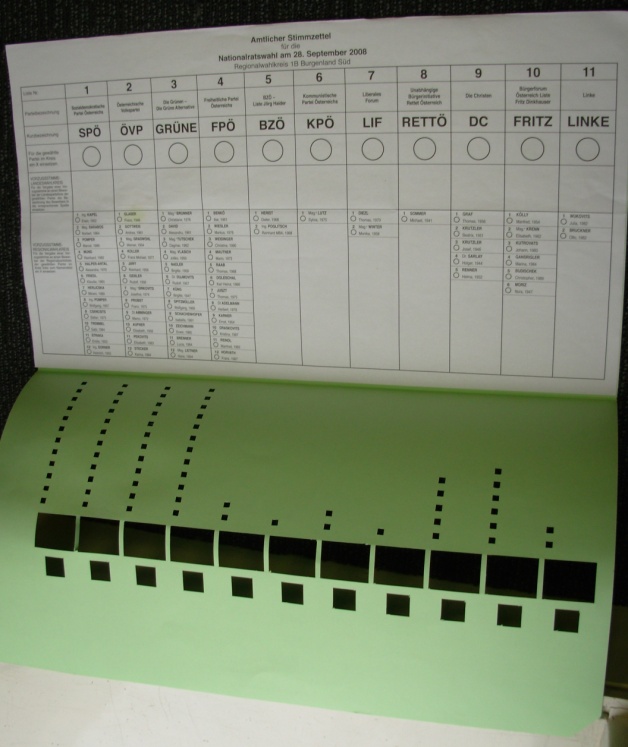
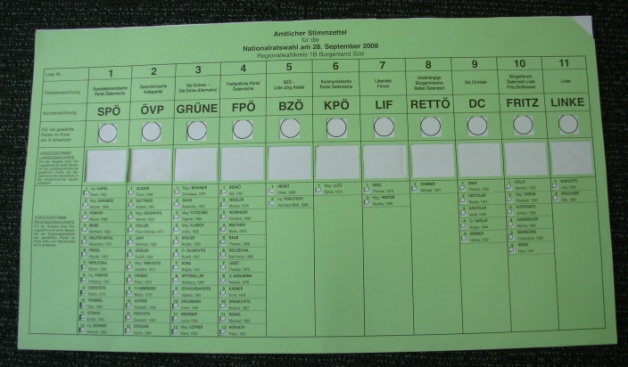
Templates used in Austria and Germany are explained below. Further examples of templates in use worldwide are available at <http://www.electionaccess.org/Bp/Ballot_Templates.htm>, though the images on this website are not described for people with sight loss.

#### Templates in Austria

In Austria, cardboard templates without Braille or raised lettering are used for elections. The standard ballot paper is slipped inside the light cardboard template. The voter can feel the relevant cut-out positions on the template, and can mark their ballot paper accordingly with an X. There are no transferable votes used in Austria.



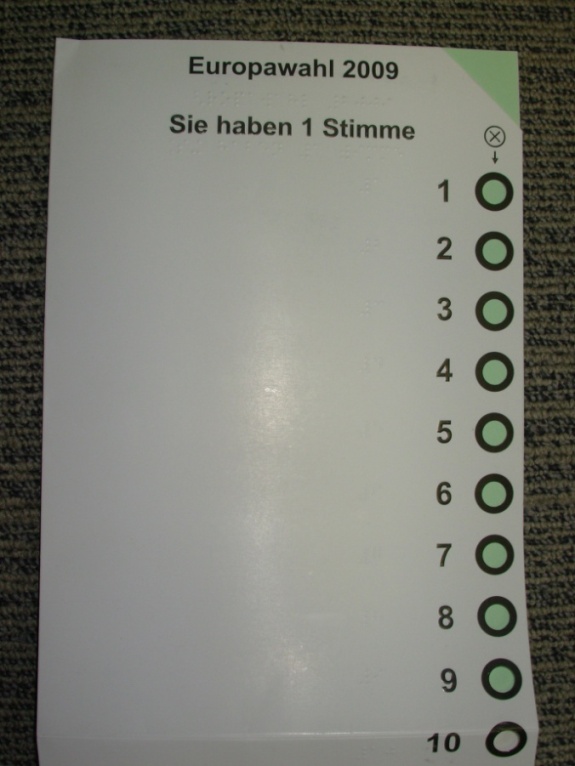
In some cases, the list system means that the voter will be selecting a party preference AND a ‘preferential vote’ for named person within that party. This requires the voter to mark the party preference across the top, and then mark the choice of person from the list underneath. They can also assign a preferential vote to a candidate in a provincial constituency by filling in the respective name by hand. The stencil provides a space for the name to be written by hand. The number of candidates for the National Council is limited by law to between 6 and 16 persons.



