

13 August 2024

Ms Meg Webb
Chair, Joint Standing Committee on Electoral Matters
Parliament of Tasmania

By e-mail to: electoralmatters@parliament.tas.gov.au

Dear Ms Webb

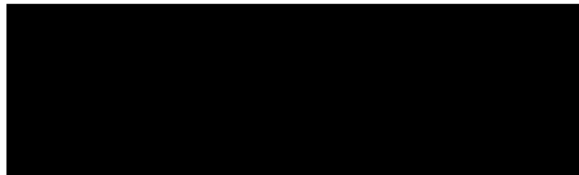
Inquiry into the Conduct of the 2024 House of Assembly General Election and 2024 Legislative Council elections

Thank you for the opportunity to make a submission on the conduct of the 2024 House of Assembly General Election and the 2024 Legislative Council elections. The attached submission has been prepared by and on behalf of a coalition of people with disability and disability advocates and is based both on the personal experiences of people with disability and ongoing research and discussion about ensuring equality in respect of the right to vote.

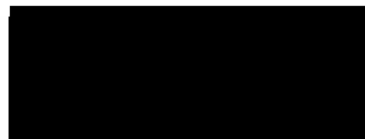
As well as the attached submission, we are able to provide a video recorded on the day of the 2024 Legislative Council elections documenting just some of the experiences of voters with disability of that election process.

We would welcome the opportunity to discuss any aspect of our submission with and to present that video to the Joint Standing Committee.

Yours sincerely



Duncan Meerding



Michael Small

On behalf of:

Blind Citizens Australia (Tasmania Branch) Disability Voices Tasmania

Disabled and disenfranchised:

Submission to the Joint Standing Committee on Electoral Matters' Inquiry into the Conduct of the 2024 House of Assembly General Election and 2024 Legislative Council elections

13 August 2024

Introduction

This submission is made on behalf of a coalition of disability rights groups and disability advocates led by Disability Voices Tasmania and Blind Citizens Australia (Tasmania Branch) following consultation with Tasmanians with a broad range of disabilities and interested organisations.

We welcome the establishment of the Joint Standing Committee on Electoral Matters (the Committee). This is an important and long-overdue review process focussing on Tasmanian democracy. We also welcome the opportunity to contribute to the Committee's first inquiry.

Our coalition came together in the lead-up to the local government elections held in 2022 because of concerns about changes to the *Local Government Act 1993* (Tas) that were anticipated to negatively impact on people with a print disability, including people with vision impairment or blindness, people with physical dexterity difficulties, learning disability, brain injury, dementia as well as those with literacy difficulties.

Since then, the coalition has been active in seeking to achieve improvements to the experience of voting in elections held in Tasmania for people with disability and with print impairments.

Background

The right to vote

The right to vote is a core democratic right recognised in international human rights treaties to which Australia is a party. Of particular relevance are the

International Convention on Civil and Political Rights ('ICCPR')¹ and the *Convention on the Rights of Persons with Disabilities* (CRPD).²

Article 25 of the ICCPR states:

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

...

(b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held **by secret ballot**, guaranteeing the free expression of the will of the electors; **[emphasis added]**.

Article 29 of the CRPD states:

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:

a) To 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 ... **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;

... **[emphasis added]**

It is almost 44 years since Australia became a party to the ICCPR and 16 years since it became a party to the CRPD. As a party, Australia has committed to promote, protect and fulfill all of the rights and freedoms set out in these treaties.

¹ *International Covenant on Civil and Political Rights*, opened for signature 19 December 1966, 999 UNTS 171 (entered into force 23 March 1976, entered into force for Australia 13 November 1980).

² *Convention on the Rights of Persons with Disabilities*, opened for signature 31 March 2007, 2515 UNTS 3 (entered into force 3 May 2008, entered into force for Australia 16 August 2008).

In 2018, the Committee on the Rights of Persons with Disability found that Australia had breached articles 4, 5, 9 and 29 in respect of the voting rights of Fiona Given, an Australian woman with cerebral palsy.³

2022 local government elections

As already noted, this coalition came together around problems identified with exercising the right to vote in the local government elections in 2022. Concerns were raised by individual coalition members with the Tasmanian Electoral Commission ('TEC') (not for the first time) about the process but the response left those members with no confidence that they would be able to exercise their right to vote in an independent, secret and verifiable way.

