

ELECTORAL AMENDMENT (ALTERNATIVE VOTING PROCEDURES)
BILL 2025 (No. 4)

Second Reading

Mr BARNETT (Lyons - Minister for Justice) - Honourable Speaker, I move -

That the bill be now read a second time.

This bill proposes amendments to the *Electoral Act 2004* that will enhance Tasmanians access to voting at parliamentary elections. Importantly, these amendments will help ensure that the Tasmanian Electoral Commission (TEC) is able to provide alternative ways to vote, such as telephone voting, for use by electors who are facing accessibility barriers to voting at a polling place or by post. This includes Tasmanians with a print disability, namely people with vision impairment or blindness, physical dexterity difficulties, learning disability, brain injury, dementia, and those with literacy issues.

The advocacy work from disability advocacy organisations and people within the disability community has been instrumental in the development of this bill. Last year, I had the pleasure to meet with representatives from Blind Citizens Australia and Disability Voices Tasmania who, on behalf of a coalition of people with disability and disability advocates, raised the need for these amendments with the government. I thank them for their valuable input and insights. Feedback provided during community consultation that occurred in November and December 2024 was supportive of the legislative reform and informed several changes made to the consultation draft of the bill.

The need for these amendments arises because for Tasmanians with a print disability, voting at a polling place or by post can be very challenging and sometimes impossible. However, the *Electoral Act 2004* currently limits the commission in its ability to provide alternative voting methods, such as telephone voting to electors who are unable to vote at a polling place due to reasons of geographical remoteness.

While section 113 of the *Electoral Act 2004* does provide for the approval of procedures to assist electors who are unable to vote without assistance, this only applies to voting at polling places. The Electoral Commission has approved several procedures under this provision, including 'VI-Vote', a computerised system providing enhanced audio, visual and printing capabilities to enable independent voting for people with vision impairment or low vision.

The TEC currently provides a telephone voting service under approvals made under sections 131 and 132 of the act. However, only electors in Antarctica, a declared 'remote area', or outside Tasmania are eligible to vote under systems approved under these provisions.

In developing these amendments, the government has considered the approaches taken in other jurisdictions. All other states and territories allow for some form of electronically assisted voting reserved for use by specified categories of electors, in particular electors with a vision impairment. The approaches across jurisdiction vary considerably, both in terms of how a system is specified and who is entitled to use it.

The approach taken in the bill aligns with the TEC's functions and responsibilities under the *Electoral Act 2004*, which include approving a range of administrative forms and procedures within legislatively defined principles. In this way, our *Electoral Act* enables the TEC to be responsive and flexible in providing appropriate and contemporary electoral services for Tasmanian electors.

These amendments also preserve the functional independence of the commission, which is a crucial element of our democratic system.

I will now outline the bill's key reforms. The bill inserts a new Division 9A into the act. This division is based on Division 10 of Part 5 of the act, which enables the TEC to approve procedures to enable voting by electors in Antarctica, remote areas and outside Tasmania.

The bill enables the commission to approve alternative voting procedures where satisfied electors do not have reasonable opportunity to vote under other provisions of the act. This provision makes clear that the commission can approve procedures for classes of electors, for example those with a print disability. The amendments also provide the TEC with flexibility to adjust or expand a procedure or voting system as new needs are identified.

To help ensure the integrity of any proposed new system, the bill also specifies that before approving procedures, the TEC must be satisfied that any proposed system is practical and secure and can be appropriately resourced. Importantly, the procedures are, as far as practicable, to provide for the authentication of the vote and preserve the secrecy of the elector's vote.

It became evident during consultation that the bill would benefit from providing mechanisms to enable input from advocates and representatives from the disability community and others in the development of alternative voting procedures. The bill addresses this feedback in two ways.

First, the bill makes it clear that an accessibility and inclusion organisation may make a request to the commission regarding the need for alternative voting procedures. 'Accessibility and inclusion organisation' is defined as any organisation or peak body that focuses on advocacy, support or services for people with diverse needs, or any other group or body approved by the commission. The commission may also act on its own motion to approve alternative voting procedures, which covers all other circumstances that may arise.

Following on from this, under the proposed new section 130C the commission is to, where practicable, consult with appropriate accessibility and inclusion organisations in considering and making alternative voting procedures. In this way, the bill recognises the importance of input by disability advocates and other relevant stakeholders into the development of voting options that are designed for their use. Consultation is to occur as far as practicable to ensure the commission can be flexible and responsive, noting that at times an approval may be required as a matter of urgency.

The bill will enable the commission to approve procedures to ensure that votes cast under any alternative voting method are transmitted or forwarded securely for counting. These votes are to be counted with postal votes, which ensures consistency with processes applying to votes cast by electors in Antarctic remote areas, interstate and overseas.

The amendments could also help protect Tasmanians' access to voting in the event of an unexpected situation impacting regular voting services, such as a natural disaster. Additionally, they recognise that adjustments to an approval due to operational or technical constraints may sometimes be necessary to maintain the integrity of an electoral process.

I am pleased to note that the commission supports these changes and has indicated that, should the amendments be enacted, it anticipates a priority expansion of telephone voting services for electors with a print disability as an initial step in addressing their barriers to voting.

The government is pleased to take this important step towards ensuring that Tasmanians with disability or who may face other accessibility barriers are able to exercise their democratic franchise.

Honourable Speaker, I commend this bill to the House.

