

Submission to the Special Committee on Electoral Reform

By Chris Stark and Marie Stark

Kanata ON

To: ERRE Committee

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This is a submission from two voters who are blind. We have faced challenges and artificial barriers at polling stations in each Federal Election over the last 40 years, for no reason other than that we are blind. It is a given that voting for us has been more painful and hurtful than a root canal.

Rather than focus on these humiliations, we want to focus on ways to make the voting system inclusive and independently usable by all Canadians, in keeping with the committee mandate.

We have put in your themes and our recommendations after each theme beginning with Comment begins and ending with Comment ends. Three stars are used to highlight points we want to emphasize.

**** As a general comment, it is difficult for a layperson to know what type of voting is best, ((First Past the Post (FPTP) electoral system with a form of Proportional Representation (PR) or with Preferential Balloting). However, we have some observations as persons who cannot see. All voting types pose problems for us. Marking ballots with numbers, columns and the like is beyond our ability, but we still want a secret ballot. The more complex the ballot is, the more difficult it will be to be user friendly for us.

*** If we had one thing to wish for, it is a pilot project of on line voting in 2019 for Canadians with disabilities, or at least for Canadians who cannot see.

1) Effectiveness and legitimacy: that the proposed measure would increase public confidence among Canadians that their democratic will, as expressed by their votes, will be fairly translated and that the proposed measure reduces distortion and strengthens the link between voter intention and the election of representatives;

Comment begins

A mix of first past the post and proportional representation might work best. However, regional and province wide representation should be preserved. Otherwise, the largest city's will dominate the House of Commons. The broadcasting industry provides a graphic warning where most of the stories, reports and programming now come from a national broadcasting center like CBC Toronto.

New Zealand provides a possible electoral model to adapt to the Canadian reality

What we do not want is our ballot reassigned during the vote counting process. We want a greater ability to have our views as constituents represented in parliament. We want it easier to vote with confidence, secrecy and independence. We want parliament to be less confrontational, negative and focused on preventing problems from being addressed through obstructionism and preening for a hoped advantage in the next election. Parliament does not provide acceptable customer service to Canadians. .

***Recommendations

There should NOT be a referendum.

*** voting must be accessible, usable and selection of choices must be independently verifiable for persons who cannot see, prior to casting a ballot.

Comment ends

2) Engagement: that the proposed measure would encourage voting and participation in the democratic process, foster greater civility and collaboration in politics, enhance social cohesion and offer opportunities for inclusion of underrepresented groups in the political process;

Comment begins

The party system promotes negativity today. It is hard to listen to panels of MPs as all they do is criticize the government of the day. MPs should be working together to solve problems. Steps should be taken to reduce the need for competition between elections that result from the adversarial approach to conducting House of Commons business which has evolved in Canada.

If MPs do not respect each other's ideas in public particularly in the media, how can we respect them?

The media plays a big role in this sad state of affairs. Journalists act like a RUMP parliament. There is a blurring of the line between facts and editorial opinion portrayed as facts. The moral righteousness of the parliamentary press core is a disservice to the country.

Whether or not it is Liberal or PC in power, the media consistently fails to report on government activities, particularly as it relates to underserved populations like persons with disabilities, and emphasizes opposition and supposed expert's criticism. An excellent example of this point is the total absence of the coverage of the Minister for Persons with Disabilities consultations on an inclusive Canada Act. In particular, when the present Cabinet was introduced, the CBC talked over this Minister during the introductions of Ministers after the first Cabinet meeting.

The House of Commons has become a national soap opera. One can only hope that this institution is not reflective of Canada today. It is NOT reflective of the community I live in. proceedings particularly question period is Not debate but rather a forum for belittling ministers, bullying by the opposition of the day, snide comments, innuendo and on and on!

***Recommendations

The public purse should fund campaigns based on votes cast in order to qualify for reimbursement.

Nomination and candidate registration fees should be low.

Political advertisement should be banned.

Media should be required to carry public service messages from all candidates equally.

All candidate web sites and publications should be offered in usable formats for persons who are blind.