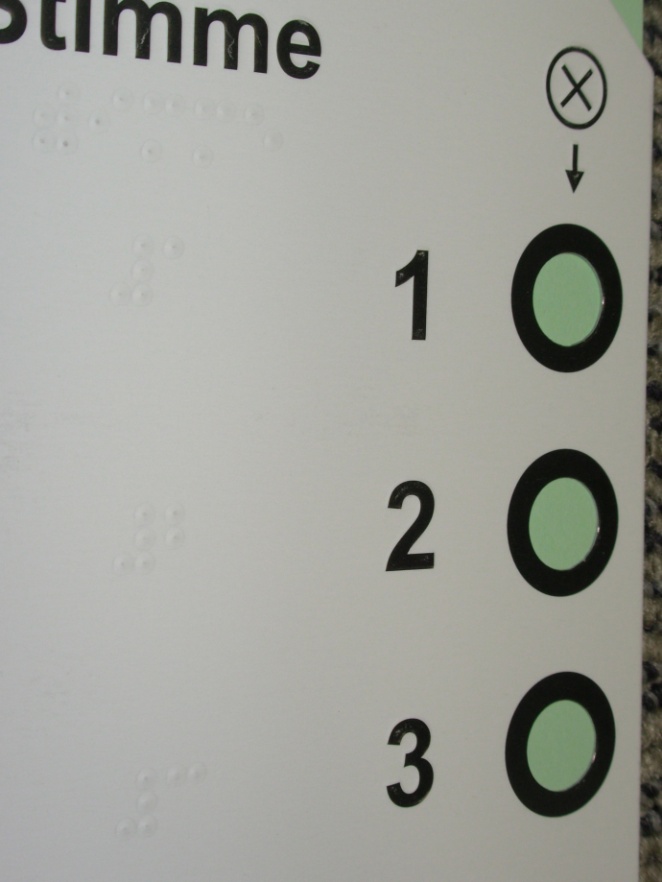
The costs involved in this solution are modest. For the 2009 European elections, the Federal Election Board ordered 47,200 templates at a cost of €14,851 to cover a population of 6.3 million registered voters and about 10,000 polling stations.

#### Templates in Germany

This image shows a sample template from the 2009 European Elections in Germany. The template is made from laminated white card. A sheet of green paper has been put inside the template to highlight the gaps.



This close-up image of part of the German template shows the Braille marking and raised digits for the first three rows on the ballot paper. This image is best viewed on screen and zoomed in.



#### Templates in an theoretical Irish scenario

To take an example of the ballot paper from the Irish 2011 Presidential election, the template would have seven rows, each containing a raised digit, a Braille digit and a slot to indicate where the ballot is marked. There could be ridges or other markings on the template to group every five rows together, to help the voter to know where they are. The voting paper would need to be prepared with standard size rows for each candidate. This might require setting out particular limits on number of characters for each piece of information on the paper, including name, address, occupation and party name.

The voter would need to get separate information to show that Mary Davis was in row 1, Sean Gallagher in row 2, Michael D Higgins in row 3, Martin McGuinness in row 4, Gay Mitchell in row 5, David Norris in row 6 and Dana Rosemary Scallon in row 7. This cross-referencing information could be provided in a number of ways, including:

* in audible form delivered through multiple channels. This could be a simple CD player or MP3 player in the polling booth, with the option to plug in earphones for privacy. It could be available on a freefone service. The voter could call a pre-defined number either in advance or from the polling booth, using their own mobile phone or using a landline phone provided in the polling station.
* through a smartphone application, delivered either through the usual application stores in advance, or using a local Bluetooth network at the polling station, or both.
* In large-print or Braille formats, at the polling station.
* on a website in text or audio format or both, for use by voters either in advance of voting or from the polling booth.
* using the voter’s own preferred way of bringing information into the booth, such as a note or text message or recorded audio-clip on a phone, or a pre-prepared large-print note.