Members of the coalition then made complaints under both the *Anti-Discrimination Act 1998* (Tas) ('ADA Tas') and the *Disability Discrimination Act 1992* (Cth) ('DDA') alleging discrimination on the ground of disability in the provision of facilities and services: ADA Tas section 22(1)(c); DDA section 24; and the administration of state laws and programs: ADA Tas section 22(1)(f).

The ADA Tas complaint was fast tracked to ensure attempts to resolve it could take place before the election was conducted. The conciliation resulted in a resolution that focused on (a) mechanisms to improve accessible voting in the 2022 local government elections, and (b) the development of a collaborative process to ensure the barriers to voting could be fully identified and removed. The TEC agreed to a range of measures to enable assisted voting at identified locations in each local government area, to establish a temporary working group of key stakeholders to provide advice on accessibility of electoral processes for people with print disability and to make recommendations regarding how legislation can be improved to facilitate accessibility of electoral processes for people with print disability.

Mechanisms to improve access to voting in the 2022 local government elections

Following the resolution of the complaints, members of the coalition worked with the TEC to identify mechanisms to best ensure people with disability and print impairments could vote, with assistance, in the local government elections. As a result of that work, the TEC implemented the following:

³ Committee on the Rights of Persons with Disabilities, *Decision: Communication No 019/2014*, 19th Session, UN Doc CRPD/C/19/D/19/2014 (16 February 2018) ('*Given v Australia*'). The Australian Government, in responding to the decision, argued that a vote could be secret even if a person had to disclose it to a third party in order to cast their vote as long as 'the voter is protected from coercion or compulsion and from disclosure of the vote to the State authorities': paragraph 6 of the Australian Government's response.

1. It located staff in the local government offices in each local government area in Tasmania for a specified time to assist people to vote. Any person who was unable, because of the process, to cast a postal ballot could make an appointment to access these staff members.
2. It modified the electronic instructions and candidate materials so that these would make sense to a person with vision impairment. This included not simply referring to, for example, 'the envelope marked ...', and including all of the instructions that were found on the ballot paper and on the two ballot envelopes that were not otherwise included in the information materials, such as 'Election for Lord Mayor: Number the boxes from 1 to 8 in order of your choices'. The modified guidance also gave physical descriptions of particular documents, for example, the shape and colour of the different ballot papers, the size and differentiating features of the two envelopes, etc.

The review that was undertaken by members of this coalition of the electoral materials was an important part of improving access. 'User testing' materials with people with relevant expertise in different disability is an important part of ensuring access.

The TEC working group process

Several members of our coalition are members of the working group. There have been several aspects of the operation of that group that have concerned those members and the coalition more broadly.

Firstly, the TEC has indicated that it is unwilling to proactively provide advice to the Minister on the legislative barriers to implementing accessible voting identified through the working group processes. This is despite the *Electoral Act 2004* (Tas) specifying that the TEC has the function 'to advise the Minister on matters relating to elections': section 9(1)(a); and 'to provide information and advice on electoral issues to the Parliament, the Government, Government departments and State authorities ...': section 9(1)(d).

Second, the group has not been convened at all in 2024, having had meetings in the second half of 2023 only and progress has been very slow. The TEC had indicated it was aiming to recruit a person with relevant expertise to support its work to ensure that the right to vote was enabled for all Tasmanians. Two years on, this has not occurred.

Third, the TEC has been unwilling to expand the scope of the working group to ensure consideration of electoral matters beyond local government elections despite equivalent concerns being previously raised by individual coalition members for state elections. A letter from the Attorney-General and Minister for Justice, The Hon Guy Barnett, dated 15 July 2024 in response to a letter from coalition members of 1 May 2024, indicates that the 'Tasmanian

Electoral Commissioner has committed to considering broadening the scope of the Print Disability Accessibility and the *Local Government Act 1993* Working Group to also cover Parliamentary elections'. This still falls short of actually committing to such expansion and still does not include other elections conducted by the TEC, such as Aboriginal land council elections and trade union elections.

Reflections on legislative processes

The issues that arose in relation to the 2022 local government elections could have been avoided had the government consulted widely on those changes in advance of the legislative amendments being tabled. Instead, the amendments were rushed through and the impacts of the changes of voters with disability and print impairments were entirely overlooked. The Department did not seek advice from the Premier's Disability Advisory Council or the Minister's Disability Reference Group, both of which are established to provide advice to government to avoid just such potential problems being overlooked in the development stages of legislation and programs. The changes to the *Local Government Act 1993* were unlikely to have been seen to have an impact for people with disability, yet the impact has been significant in relation to a core human right. This reinforces the need for effective government engagement with diverse groups in the community on all legislative and program initiatives. Too often, people without disability and with little knowledge of the diverse potential impacts of laws and programs are the ones who decide who gets consulted and on what.