All persons who choose not to vote should pay a 1% of income penalty based on their income tax report to the Canada Revenue Agency.

*** Recommendation

Whereas the parliament of Canada has exempted itself from the provisions of the Canadian Human Rights Act, it is requested and recommended that this proposed act cover the Houses of Parliament as a workplace.

Comment ends

3) Accessibility and inclusiveness: that the proposed measure would avoid undue complexity in the voting process, while respecting the other principles, and that it would support access by all eligible voters regardless of physical or social condition;

Comment begins

Technology provides a great opportunity to reduce the barriers to voting that exist today.

If we can deal with the CRA online securely, then the challenges of voting securely are already known and easily resolved. Giving people choices in the way they cast their ballot will only enhance participation and involvement.

***Recommendations

*** Elections Canada be ordered to establish online voting usable by persons who are blind, with an agreed timeline and phased in starting with the 2019 election.

All inumeration cards sent to voters should have a tactile marking similar to that on Canadian currency, to facilitate identification by voters who are blind, and contact information including email and phone numbers in braille, as is done with business cards in the federal government.

In urban areas where sidewalks exist. polling stations must be located on streets with sidewalks.

In areas with public transportation, polling stations must be located within 5 minutes walking distance from a bus stop with a safe walking path of travel to the entrance.

At all polling stations street entrance, there must be a tactile or similar wayfinding path of travel usable independently by persons who are blind, from the entrance to the polling station intake desk.

Polling station staff must be proficient in the language they are providing service, including clear oral pronunciation.

Staff interacting with voters who are blind must have received training to interact with and assist voters who are blind. Staff training must include interaction with persons who are actually blind, in a service environment. Staff must be trained in providing descriptive narration and guiding at each step of the process.

Polling staff must be required to report to Elections Canada that they have a braille list of candidates, a signature guide, and other items needed by persons who are blind to vote independently, as part of the polling station opening process.

All forms for voters must be available in accessible formats, and personal information such as address must be provided in private to protect voter personal safety, when communicating orally.

If templates are used, there must be a way to secure the ballot in the template to prevent it from moving, as the voter who is blind uses touch to vote.

Ballot folding instructions must be available in braille and audio formats to protect the voter's right to privacy.

Elections Canada must have a method at each polling station for a voter who is blind to verify their vote independently and in secret.

Elections Canada needs to require all candidates registered for a Federal Election to maintain W3C compliant web sites and offer alternative formats of their materials to voters who are blind.

Comment ends

4) Integrity: that the proposed measure can be implemented while safeguarding public trust in the election process, by ensuring reliable and verifiable results obtained through an effective and objective process that is secure and preserves vote secrecy for individual Canadians;

Comment begins

In the existing system, persons who are blind cannot even check to see that their ballot is actually marked. Did the pencil lead actually write? Did the ballot move when feeling by touch to make an X?

A secret vote is a dream that only on line voting or a voting machine with ear phone and audible feedback can provide. The present voting method is a visual one poorly retrofitted for use by people who are blind. How many ballots are rejected as spoiled even though the voter did the best that could have been done to mark the ballot, without sight

***Recommendation

A voting system be implemented that allows all voters to vote independently in secret and verify their voting choice before actually registering/casting their vote.

Comment ends

5) Local representation: that the proposed measure would ensure accountability and recognize the value that Canadians attach to community, to Members of Parliament understanding local conditions and advancing local needs at the national level, and to having access to Members of Parliament to facilitate resolution of their concerns and participation in the democratic process;

Comment begins

This is the most important objective to us. We have long felt out of touch with our elected representative. The delivery of the Householder from our MP has always been in print despite numerous requests for it, in a format that we as constituents who are blind can read. We have asked for information about disability related issues in the past and never received a response. Hopefully, our new MP will be more sensitive.

***Recommendation

The election process and the work of elected federal representatives should be covered by the Canadian Human Rights Act.

Ridings should be smaller in order to facilitate better representation of Canada's diversity.

Comment ends

In conclusion, we present a narrative description of our voting experience in the 2015 federal election, which is typical of our experiences when voting over the last forty plus years.