A low-tech solution would be for a polling clerk to read the list of names and their order to the voter. That is close to the current system of assisted voting, discussed below.

The voter will need to keep track of what votes have already been cast as they go through the paper. For voters who choose a small number of candidates, this is not a major problem. For voters with sight loss who want to express their preferences for most or all candidates (‘voting down the paper’), this creates a significant problem. Voters with some vision may well be able to keep track of their own marks on the ballot paper. Voters with little or no vision could possibly use some form of counter or marker to cover over each slot in the template as they mark their preference. These counters could be marked with a sequence number, to help the voter to keep track of what numbers have already been marked.

The template works well in ‘first past the post’ electoral systems where there is a moderate number of candidates or choices to be made. For example, in much of the UK, there may be three to five candidates, and the voter has to choose one candidate by marking an X in the relevant box. It may also work well in those Irish polls where there are limited choices (e.g. in referenda, or contests with a small number of candidates). In Irish general or local elections, there are regularly 10 or more candidates. In the 2011 General Election in the Wicklow constituency, there were 24 candidates. Given these factors along with our Single Transferrable Vote system that allows the voter to mark 1,2,3 etc. all the way down on the ballot paper, it is difficult to see how the template would work successfully for a person with little or no sight. There may however be merit in doing a test exercise with simulated contests for blind voters in order to identify the practicality or otherwise of this kind of system, and to identify what would be the maximum size of ballot choices for a viable template option.

It might be possible to have a hybrid system, using templates for those voters who choose to vote with a small number of transfers, and using assisted voting (explained below) for those voters who choose to vote for most or all of the candidates on the ballot.

Even where the voter has easy access to the relevant cross-referencing information when they are in the polling booth, the voter may not be able correct any mistakes during the marking of the paper. When marking a paper with 10 or more options, it is very easy to make a mistake. Voters with profound or total sight loss would be unable to identify or correct such mistakes.

#### Advantages of Templates

* The voter is able to vote independently, without any companion or assistance required.
* The standard voting paper is used, so there is no way of identifying the paper from the person with sight loss during the count process.
* The template is a simple low-technology solution, with little room for error for ‘first past the post’ systems or with small numbers of candidates or where a small number of preferences are chosen.
* Voters with some vision may be able to keep track of their own vote as they ‘vote down the paper’, and use of counters to plug the holes can be a practical solution where there are a small number of choices to be made
* The resulting vote is confidential.
* Training requirements for polling station staff would be minimal.

#### Disadvantages of Templates

* The cross-referencing of positions on the ballot paper to the list of candidates may be difficult to communicate effectively to voters.
* The voter may be unable to identify and correct any errors made in marking the paper.
* Templates require a standard sized box for each candidate, and a standard layout of the ballot paper. There would need to be a range of template layouts available for different contests (e.g. one for 9 candidates, 10 candidates, 11 candidates and so on), and the system needs to be able to accommodate ballot papers where there are very large numbers of candidates.
* Voters with little or no vision will find it very difficult to keep track of their vote as they ‘vote down the paper’.
* The usability of a template for large ballot paper with a transferable vote is uncertain. The number of people who can read Braille is low. The ability of other people with sight loss to accurately identify correct positions on a ballot paper marked with raised digits is far from certain. The ability of voters to take onboard the cross-referenced list and mark the ballot paper accurately for 10 to 20 preferences is far from certain, even where counters are used to track progress during voting.

### Assisted Voting

Current legislation provides for a companion or the Presiding Officer to mark the ballot paper of a voter who is “satisfies the presiding officer that his sight is so impaired or that he is otherwise so physically incapacitated or that he is unable to read or write to such an extent that he is unable to vote without assistance”. Where the Presiding Officer marks the ballot paper, this is done in the presence of personation agents. The Manual for Presiding Officers sets out a procedure for assisted voting, with particular questions to be asked by the Presiding Officer to the voter. The manual also suggests that the assisted voting is done in a quiet part of the polling station, or a separate room. Legislation provides for other voters being stopped from entering the station temporarily to ensure privacy if that is necessary.