Since then, the working group discussed above has been working with the TEC in an effort to ensure that voting reforms in future do not go through without appropriate consideration of their potential to negatively impact people with disability and others, including through disenfranchising them. As noted above, the working group was established on a temporary basis, yet there is a clear benefit to the TEC having ongoing working relationships with people with disability and other disadvantaged voter cohorts to ensure effective co-design of its processes.

For example, the working group could assist with:

- developing strategies to build the capacity of disabled people's organisations and other disability organisations and their staff to support people with intellectual disabilities to participate in voting and political debates;
- building the individual capacity of people with intellectual disabilities to participate in voting;
- developing clear and accessible information for people with intellectual disabilities about political platforms, the voting process and public affairs;

- developing strategies to engage with and provide fully accessible information to people with literacy difficulties;
- recruiting and training election workers with disabilities.

Recommendation:

That the Joint Standing Committee on Electoral Matters recommends the establishment of a permanent ongoing advisory group including people with disability and other people who experience access barriers to voting, and that funding be made available to ensure participants are appropriately remunerated for their expertise and time.

That the Joint Standing Committee on Electoral Matters recommends that the Tasmanian Electoral Commission's advisory group's terms of reference include all electoral matters, whether or not they are electoral matters dealt with in the *Electoral Act 2004* or any other legislation or regulation that empowers the Tasmanian Electoral Commission to conduct an election process.

That the Joint Standing Committee on Electoral Matters recommends that the Tasmanian Electoral Commission's advisory group's terms of reference include review of all electoral materials to ensure they achieve the greatest possible level of accessibility to the diversity of people with disability and print impairments, and that the advisory group has access to funds to pay experts, for example, Blind Citizens Australia, SpeakOut Advocacy, etc, to assist them in this work.

The 2024 state elections (General and Legislative Council)

Despite repeatedly raising concerns about the electoral process and seeking legislative protection for independent secret ballots for all people over a number of years and within the TEC working group, problems persisted with the 2024 elections. In the lead up to the election this coalition wrote to the TEC urging it to use its powers in section 113 of the *Electoral Act 2004* (Tas) to extend telephone voting to people with print disability, noting it had authorised such voting for electors interstate or overseas under section 132 of that Act. This should also extend to people with disability and/or medical conditions and/or who are immunocompromised, who, as a result of their situation cannot safely travel to a polling booth or attend a busy polling booth.

It is the view of this coalition that the TEC could have authorised telephone voting for disabled people and with print impairments. Unfortunately it did not do so. This suggests that urgent legislative reform is needed in order for Parliament to ensure it implements mechanisms to support the right to

independent and secret voting for people with disability without further delay. Both of these are discussed in detail below.

Before turning to those discussions, however, we have included a sample of people's experiences of voting in the 2024 state elections.

Experience of voting in 2024 state elections: Case studies

Many people with disability reported having very negative experiences in relation to exercising their right to vote in the 2024 state elections. Below is a sample that highlights the failure of systems in Tasmania to ensure the universal franchise.

James

James is a blind man whose first two attempts at full preferencing vote didn't work due to a fault in a voting machine already known to the Electoral Commission and an official without the training to work around it. Despite this awareness, the TEC had not advised members of the coalition or the working group of this fault. Further, his third attempt would not print with him present. He was later advised it eventually printed out after he left the pre-polling centre and an official subsequently had submitted it. This process compromising James's right to vote by secret ballot.

The experience for non-disabled voters: Would the Tasmanian Electoral Commission roll out ballots for sighted voters with the bottom part of the form mis-printed or missing, or look at a sighted voter's preferences before directing them to fold it and place it in the ballot box?

Jen

Jen lost a mighty fight with the voting machine. "It wasn't very loud ... the staff didn't know how to turn up the volume.. I had to go through the ballot paper three times, and when I reached the end... my ballot paper wouldn't print. ... I had to get a staff member to tick the boxes ... That's two elections in a row."

The experience for non-disabled voters: Do politicians know what sheer determination lies hidden behind some of the votes that empower them?

Nicole

For Nicole, the voting machine worked but it had taken 45 minutes, like Jen. She said that the process was "... quite cognitively demanding in terms of remaining focused, relying on your short-term memory and recall."

The experience for non-disabled voters: Would it be okay to force sighted voters to take 45 minutes to vote and solve a memory puzzle in the process?