We ask how many Canadians would put up with this humiliating and devaluing experience? Electoral reform and change is long overdue.

Voting experience narrative begins

Issues in Complaints from Chris Stark and Marie Stark about the Voting Process:

We both voted at the advance voting poll on October 9th, around 2 p.m. at the Holy Redeemer Catholic School, 75 McCurdie Drive, Kanata. The polling station number was 605.

The information on voter cards is not readable, as we cannot read print. Voter cards, unlike Canadian currency, do not have any tactile identification markings. Since we could not read the card, we did not know the level of accessibility of our polling station before we went.

The advance polling station, and voting day location, were not on city bus routes.

There were no way-finding measures from the street through the building entrance, to the election official at the station entrance.

Election Canada officials at the polling station were not adequately trained on how to interact with and provide services to persons who are blind.

All election officials we dealt with did not identify themselves as election staff.

As with many other voters, we waited in line for an hour before reaching the voting table.

At the table, no election official explained the process to obtain a ballot.

We were presented with forms to sign which were not readable, as they were in print only. Thus we had to request that they be read to us in public, which took additional time and made the voting process longer for our neighbours who were waiting in line.

It was very difficult to understand the official who tried to read the form to us, as there was a verbal language barrier.

No signature guides were available for voters who are blind to help with signing the form.

Although the returning office at the Hazeldean Mall that we contacted before going to vote indicated that there would be a list of candidates in braille at the voting station, this braille list was not available and none of the staff knew about it.

The official who guided one of us to the voting booth did not use appropriate guiding techniques, including unexpectedly grabbing the person by the arm instead of giving orientation directions.

Staff did not know how to use the voting template and ensure that the ballot did not move during the voting process. It took several minutes for them to go get a paper clip so that the ballot would remain stationary while voting by touch.

One of us had difficulty understanding the person reading the list of candidates on the ballot. The other one of us had to ask as politely and respectfully as possible for somebody else to read the ballot because of severe difficulty in understanding the official.

When voting in secret, which we have a right to do, there is no way for us to reliably be assured that our vote will count and that the ballot will not be rejected. A print x to mark the ballot is difficult for us to write reliably. This is unlike municipal and provincial elections where a mark is accepted and a machine checks the correct completion of the ballot in secret.

There were no instructions on how to fold the ballot properly to maintain secrecy and how to insert it in the box.

As a general comment as a voter, the biggest bottleneck in the process was one person manually filling out a form. This process could have been speeded up by more staff being assigned to this task, the use of computer and printer technology, or having those who are able fill the form for themselves and present it to the official for review and signature. Because of the challenges we faced, it took us a very long time to vote while our sighted friends and neighbours voted in seconds once they were given the ballot.

We tried to complete the online accessibility feedback form, but there was not enough space to write all our comments in the field provided. One of us was unable to use the form at all. Also, in the list of possible issues faced, those issues mainly faced by persons who are blind were not included, such as accessible communications, provision of information like a list of candidates in accessible formats, use of appropriate guiding techniques, ensuring ballot is properly marked etc.

The following is a third complaint Chris Stark wants to submit against the Elections Canada Call Centre.

Chris called 1-800-463-6868 on the morning of Friday October 16th. Their voice system does not work well, its directions are confusing and there is no key entry choice option. The first person he spoke with he had difficulty understanding - not racism but a communications issue. When he escalated the complaint, the person questioned his disability and maintained the only way election Canada accepts complaints is online by filling out a form. She refused to give Chris an email address as an accommodation of his disability. That person then terminated the call.

All Chris requested was an email address to submit his complaint. Forms pose barriers for him. He could not find an email option at <https://secure.elections.ca/SiteFeedback.aspx?lang=e>

There were no other feedback options to use for those who cannot complete the feedback form. There should have been an email address provided for this.

All of these issues were well known to Elections Canada from past feedback from us and other voters who are blind. They could have been avoided with appropriate planning, staff training and implementation of inclusive services for everyone.

Chris Stark and Marie Stark

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