

Written evidence from Sense¹ (TEB 14)

Public Administration and Constitutional Affairs Committee The Elections Bill inquiry

Disabled people's experience of elections

We are concerned about the impact of some of the proposals in the Elections Bill on people with complex disabilities.

People with complex disabilities already face barriers while exercising their democratic right to vote. The lack of accessible information about elections and candidates, the inaccessibility of the voting process and buildings used as well as public attitudes and understanding all present barriers. People with complex disabilities often need additional support to vote – to understand the process and options, but also to overcome the accessibility barriers that face them.

We are already concerned that not enough people with complex disabilities are able to vote as independently as possible. As Ian, a Sense supporter with dual sensory impairment, says:

“Every election the paper always has something different and/or wrong with it. Either the print is too small, or the party logos aren't clear enough to make them easily identifiable. Some elections where there are multiple votes taking place, different coloured paper gets used and this can also add to the readability problem as well.”²

We believe that the Elections Bill presents an opportunity to make it easier for disabled people to vote. However, in its current form, the Bill would instead introduce new barriers to independent voting.

An Electoral Commission report into the 2017 election found that disabled voters faced challenges throughout the electoral process, including:

- Polling cards being difficult to read due to the print size being too small;
- Limited awareness that instructions for a postal vote were available in alternative formats such as Braille;
- Not being able to get into the polling station, or even being sent away; and
- Staff being aware of who disabled voters are voting for.

A survey carried out for the report found that 5 per cent of disabled people said it was hard for them to get into the polling station. In contrast, no non-disabled respondent said it was hard for them to get into the polling station.³

¹ Sense is a national disability charity that supports people with complex disabilities to be understood, connected and valued. Sense supports children, young people and adults in their home and in the community. Sense campaigns passionately for the rights of the people it serves, and offers practical help and support to families and carers, including information and advice, short breaks and family events.

² <https://blog.sense.org.uk/2015/06/electronic-voting-would-help-many-deafblind-people/>

³ Elections for everyone (2019), Electoral Commission, <https://www.electoralcommission.org.uk/report-elections-everyone>

The Elections Bill

Voter Identification

Clause 1 of the Elections Bill would introduce a requirement to provide photographic ID while voting in an election. Given the barriers that already face disabled people while voting, Sense is concerned that this could make it harder for some disabled people to vote. While the Bill's broad definition of photographic ID does partly mitigate the disproportionate effect on disabled people, any additional barrier could discourage more disabled people from getting involved in elections.

We know that some disabled people have found this proposal troubling as people with complex disabilities have contacted us to express their concern. These concerns are reflected in the Cabinet Office's own research, in which 10 per cent of disabled respondents said that having to present photo ID at the polling station would make voting difficult. Only four per cent of those who were not disabled said the same.⁴

Schedule 1 (15) (4) of the Bill lists the acceptable forms of photographic ID, any of which could be presented even if they are expired. As well as several less common forms of ID, the list includes:

- Passports;
- Driving Licences;
- Concessionary Travel Passes; and
- Blue Badges.

The proposal could be problematic for some people with complex disabilities as they are less likely to be able to access the most common forms of photographic ID. For example, certain conditions or impairments prevent a person from driving, leaving some people with complex disabilities unable to apply for a driving licence. The cost of applying for a passport can also be prohibitive for some disabled people, particularly given the financial inequalities disabled people tend to face.

These factors are seen in the Cabinet Office research, which found that disabled people were significantly less likely than non-disabled people to own passports and driving licenses.⁵

⁴ Voter identification: photographic ID ownership in Great Britain (2021), Cabinet Office, <https://www.gov.uk/government/publications/voter-identification-photographic-id-ownership-in-great-britain>

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	Ownership (%)	
	Disabled	Non-disabled
Passport	85	93
Driving licence	68	84
Blue Badge	25	2
Concessionary Travel Pass funded by the UK Government	19	11

However, the disproportionate effects of the proposal are partly mitigated by the fact that the Bill's list of eligible forms of photographic ID includes concessionary travel passes and blue badges, both of which disabled people are more likely to own. When this is taken into account, disabled people are only slightly less likely than non-disabled people to own recognisable photographic ID (94 per cent compared to 97 per cent).⁶

While the percentage of people without photographic ID may be small, they are still disproportionately likely to be disabled. We would be concerned about any proposal that would make it harder for any disabled person to exercise their democratic right. The fact that disabled people disproportionately say that the measure will make it more difficult for them to vote is also a warning sign, as disabled people should be encouraged rather than discouraged to vote.

For these reasons, we believe that the proposal to introduce voter identification proposals (Clause 1) should be removed from the Elections Bill.

Voter Cards

Under Schedule 1 (2) of the Bill, anyone eligible to vote would be entitled to a free Voter Card from their local authority. This Voter Card would be accepted as a form of photographic ID at polling stations.

