

Briefing Note: CNIB and Accessible Voting

Issue:

Previous election processes have not offered accessible voting for all citizens. The House of Commons Special Committee on Electoral Reform has an opportunity to address this lack of full accessibility, and to create a better electoral system where the independence of blind or partially sighted Canadians is paramount.

Background:

Canadians who are blind or partially sighted have the right to participate in the democratic process at all government levels. The Canadian Charter of Rights and Freedoms states, "Every citizen of Canada has the right to vote in an election of members of the House of Commons or of a legislative assembly and to be qualified for membership therein." In addition, the *Canada Elections Act* requires that votes be secret.

The United Nations Convention on the Rights of Persons with Disabilities (CRPD), Article 29 states, in part, that State Parties will undertake 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." This is to be accomplished by, among other things, "ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use" and by "protecting the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation."

However, the electoral process remains inaccessible due to either a lack of accessible materials to submit a secret vote or a lack of knowledge from election officials on how to accommodate a blind or partially sighted voter. When the voting process is inaccessible, the voter must rely on third parties to mark their ballot and thus infringes on a citizen's right to a secret vote.

Principles for Accessible Elections:

To safeguard the rights of blind and partially sighted electors, the following principles must be satisfied:

- 1) Enable private voting, without the intervention of another person unless intervention is explicitly requested.
- 2) Enable independent voting, such that an elector can read the ballot, complete the ballot, and independently verify the mark on the ballot without the intervention of another person.
- 3) Voting technology must be grounded in universal design, accommodating the full spectrum of disability. It is not enough to put in place accommodations which address only a select number of accommodation practices.
- 4) Polling stations must be barrier-free sites.

Further, the following measures greatly enhance the participation of blind and partially sighted voters during elections.

- 1) Access to remote voting options that deploy web-based or telephone technology.
- 2) Campaign material available in alternative formats.
- 3) Devices to facilitate accessible voting are made available for the public to experience prior to election day.

Recommendations:

- 1) The Canadian National Institute for the Blind (CNIB) believes that Canadians should be able to vote by any means be it in person, online or by telephone. Any electronic voting process that is put in place should be fully accessible to blind and partially sighted citizens, using varying technologies and these processes should be tested by end-users prior to the next general election. Future by-elections could be a good test for online voting.
- 2) That every registered voter be provided the accommodations, tools or technology to enable them to mark and confirm their choice on their ballot independently and in secret during an election or referendum.

- 3) That polling stations and polling booths provide barrier-free access to those with physical and/or sensory disabilities including physical access and information signage that meets the needs of voters with partial sight (Refer to, CNIB "Clearing Our Path" – Signage.).¹
- 4) That each polling station offer a minimum of one Election Canada official who possesses the knowledge and skills to demonstrate to a voter the tools or technology available and to correctly support or assist voters with disabilities.

¹ English: http://www.clearingourpath.ca/3.7.0-signage_e.php French : http://www.clearingourpath.ca/3.7.0-signage_f.php