20th December 2013

Committee Secretariat  
Justice and Electoral Committee

Parliament Buildings  
Wellington 6160

Submission on the

Inquiry into the 2013 Local Authority Elections

To the Justice and Electoral Committee

Submission from Disabled Persons Assembly (DPA) Inc.

DPA Inc. wish to appear before the Committee to speak to our submission.

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**About DPA New Zealand Inc.**

DPA Inc. (New Zealand) is the national assembly and collective voice of disabled New Zealanders.

DPA Inc. is a Disabled Person’s Organisation (DPO), meaning it is governed by disabled people and the organisation’s main purpose is to articulate the aspirations of its members.

DPA has some 900 individual members who have disabilities themselves or are the parent, or guardian of a disabled person, and some 200 corporate members who represent or deliver services to disabled people. [DPA members](http://www.dpa.org.nz/our-organisation/our-members) form a network of regional assemblies to debate local and national issues.

DPA’s functions include:

* to promote the interests and wellbeing of all disabled people regardless of age, for our whole lives
* to engage with disabled people, DPOs and our valued allies, with the United Nations Convention on the Rights of Persons with Disabilities (CRPD) being the driver of our work
* to progress the CRPD in Aotearoa New Zealand.

**UN Convention on the Rights of Persons with Disabilities**

Government accountability

The United Nations Convention on the Rights of Persons with Disabilities (CRPD) provides the mandate for disabled people to hold the Government to account on ensuring the full and equal enjoyment of all human rights by disabled people.

Partnership with DPOs

The implementation of the CRPD depends on a partnership between DPOs and the Government. This is highlighted in Article 4.3 which says governments shall consult closely with and actively involve disabled people, including disabled children, through their representative organisations.[[1]](#endnote-1) This partnership goes beyond just consulting with disabled people.

CRPD is the minimum standard

DPA uphold the CRPD as the minimum standard for our participation in society.

CRPD on participation in local elections

Aspects of the CRPD that are particularly relevant to this inquiry include:

1. The CRPD’s General Principles:

* Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons
* Non-discrimination
* Full and effective participation and inclusion in society
* Respect for difference and acceptance of disabled people as part of human diversity and humanity
* Equality of opportunity
* Accessibility
* Equality between men and women
* Respect for the evolving capacities of disabled children and respect for the right of disabled children to preserve their identities. [[2]](#endnote-2)

1. Governments are required to take all appropriate legislative, administrative and other measures to ensure the full realisation of all human rights for disabled people.[[3]](#endnote-3)
2. Governments are to take appropriate measures to eliminate discrimination on the basis of disability.[[4]](#endnote-4)
3. Governments are required to closely consult with and actively involve disabled people through their representative organisations, in decisions that affect them.[[5]](#endnote-5)
4. Government’s must ensure disabled people their political rights and the opportunity to enjoy them on an equal basis with others including the rights and opportunity for disabled people to vote and be elected[[6]](#endnote-6) including by ensuring:

* voting procedures, facilities and materials are appropriate and accessible[[7]](#endnote-7)
* disabled people can vote independently and in secret[[8]](#endnote-8)
* disabled people can stand for elections, effectively hold office and perform all public functions at all levels of government.[[9]](#endnote-9)

**DPA comments on this inquiry**

1. DPA welcomes this inquiry

DPA welcomes this inquiry into the 2013 Local Authority Elections and the opportunity to provide input to this important issue. DPA’s comments in this submission seek to assist the Justice and Electoral Committee’s inquiry to ensure consistency with, and implementation of, the CRPD.

Approximately 17 - 20% of New Zealanders have a disability.[[10]](#endnote-10)

1. Local Authorities must work in partnership with disabled people and DPOs

Councils and District Health Boards (DHBs) have significant influence on disabled people’s lives, making decisions on such things as housing, transport and building accessibility.

Councils and DHBs should ensure and promote the representation of disabled people on their Boards and work in close partnership with disabled people and Disabled Peoples Organisations (DPOs) in all aspects of their work.

Disabled people want to stand for election. Council and DHBs must ensure all candidate processes are accessible.