While this would soften the impact of Voter ID if it is introduced, the process of applying for a Voter Card would itself be an additional barrier to voting. Disabled people are disproportionately likely to be affected by this barrier as they are less likely to own photographic ID. The need to apply for a Voter Card may put some disabled people off voting. The Cabinet Office's own research found that 42 per cent of people without photographic ID said that they would be unlikely to apply for a Voter Card.⁷

Clearly, the requirement to produce photographic ID would still discourage some disabled people from voting, even if it did not directly prevent them from doing so. For this reason, we do not believe that the use of Voter Cards would fully mitigate the negative impact of the proposed introduction of Voter ID on disabled people.

⁶ Ibid.

⁷ Voter identification: photographic ID ownership in Great Britain (2021), Cabinet Office, <https://www.gov.uk/government/publications/voter-identification-photographic-id-ownership-in-great-britain>

If the proposal to introduce voter identification is included in the Bill, then we believe that the Elections Bill could set out three further requirements that would make Voter Cards meet the needs of disabled people more effectively.

Firstly, the Voter Card would only be effective if the application process were fully accessible. Otherwise, some disabled people with no photographic ID would either need someone else applying on their behalf, or face being disenfranchised altogether. The Government should therefore require local authorities to make the application process for the Voter Card fully accessible.

Secondly, disabled people applying for a Voter Card should also have the right to request an accessible version of the Voter Card, in the same way that, for example, blind people can request Braille stickers for their Passports or travel cards. This would allow them to verify that the details on the card are correct.

Finally, the staff responsible for applications should have an understanding of disability and the right of disabled people to vote. One of the barriers sometimes face by disabled people is the inaccurate assumption that some disabled people do not have the right to vote. **To make sure that disabled people do not face the same barrier while applying for a Voter Card, those responsible for dealing with applications for Voter Cards should receive disability equality training, including on voting rights.**

These three requirements could be either introduced into the Bill via an amendment, or included in future regulations setting out the form of the Voter Card.

Assistance for disabled people

Currently, under the Representation of the People Act 1983, polling stations must provide a tactile voting device to enable voters with sight loss to vote independently. Clause 8 (2) of the Elections Bill would replace this with a new requirement to provide ‘such equipment as is reasonable to enable disabled people to vote’.

In principle, we would support a broader duty designed to enable all disabled people, including people with sight loss, to vote. However, the new wording of subsection 2 does not carry over the previous requirement to enable voters to vote ‘without any need for assistance’. As a result, polling stations will not be required to ensure that disabled people can vote independently.

We hope that this is no more than an oversight. Nevertheless, its effect is to weaken the requirement to enable disabled people to vote independently. **An amendment to rectify this should be brought forward as soon as possible.**

The effectiveness of this broader duty will also depend on Returning Officers’ and other employees’ understanding of disability. **To ensure that staff at polling stations understand what they can do to support disabled voters, Returning Officers and other employees should receive mandatory disability equality training, including on voting rights.**

Providing such training would help some of the barriers identified by the Electoral Commission report that were linked to attitudes, such as unhelpful staff, a lack of training in using tactile voting devices, and a perception that some disabled people were not eligible to

vote. It would also help enable staff to proactively identify and rectify potential accessibility issues instead of dealing with them as they arise.

The provision of this training would be in line with the Government's response to the evidence gathered through the Cabinet Office's call for evidence on disabled people's access to elections, which made the following commitments:

Action 1: Returning Officers should ensure effective training of polling station staff and the use of checklists developed in conjunction with national and / or local disabled persons groups to identify issues from the viewpoint of disabled people.

Action 4: Returning Officers to consider equipment at polling stations with reference to use by people with manual dexterity issues and ensure the availability of full-size writing implements for those who may need them.

While these actions place the onus on the Returning Officers to ensure effective training, providing all staff standardised disability equality training developed in conjunction with disabled people would be more likely to lead to high levels of accessibility across all polling stations.

The Elections Bill also contains other measures to enable disabled people to vote. Clause 6 (3) would widen the current requirement for a person (companion) voting on behalf of a blind person to keep their vote secret so that it extends to all companions of disabled people. Clause 8 (3) would remove the requirement for a companion to be a family member. **We would welcome both these measures.**

What Sense is calling for

- **Sense believes that the proposal to introduce Voter ID should not go ahead as it would make it harder for disabled people to vote. However, if the proposal does go ahead, the Bill itself or the upcoming regulations would help to limit the impact of the proposal:**
 - **The Voter Identification evaluations, which the Bill requires the Secretary of State to produce after an election, should specifically consider the impact of the measures on disabled people.**
 - **The Government should ensure that they gather the data they would need to carry out this evaluation.**
 - **The Government should require that the application process for Voter Cards is fully accessible and that applicants have the option of requesting an accessible Voter Card.**
 - **The Government should also require that those processing applications have received disability equality training, with particular reference to the right of disabled people to vote.**
- **The Government should amend Subsection 2 of Clause 8 in Part 1 of the Bill to clarify that polling stations will still be required to enable disabled people to vote independently.**
- **The Government should introduce mandatory disability equality training for Returning Officers and staff at polling stations.**

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