Doug

Doug did manage to use a voting machine, but only after he had found his way to it. "Go to the ICON Complex" said the directions (first, find it). "Go through the main entrance" (first, find it). "You will see the lift" (or maybe not if you're blind). "Take the lift to the lower level" (better hope it's got tactile buttons or announces the levels). "Go to Shop 9" (first, find it).

The experience for non-disabled voters: Would the Tasmanian Electoral Commission set up a polling place for sighted voters that you could only get through via a maze?

Mark

Mark voted with the help of an electoral official. "The candidates were read out to me and I said what number I wanted beside each of the seven candidates. The electoral official marked the ballot. My support worker was called in to witness this taking place. ... my vote was far from secret."

The experience for non-disabled voters: Would the Tasmanian Electoral Commission call witnesses they didn't know for sighted voters?

David

David is a wheelchair user who found that the accessible parking space near the polling booth had been taken by a car without a disability parking permit. After struggling into the building in his wheelchair, he found the single voting booth with a low writing surface being used. He tried his luck in a standard booth but could not reach. Staff sent him to a table in clear view of everyone walking around him.

The experience for non-disabled voters: Would the Tasmanian Electoral Commission send non-disabled voters to an open table if it hadn't provided enough screened polling booths?

Michael

Michael went to a polling place where there simply was no lower accessible booth. Michael had found the same situation at this polling booth at an earlier election and got a promise from the polling booth supervisor that he would raise the issue with the Electoral Commission.

The experience for non-disabled voters: Has the Tasmanian Electoral Commission also taken to breaking election promises?

Richard

Richard asked for but could not get the help of an electoral official? "Where's your helper?" he was asked. When he said he wished to vote in secret like anyone else, he was told to go from Devonport to Burnie, where he would find a voting machine.

The experience for non-disabled voters: How was Richard to afford a \$250 taxi fare on a pension?

David and Carol

David has very little vision. His wife Carol uses a wheelchair that she cannot push herself. Carol's eyes, David's muscles.

David and Carol went to their usual polling place a few hundred metres from home. It was closed. Not to worry. Just jump in the car like most Tasmanians, drive to the next nearest polling place and get on with the day. Neither David nor Carol are able to drive. Accessible taxis would turn a quick trip into a long afternoon with who knows what access to wheelchair friendly toilets. This would also have involved a \$30 to \$40 fare (on a pension).

All other polling places were "Wheelchair accessible with assistance". David would have to help Carol past unknown barriers in unfamiliar places where he would use his white cane as a visual aid if he could.

David and Carol gave up. They did not vote.

David acknowledges he could have applied for a postal vote before polling day. This would have meant he had to fumble with the ballot papers and envelopes while holding a pencil in one hand and a magnifier in the other. Carol could have fumbled with the papers and tried to keep the pencil in her stroke-affected hands.

The experience for non-disabled voters: Imagine the frustration a non-disabled voter would experience if the polling booth that they know how to get to was closed and it meant they had to catch a taxi to another polling booth.

All of these Tasmanians experienced breaches of their human rights as expressed in article 25 of the ICCPR and article 29 of the CRPD.

For all of these Tasmanians, having access to a telephone voting system would have enabled them to cast their vote with much less hassle, more privacy and less cost. Such a system still does not achieve full compliance with human rights obligations as it uses a third party to record the person's vote and an independent verification system. It would, however, be a significant step towards compliance.

Relevant aspects of electoral law in Tasmania

In this section we will set out our understanding of key provisions of the Electoral Act that could be used to ensure improvements to the accessibility of voting in Tasmania.

Ways to vote

Part 5 of the Electoral Act deals with the conduct of elections for both the House of Assembly and the Legislative Council. Division 3 of that Part sets out the 'arrangements for polling'. It provides that voting can take place at an 'ordinary polling place, a pre-poll polling place or a mobile polling place: sections 91 and 92. Part 5 Division 9 provides for postal voting.

Each elector records their vote on the authorised ballot paper. Section 96 specifies that 'ballot paper ... are to be prepared and printed by the Commissioner in an approved form'. Section 102 specifies that the elector 'must mark the ballot paper by placing ... numbers # ... and # in the boxes next to the names of the candidates in order of preference ... and may place further consecutive numbers in any or all of the remaining boxes...: section 102(1) and (2).

As such, the Act requires a person to mark a printed ballot paper in order to cast a valid vote.