There are a number of ways in which voters with sight loss could vote with assistance from polling station staff without any breach of confidence. Voters could record their preferences before getting to the polling station. This could be done in a number of ways, such as:

* a simple handwritten note,
* a computer application specifically designed for this purpose,
* a secure email facility,
* an audio recording on a mobile phone or computer.

This record of preferences could be handed over to the polling station staff, who would then fill out the ballot paper on behalf of the voter. This could be done silently, using earphones for the audio playback to protect privacy. A separate official or Garda may be required to witness the casting of the vote to ensure that the vote is cast correctly.

#### Advantages of Assisted Voting

* The voter can express their preferences in a safe environment, such as at home, with no stress or pressure.
* The need for any conversation about voting preferences while in the polling station is minimised. Only the staff member who is dealing with this voter sees the voting preference.
* There are low technology solutions available, so training, development costs and testing requirements would be minimised
* There is minimal additional cost

#### Disadvantages of Assisted Voting

* The voting procedure is not independent – involvement of at least one staff member is required.
* The voting procedure is not confidential – the voter’s preferences are known to at least one staff member.
* The voting procedure is not verifiable – the voter cannot be 100% certain that their preferences have been recorded. This risk could be mitigated by involving two staff members, though the improvement in verification is countered by the loss of confidentiality.

The National Disability Authority suggests that removal of the restriction in current law on assisted voting during the last two hours of polling should be considered.

### Electronically Assisted Voting (EAV)

Electronically assisted voting is used in Australia and Oregon, USA to allow people with sight loss to vote independently. These systems are sometimes known as ‘ballot markers’. Electronically assisted voting uses software on computer or a telephone to generate a printed ballot paper that records the voter’s preference. It differs from electronic voting as the vote is printed on paper, and goes through the same collection and counting procedure as every other vote. The vote is not recorded or counted electronically.

There are a number of possible models for Electronically Assisted Voting:

* Polling booth - A computer and printer is provided in at least one booth at each polling station.
* Online - An online service is provided to allow voters to record their preferences and print their ballot paper from home. This ballot paper could then be submitted through the postal voting procedure, or could possibly be brought to a polling station.
* Outreach - Polling staff bring a computer and printer to residential institutions, nursing homes, community centres and other locations where voters who are unable to use the tradition voting process may be found.

In the polling booth model, there would be at least one printer at each polling station, controlled by a computer or telephone within a polling booth. The person with sight loss would register at the registration desk as normal. They would be escorted to the relevant polling booth, and their ballot paper would be inserted in the printer. The voter would use the computer with audio facilities or the telephone to express their voting preferences. The voter could review or amend their choices until they confirm the vote. The vote would then be printed onto the ballot paper. The ballot paper is then brought to the ballot box, and collected with all the other votes.

An example of this model would be the iVote service in New South Wales in Australia – see <http://www.ivote.nsw.gov.au>. A similar service is available from the Victoria Electoral Commission, also in Australia – see <http://www.vec.vic.gov.au/Vote/vote-eav.html>. In both these examples, votes are collectedly electronically, and are later printed at a central location.

With the online model, voters could use an online, accessible website to record their preferences. These preferences are then printed out onto a formal ballot paper. The ballot paper could be submitted as a postal vote, or could possibly be brought to a polling station. The voter could validate the vote independently, by scanning the printed ballot paper and using Optical Character Recognition technology to read this out. An example of this model would be the Alternate Format Ballot service used in the State of Oregon, USA. See <http://www.sos.state.or.us/elections/pages/voterresources/voter_assistance_tools/afb_video.html> for some helpful explanatory videos on this service in Oregon.

An outreach model could use portable computers and printers to bring the polling station to the voter. The computerised voting service would be designed to be accessible to voters with disabilities, including those with sight loss. The same computers and printers could also be available at polling stations if required. Oregon, USA carried out a trial of this model recently using iPad computers and portable printers. See <http://www.politico.com/news/stories/1111/67983.html> for a media report on this trial.

