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Friday, September 15, 2023

John Schmidt

Electoral Commissioner for New South Wales

By email: TAV.Review@elections.nsw.gov.au

Dear Commissioner Schmidt,

We write to commend the NSW Electoral Commission’s work on technology assisted voting (TAV), as articulated in your interim review report.

We continue to champion the right of every Australian to cast a secret, independent and verifiable vote, whilst also acknowledging the need to ensure the ongoing security and integrity of elections in this country.

We agree with your recommendation for a common national election technology system. We are supportive of intergovernmental efforts to develop a nationally consistent TAV system that provides multiple options for voters who are blind or vision impaired to vote independently, secretly and verifiably.

A national approach would allow the states, territories and Commonwealth to pool resources for the purchase, operation and maintenance of expensive equipment like kiosk voting machines. This would foster electoral consistency and inclusivity for all Australian voters, regardless of their location.

State and territory electoral commissions would also benefit from the cyber security expertise and resources at the disposal of Commonwealth agencies. Cyber security considerations are paramount in the development and operational integrity of internet voting, the accessibility and convenience of which makes it the preferred voting solution for many people who are blind or vision impaired.

However, it is essential to note that any such national approach does not remove the need for the NSW Electoral Commission to continue to provide secret, independent and verifiable voting options for people who are blind or vision impaired.

As the largest state by population, NSW would play a key role in the development of a national approach to election technology cooperation. Even as NSW collaborates with other states, territories and the Commonwealth on a new national approach, we urge the NSW Electoral Commission and the NSW Government to continue their nation-leading work in TAV.

In short, the proposed national approach cannot be a smokescreen for excluding people who are blind or vision impaired from NSW elections, and the 2027 NSW State Election can serve as a national exemplar of what can be achieved with a co-designed legislative approach.

We appreciate the report’s recognition of the ‘material irregularity’ that may arise when even a single eligible voter is denied access to TAV due to technical difficulties. We also recognise the need to balance this against the likely erosion of public trust in democratic processes if such technical difficulties invalidated an election. We would welcome the opportunity to work with the NSW Parliament in developing a suitable legislative response.

We also appreciate the report’s recognition of the need for a multifaceted approach to accessible voting. Operator-assisted telephone voting remains a useful mechanism for many people who are blind or vision impaired, though the report is right to consider the addition of automated telephone Interactive Voice Response (IVR) solutions using keypad responses.

Internet and kiosk voting can then be woven into the tapestry of co-designed solutions. Emerging technologies, such as voice response software, should be considered in the longer term. Low-tech, low-cost options like tactile stencils for ballot papers, should also be considered for the 2027 NSW State Election.

The blind and vision impaired community and the broader disability community would greatly appreciate the opportunity to work with the NSW Electoral Commission on the development and implementation of any voting accessibility solutions to ensure they are fit for purpose.

Sincerely,

Sally Karandrews

Chief Executive Officer

Blind Citizens Australia