What can the TEC or Commissioner do to facilitate voting

Section 113 of the Electoral Act states:

- (1) The Commission may approve any procedures that are reasonable and appropriate to assist an elector at an ordinary, pre-poll or mobile polling place who is unable to vote without assistance.
- (2) If an elector is to be assisted in voting, an election official at the polling place is to advise any scrutineers present of the approved procedure by which the elector will be voting.

This clearly empowers the TEC to set out procedures for assisted voting.

There is similar provision in relation to postal voting—section 130(3)—that enables the TEC to approve procedures to assist an elector who is unable to cast a postal vote without assistance.

Division 10 deals with people voting in Antarctica, in remote areas and outside Tasmania. Sections 131 and 132 in this Division empower the TEC to approve procedures for voting in these circumstances.

TEC approvals are separately published on the TEC website, and all those that relate to approvals published by the TEC to enabling voting under these sections are considered below.

Section 113: Blind and vision impaired voters

The [TEC has an approved procedure](#) under section 113 that 'enables blind and visually [sic] impaired electors to independently print their preferences for candidates on the ballot paper' using a computerised system: 'Approved procedure, required by the *Electoral Act 2004*, section 113'. This document was approved by the TEC on 16 March 2007. The substantive text of the approval in full states:

For the purpose of section 113 of the *Electoral Act 2004*, the Tasmania Electoral Commission (TEC) approves the use of a computerised system that enables a blind or visually impaired elector to independently print their preferences for candidates on the ballot paper.

It may be arguable that this is not a procedure to assist a person who cannot vote without assistance as it a mechanism to make voting accessible that avoids a blind or vision-impaired person having to communicate their vote to a third person. They are able to vote independently. The fact that the TEC has approved this as a form of assistance suggests the TEC could approve telephone voting as a form of assistance. This is discussed further below.

Section 113: Electors who are unable to vote without assistance

The [TEC has a separate approved procedure under section 113\(1\)](#) to 'assist an elector who is unable to vote without assistance. Under this procedure, approved on 1 April 2005, there are a range of options available for a person who needs assistance with filling out the ballot paper or who cannot get into the polling place.

The full substantive text states:

For the purposes of sections 113(1) of the *Electoral Act 2004*, the Tasmanian Electoral Commission approve [sic] the following procedures to assist an elector who is unable to vote without assistance

1. Assistance with filling in a ballot paper.—
 - i. An elector may nominate another person to help them fill in a ballot paper at a polling booth if the elector is unable to do so without assistance.
 - ii. An election official may assist an elector with the filling in of a ballot paper if the elector is unable to do so without assistance.
 - iii. The person assisting the elector is to mark the ballot paper in accordance with any directions whether in writing or otherwise presented.
2. Taking ballot material outside a polling place—
 - An election official may take ballot material outside a polling place to assist a voter who can come near to a polling place

but is unable, due to a disability, to enter the polling place, and

- the elector must be marked off the certified copy of the election roll in the normal fashion, and
- after completing the ballot paper, it must be folded in such a way that the vote remains secret and deposited into a ballot box.

Section 130(3): Assistance for postal voters

A [procedure approved by the TEC under section 130\(3\) relates to postal voters](#) 'whose sight is so impaired or who is so physically handicapped [sic], or is so illiterate that the elector cannot vote without assistance. Dated 18 February 2010, this procedure allows the elector to appoint a person to complete all of the physical steps necessary to complete the postal vote process. The substantive text states:

For the purposes of section 130 of the *Electoral Act 2004*, the Tasmanian Electoral Commission approves the following procedures contained in the document "Procedures for assisting certain postal voters", dated 02/10—

Procedures for assisting certain postal voters

An elector who is voting by post in accordance with section 130 and whose sight is so impaired, or who is so physically handicapped [sic], or is so illiterate that the elector cannot vote without assistance may appoint a person who shall, according to the instructions of the elector, mark the elector's vote on the ballot paper and shall then and there—

- (a) fold the ballot paper so that the vote cannot be seen;
- (b) place it in the envelope addressed to the returning officer and fasten the envelope; and
- (c) hand it to the elector who is to sign and post or deliver it, or cause it to be posted or delivered, to the returning officer

Section 131: Procedure for remote voting

The [TEC approved, on 14 March 2017, the use of the 'express voting' procedure for Antarctic electors](#). This approval refers back to [an earlier approval, dated 18 February 2010](#), that allows the transmission of the elector's vote as an attachment to an e-mail or by facsimile accompanied by an 'express vote declaration form'.