There may well be opportunities to use the same software solution for some of the operating modules, i.e. at the polling station, online and with an outreach service.

The system would have to be tolerant of errors such as paper jamming in the printer.

It would also need to be tamper-proof to maintain the integrity of the ballot process.

#### Advantages of electronically assisted voting

* A well designed software tool would allow voters to express their preferences relatively easily. The software could use touch-screen technology, similar to buying a train ticket. Earphones would be available to protect privacy.
* The resulting vote is confidential, and is not seen by anyone else during voting.

#### Disadvantages of electronically assisted voting

* The costs involved in designing, developing and testing the relevant software along with providing at least one printer and either a computer or telephone for every polling station would be significant. There are approximately 2,500 polling stations.
* There are a number of options for minimising these costs. It may be preferable to rent this equipment rather than buy it, though there may be security issues to be addressed. This would avoid any obsolescence issues. It could also be made an ‘on request’ facility, where the computer is only provided where a voter registers their need for electronically assisted voting in advance. Assisted voting would be available for any voter who had not booked electronically-assisted voting in advance.
* There may be some resistance to use of technology particularly by older people. This could be mitigated to an extent by involving older people and people with sight loss in the design and test phases of development of the software. An effective and targeted communications campaign would also be important.
* There is a risk that votes entered by people with sight loss would be identifiable during the count because they are machine printed rather than hand-written. This risk could be mitigated by allowing and even encouraging use of the electronically assisted voting by other people during polling.
* There may be a public perception in Ireland that anything to do with ‘electronic voting’ is not reliable or cost effective, given the history of electronic voting in Ireland.
* With any technology tool, there is a risk of failure or error with any particular component. This risk can be minimised through the design approach, but cannot be completely eliminated. There may be a cost involved in addressing the risk of hardware failure, through provision of alternative of backup equipment.

|  |  |  |  |  |  | Cost | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Voting method | Independence | Confidentiality | Verifiability | Usability | Training | Per Ballot Paper (180) | Per Ballot Box(7,000) | Per Polling Station (2,500) | Set up Costs | Total |
| Templates | High | High | None | Low | Low | Medium | None | Low | Low | Low |
| Assisted Voting | Low | Low | Medium | High | Low | None | None | Low | None | Low |
| EAV– Polling Station | High | High | Medium | High | Medium | Low | None | High | High | High |
| EAV–Online | High | High | High | High | Low | Low | None | None | High | High |
| EAV–Outreach | Medium | Medium | Medium | High | Medium | Low | None | None | High | High |

### Summary Analysis

The table below provides a brief summary of each of the major options, along with an indication of their benefits (independence, confidentiality, verifiability and usability) and the implementation effort (training and cost).

The cost model in this table grades the costs likely to be incurred under a number of categories. The numbers in brackets show the relevant multiplies for these each category. There would be a maximum of about 180 different ballot papers for a local election, about 2,500 polling stations and about 7,000 ballot boxes.

### Future Options

In the short term, there may be some benefit available from providing multiple A3 size copies of the ballot paper available at each polling station. This would allow a person with some vision to bring this copy into the polling booth and use it as a cross-reference when marking their ballot paper.

Changes in legislation to remove the restriction on assisted voting in the final two hours of a poll and to permit postal voting for people with sight loss would help to put people with sight loss on an equal footing to other voters.

The National Disability Authority suggests that a simulated trial be carried out using voting templates to establish the practical issues and limitations in our voting system. However, the National Disability Authority acknowledges, given the Single Transferable Vote, that there are significant challenges in using this method for a majority of electoral contests, where there are a large number of candidates.

We acknowledge the drawbacks of Assisted Voting in terms of issues of confidentiality, given there must be checks and balances to ensure independence.

The National Disability Authority suggests that some form of Electronically Assisted Voting appears to offer the best potential of the methods discussed to allow independent and confidential voting for people with sight loss. This merits further exploration and discussion with electoral staff to examine issues of practicality, cost, usability and acceptability.

The National Disability Authority would be happy to work closely with the Department of the Environment, Community and Local Government to consider this approach to improving accessing to voting for people with sight loss.

