

Physical Disability Australia Ltd
PO Box 345
Toowong QLD 4066.
T | 1800 PDA ORG (1800 732 674)
E | manager@pda.org.au
🌐 | www.pda.org.au



Tuesday 26 September 2023

Mr Tom Rogers, Australian Electoral Commissioner
Australian Electoral Commission
Locked Bag 4007
Canberra ACT 2601

RE: Polling Place Accessibility for the 2023 Referendum

Dear Mr Rogers

Physical Disability Australia (PDA) is writing to you to express concern around the accessibility arrangements for the upcoming 2023 Referendum and that that these in local, state/territory, and federal elections, do not appear to be improving over time.

To begin with, on Thursday 21 September, I reviewed your website's page on 'Support for people with disability'¹ and saw that the list of polling places and their associated accessibility features was not yet published. This was disappointing considering referendum day was only a little over 3 weeks away at that point in time.

It is good see that one is available now². However, we have some issues with:

- The hoops through which voters with disability must jump to identify a polling place;
- The absence of any information regarding the standards by which "wheelchair access" and "assisted wheelchair access" is measured; and
- The continuing reliance on schools, churches, and community halls (few of which meet the *Disability (Access to Premises - Buildings) Standards 2010*³)

With regard to your polling place finder, it would be better for voters with disability to have access to a map (or at least a list) of venues that meet your access criteria rather than having to first enter a locality and then look through each of the possibilities to see if they might meet their access needs. This is not good enough.

Secondly, your *Supports available for people with disability* document⁴, in addition to not being prominently displayed and easily findable on the Australian Electoral Commission's (AEC's) website doesn't describe adequately what "wheelchair access" or "assisted wheelchair access" means instead we get a list of non-exact features that you look for in premises "where possible". More alarmingly, the "internal set-up" that is completely under your control has another list of non-exact features you only "aim to ensure". Again, this is not good enough.

Finally, there is the issue of the premises used as polling places. While we understand that the AEC has only a short time to secure premises for polling places once it is officially notified that an election or referendum has been called, it is also clear that the same places are chosen each time and that these are frequently older community fixtures built at a time when people with disability were not expected to need access to them. PDA contends the time has come for the AEC to proactively

¹ <https://aec.gov.au/referendums/vote/accessibility.html>

² <https://aec.gov.au/referendums/voting.htm#start>

³ <https://www.legislation.gov.au/Details/F2010L00668>

⁴ <https://aec.gov.au/referendums/files/supports-available-for-people-with-disability.docx>

build a database of potential polling places that meet the *Disability (Access to Premises) Standards 2010*. and reach agreements with premise owners for them to be available for use as polling places as required. Given elections (including referendums) happen around every 18 months so there is no reason why the number of polling places that meet the Standards is not growing swiftly. That only 22% of polling places at the last federal election were “fully accessible” is again, not good enough.

That these aspects of the AEC’s work are not good enough is not just our opinion. Article 29 of the *United Nations’ Convention on the Rights of People with Disability*⁵ (to which Australia is a signatory) requires that:

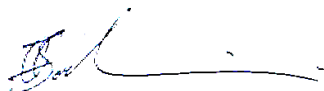
*States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an **equal basis** with others...*

‘Equal basis’, in our view, means access to the full range of vote-casting options and this includes voting at any polling place a voter without disability in the same circumstances may choose.

We note the lack of accessibility-focused specifications for polling place in both the *Commonwealth Electoral Act 1918*⁶ and *Referendums (Machinery Provisions) Act 1984*⁷ largely leaves it to the AEC to set it’s own benchmarks with regard to polling place characteristics, and PDA acknowledges the AEC’s commitment to accessibility. However, a great deal more effort needs to be put into finding a lot more Standards-compliant polling places to be used in place of the legacy churches, schools and scout halls of elections past.

We hope you find this feedback constructive and that it leads to the polling places at future elections.

Yours sincerely



Andrew Fairbairn
President and Director (WA)
Physical Disability Australia



Simon Burchill
General Manager
Physical Disability Australia

About Us:

Physical Disability Australia (PDA) is a national peak membership-based representative organisation run by people with physical disability for people with physical disability. PDA was founded in 1995 and has over 1,200 members from all Australian States and Territories. Our purpose is to:

- Remove barriers through systematic advocacy to all levels of government to enable every Australian living with a physical disability opportunities to realise their full potential;
- Proactively embrace and promote difference and diversity for an inclusive society; and
- Actively promote of the rights, responsibilities, issues and participation of Australians with physical disability.

⁵ <https://social.desa.un.org/issues/disability/crpd/article-29-participation-in-political-and-public-life>

⁶ <https://www.legislation.gov.au/Details/C2023C00067>

⁷ <https://www.legislation.gov.au/Details/C2023C00069>