Section 132: Procedure for voting outside Tasmania

On 24 January 2023, the [TEC approved the use of telephone voting for electors outside Tasmania](#). This approval specifies that the only people who can use this procedure are people who are either interstate or overseas. It sets out the process of registering to vote this way, the transcription of the voter's choices by election staff, the marking of the electoral roll in relation to those who cast their vote under this procedure. The approval also sets out the security of the telephone voting system.

Enabling telephone voting for voters within Tasmania

In reviewing these existing approvals, we argue that approving telephone voting for people within Tasmania could be a valid approval under section 113. It is arguably more valid to approve telephone voting under section 113 as a procedure to assist a person who cannot vote without assistance than is the implementation of electronic voting which ensures a person **can vote without assistance**. It would be entirely consistent with the Act and the powers of the TEC to approve telephone voting under section 113 for people who are unable to vote without assistance in substantively the same form as the TEC has done under section 132 for people outside Tasmania.

What reforms are needed to avoid legislative barriers to voting

Having reached the view that the TEC can and should approve a procedure for telephone voting under section 113, it is arguable that no legislative reform is needed to the Electoral Act.

The TEC has, however, been unwilling to exercise its power under section 113 to permit telephone voting for people who are 'unable to vote without assistance'. It may be the case that the TEC's concern is that the section refers to assistance 'at an ordinary, pre-poll or mobile polling place', whereas there is no similar 'limit' in section 132. While there is nothing that prevents the TEC setting up telephone voting within the various polling booths, it has not done so.

An amendment to section 113(1) could ensure authorisation is permitted for telephone voting, electronic voting and other forms of assistance.

- (1) The Commission may approve any procedures that are reasonable and appropriate to assist or enable an elector ~~at an ordinary, pre-poll or mobile polling place~~, who is otherwise unable to vote without assistance, to vote.
- (2) If an elector is to be assisted or enabled to vote using an authorised procedure in voting at an ordinary, pre-poll or mobile polling place, an election official at the polling place is to advise any scrutineers present of the approved procedure by which the elector will be voting.

Recommendation:

That the Joint Standing Committee on Electoral Matters recommend amendment to section 113 of the *Electoral Act 2004* to avoid any doubt that the Tasmanian Electoral Commission is authorised to approve procedures to enable a person with disability or print impairment to vote either without or with assistance.

Conclusion

The situation facing electors with disability and other print impairment in Tasmania in 2024 should be incomprehensible to the Parliament and to the community of Tasmania. It is 32 years since the Disability Discrimination Act 1992 was enacted to ensure that people with disability could effectively challenge discrimination they face related to their disability. It is 16 years since Australia ratified the CRPD, adopting the obligation to promote, protect and fulfil the rights of people with disability, including the right to vote by secret ballot. Despite these commitments, people with disability still experience significant barriers to enjoying this right, barriers that mean they must either rely on a third person to cast their ballot (therefore undermining the secrecy of their vote), must struggle with faulty technology and inaccessible venues and more. This is a situation that should not and does not face other electors in Tasmania. It is an embedded and egregious form of an ongoing human rights breach in the form of systemic discrimination that undermines the very nature of our representative democracy.

We urge the Joint Standing Committee to make findings reflecting the fundamental importance in a representative democracy of the right to vote by secret ballot. The protection and fulfilment of this right for people with disability and print impairments is long overdue.

Appendix: Summary of recommendations

The coalition led by Disability Voices Tasmania and Blind Citizens Australia (Tasmania Branch) recommends:

1. That the Joint Standing Committee on Electoral Matters recommends the establishment of a permanent advisory group including people with disability and other people who experience access barriers to voting, and that funding be made available to ensure participants are appropriately remunerated for their expertise and time.
2. That the Joint Standing Committee on Electoral Matters recommends that the Tasmanian Electoral Commission's advisory group's terms of reference include all electoral matters, whether or not they are electoral matters dealt with in the *Electoral Act 2004* or any other legislation or regulation that empowers the Tasmanian Electoral Commission to conduct an election process.
3. That the Joint Standing Committee on Electoral Matters recommends that the Tasmanian Electoral Commission's advisory group's terms of reference include review of all electoral materials to ensure they achieve the greatest possible level of accessibility to the diversity of people with disability and print impairments, and that the advisory group has access to funds to pay experts, for example, Blind Citizens Australia, SpeakOut Advocacy, etc, to assist them in this work.
4. That the Joint Standing Committee on Electoral Matters recommends amendment to section 113 of the *Electoral Act 2004* to avoid any doubt that the Tasmanian Electoral Commission is authorised to approve procedures to enable a person with disability or print impairment to vote either without or with assistance.