# Voting for people with intellectual disabilities

## Difficulties with voting procedure

There are many barriers to effective participation in the voting system for people with intellectual disabilities. There is no real culture or history of participation in the political system for people with intellectual disabilities. In many cases, it is assumed that people with intellectual disabilities are not capable of forming political opinions or expressing those opinions. People with intellectual disabilities are at risk of being unduly influenced to vote in a particular direction by families or carers.

There is little information available on the political system or the voting system in formats designed to be used by people with intellectual disabilities. There is no information produced specifically for people with intellectual disabilities on the voting procedure in Ireland. Much of the information produced for the general public such as public notices, polling cards and political manifestoes use legalistic language and can be difficult to understand. Most polling station staff are not trained or experienced in dealing with people with intellectual disabilities.

Electoral legislation contains one clause which could be seen as discriminatory to people with intellectual disabilities. Inclusion Ireland report that: “A presiding officer may refuse a person with a disability access to vote if they require assistance to do so and arrive in the last two hours of voting. This is because the officer may feel it is obstructing other voters from voting. If a presiding officer considers that you do not have the capacity to vote s/he may refuse a person access to vote. There is no law to govern this and no test in place. It is therefore at the discretion of the presiding officer.”

## Statistics

The CSO National Disability Survey 2006 shows that there were about 29,000 adults with a diagnosed intellectual disability. Over 16,000 people with intellectual disabilities attend a day service, and over 9,000 people are in residential services.

## Possible Solutions

Inclusion Europe has produced valuable guidance on how elections can be made more accessible for people with intellectual disabilities. Their publication ‘Recommendations for Accessible Elections in Europe’ in May 2011 outlines five main areas for improvement in the electoral process:

* Legislation on legal capacity
* Accessible information
* Training for staff and voters
* Support for decision making
* Access to the voting procedure

### Legislation on Legal Capacity to Vote

At present, Irish legislation allows for a presiding officer to refuse access to vote to a person judged not to have the capacity to vote. There are no guidelines as to how a presiding officer, who is unlikely to have any specific expertise in assessing people with intellectual disabilities, is expected to make this decision.

The Venice Commission Interpretive Declaration to the Code of Good Practice in Electoral Matters on the Participation of People with Disabilities in Elections from 2010 states that “People with disabilities should therefore be able to exercise their right to vote and participate in political and public life as elected representatives on an equal basis with other citizens”. In relation to universal suffrage, it states that “No person with a disability can be excluded from the right to vote or to stand for election on the basis of her/his physical and/or mental disability unless the deprivation of the right to vote and to be elected is imposed by an individual decision of a court of law because of proven mental disability”.

#### Future Options - Legal Capacity to Vote

The National Disability Authority suggests that the current legislation should be examined, in the context of the new mental capacity legislation and the requirements of Article 29 of the UN Convention on the Rights of People with Disabilities, to ensure that people with intellectual disabilities get the same access to voting as others.

The Presiding Officer should not be expected to judge the ability of any individual to vote.

### Accessible Information

Most of the information about voting is not available in formats accessible for people with intellectual disability. Information about the voting process, including voter registration form, public notices about voting, and information on the polling card is written in legalistic language. This is often difficult to understand for many people, particularly voters with intellectual disabilities.

Much of the information produced by political parties around election time is not accessible for people with intellectual disabilities. Leaflets, manifestoes, political broadcasts, advertisements and policy documents are often written in complex language, and can be difficult to understand for many people.

#### Future Options - Accessible Information

The National Disability Authority proposes that information about how to register and how to vote should be made available in formats accessible to people with intellectual disabilities. This could be done using Easy-to-Read leaflets or printed advertisements, or even using video or other multimedia. Easy-to-Read materials use a small number of simple words, and clear illustrations, to convey meaning.

Elections New Zealand produced a 12 minute video called “Get Ready and Vote at the General Election - The Easy Way: People with intellectual disabilities talk about voting” in 2008, along with a booklet and poster to help explain the electoral process.