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| **Recommendation**  DPA recommends that Councils and DHBs work in partnership with DPOs to work towards promoting the participation of disabled people on their boards and ensuring an ongoing close partnership with DPOs in all their work. |

1. Disabled voters

Disabled New Zealanders make up a significant part of New Zealand’s diversity with approximately 20% of New Zealand adults having a disability.[[11]](#endnote-11) Thus, disabled people comprise a significant population of potential voters.

Disabled voters experience many barriers to participating in the local authority elections, including.

1. **Candidate information** was most often in printed booklets and/or on web sites.

Printed booklets had a very small font size rendering it inaccessible to people with visual impairments.

DPA members reported that some web sites were not compatible with screen-reading software rending the websites inaccessible to blind and visually impaired people. Websites did not provide candidate information in New Zealand Sign Language (NZSL) for Deaf people.

Without access to candidate information disabled people are unable to vote.

The Local Electoral Regulations 2001 provide guidance on the format of voting documents including the colour of voting documents.[[12]](#endnote-12) These regulations may be a suitable place to provide guidance on ensuring voting documents are accessible to the widest audience possible.

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| **Recommendation**  DPA recommends that the Local Electoral Regulations 2001 section 33 be amended to provide that voting documents are:   * printed in a minimum 12 point font size * in plain language * provided in alternative formats (eg: Braille, NZSL, Easy Read) * and any other necessary provisions, as identified in partnership with disabled people and Disabled Peoples Organisations, to make voting documents more accessible. |

1. **Independent, secret voting**

Voting in the local authority elections was paper-based and some disabled people (eg: people with visual or learning disabilities) require assistance to fill out the voting paper. The Local Electoral Act 2001 provides that certain people with disabilities may be assisted in making their vote.[[13]](#endnote-13) However, DPA members reported that there were no provisions for an independent (non-family member or friend) person to assist them to make their vote.

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| **Recommendation**  DPA recommends that clear provisions be made for independent assistance for disabled people to cast their vote in local authority elections. |

1. **Understanding local authority elections**

Information on local authorities such as how these operate is available across several websites, including the Electoral Commission, the Department of Internal Affairs, the Local Government Commission, Local Government New Zealand and the Ministry of Health.[[14]](#endnote-14) This information is difficult to navigate and is not accessible in plain language, Easy Read or NZSL.

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| **Recommendation**  DPA recommends that information on local authorities operations and elections be made accessible to disabled people, including ensuring key websites are accessible and website information is made accessible in alternative formats, such as plain language, Easy Read, NZSL, Braille. |

Thank you for considering DPA’s submission.

Sincerely



Rachel Noble

Chief Executive

1. **Endnotes**

   United Nations Convention on the Rights of Persons with Disabilities, Article 4.3 [↑](#endnote-ref-1)
2. United Nations Convention on the Rights of Persons with Disabilities, Article 3 [↑](#endnote-ref-2)
3. United Nations Convention on the Rights of Persons with Disabilities, Article 4.1(a) [↑](#endnote-ref-3)
4. United Nations Convention on the Rights of Persons with Disabilities, Article 4.1(b) [↑](#endnote-ref-4)
5. United Nations Convention on the Rights of Persons with Disabilities, Article 4.3 [↑](#endnote-ref-5)
6. United Nations Convention on the Rights of Persons with Disabilities, Article 29(a) [↑](#endnote-ref-6)
7. United Nations Convention on the Rights of Persons with Disabilities, Article 29(a)(i) [↑](#endnote-ref-7)
8. United Nations Convention on the Rights of Persons with Disabilities, Article 29(a)(ii) [↑](#endnote-ref-8)
9. United Nations Convention on the Rights of Persons with Disabilities, Article 29(a)(ii) [↑](#endnote-ref-9)
10. Statistic New Zealand 2001 Census and 2006 Census [↑](#endnote-ref-10)
11. Statistics New Zealand Disability Survey 2006. [↑](#endnote-ref-11)
12. Local Election Regulations 2001, regulation 33(2). [↑](#endnote-ref-12)
13. Local Electoral Act 2001 s139(1)(e). [↑](#endnote-ref-13)
14. Electoral Commission / Local Elections. Accessed on 20th December 2013 at: <http://www.elections.org.nz/voting-system/local-elections> [↑](#endnote-ref-14)