The Vincentian Partnership, which has been conducting active citizenship voter education programmes, has partnered with Rehab in a voter education programme for people with disabilities. This has covered

* Why you should vote
* How to vote
* What to vote about - thinking about issues that are important to you
* Choosing candidates

It is also important that political parties communicate effectively with voters with intellectual disabilities. The Department should explore the option of putting some conditions about specific measures to communicate with people with disabilities to apply to Government funding of political parties.

### Training for staff and voters

Polling station staff are not generally trained on how to with customers with disabilities. While some staff may have benefited from some training through their main employment, there is no guarantee that all staff have taken appropriate training, or that such training would be fresh in their minds at election time.

This can lead to difficulties around understanding entitlement to vote and the role of any support person with the voter.

People with intellectual disabilities many have difficulties in understanding the voting process and participating in elections. They are also at risk of being pressurised to vote in a particular direction by family members or carers. Some disability organisations have tried to educate people with intellectual disabilities about voting – see [www.youtube.com/user/SunbeamMedia](http://www.youtube.com/user/SunbeamMedia). These positive efforts have not been available to every voter.

#### Future Options - Training for staff and voters

The National Disability Authority proposes that training should be provided to all polling station staff on dealing with customers with disabilities. The National Disability Authority’s online eLearning module is available to public bodies at no charge. This module could be set as a prerequisite for polling station staff for forthcoming elections.

There may be options for the Department of the Environment to produce video or eLearning technology to educate voters with intellectual disabilities on the voting process, or to support independent voter education programmes that are particularly focused on voters with intellectual disabilities.

### Support for decision making

People with intellectual disabilities may need support to make their own decisions about voting. This would require information to be available from all political parties in accessible formats, and impartial and independent support to be available during the election. The Referendum Commission offers the precedent of a system for provision of independent and impartial information.

#### Future Options - Support for decision making

It is important that support and advice provided to people with intellectual disabilities respects their own needs and desires. For example, if a person with an intellectual disability wishes to vote for a particular candidate based on their looks, this should be recognised as a valid voting decision for that person.

### Access to the voting procedure

There are many stages involved in the voting procedure. It is important that all these stages are accessible for people with intellectual disabilities. These stages include:

* Transport to the polling station
* Physical access to the polling station
* Availability of assisted voting
* Alternative methods of voting

Where a service such as provision of polling facilities is provided to a public body, the Head of that public body has a specific obligation under Section 27 of the Disability Act 2005 to ensure that the service provided is accessible for people with disabilities.

#### Future Options - Access to the voting procedure

It is important that the needs of people with intellectual disabilities are considered during each stage of the electoral process. In selecting polling station locations, the availability of transport facilities should be considered. Some people with intellectual disabilities also have concurrent physical disabilities, and are affected by poor physical access to polling station. Steps at an entrance, heavy doors and dark passageways all create barriers for some votes.

Existing polling stations should be reviewed against the checklist previously produced by the National Disability Authority for the Franchise Section of the Department of the Environment, Community and Local Government. Where substantial physical barriers exist, it may be possible to provide temporary solutions for polling day, such as temporary ramps or temporary lighting.

# Summary of Recommendations

## Short term recommendations

* Make large-print A3 size copies of the ballot paper available in all polling stations, for those who want to use this as a guide when marking their own ballot paper
* Conduct a simulated electoral exercise with cardboard templates to ascertain the capabilities and limitations of this system in the context of the Irish voting system and the size of the slate of candidates
* Provide accessible information to inform people with intellectual disabilities on how to register and how to vote (e.g. through leaflets, advertisements or video), and support independent voter education initiatives to this group
* Ensure that all polling station staff are trained to deal with customers with disabilities, using the National Disability Authority’s free eLearning disability training or other equivalent training

## Medium to long term recommendations

* Explore how Electronically Assisted Voting could work in an Irish context, including practicality, usability, accessibility and costs
* Review legislation to ensure that people with sight loss can get a postal vote; to extend the period for registering for a postal vote for people with disabilities; to give people with intellectual disabilities get the same access to voting as others, and to remove the provision that a Presiding Officer be expected to judge the ability of any individual to vote
* Engage with political parties to ensure that information produced by parties is accessible for people with disabilities, particularly those with intellectual disabilities
* Ensure that all polling stations are physically accessible to people with disabilities