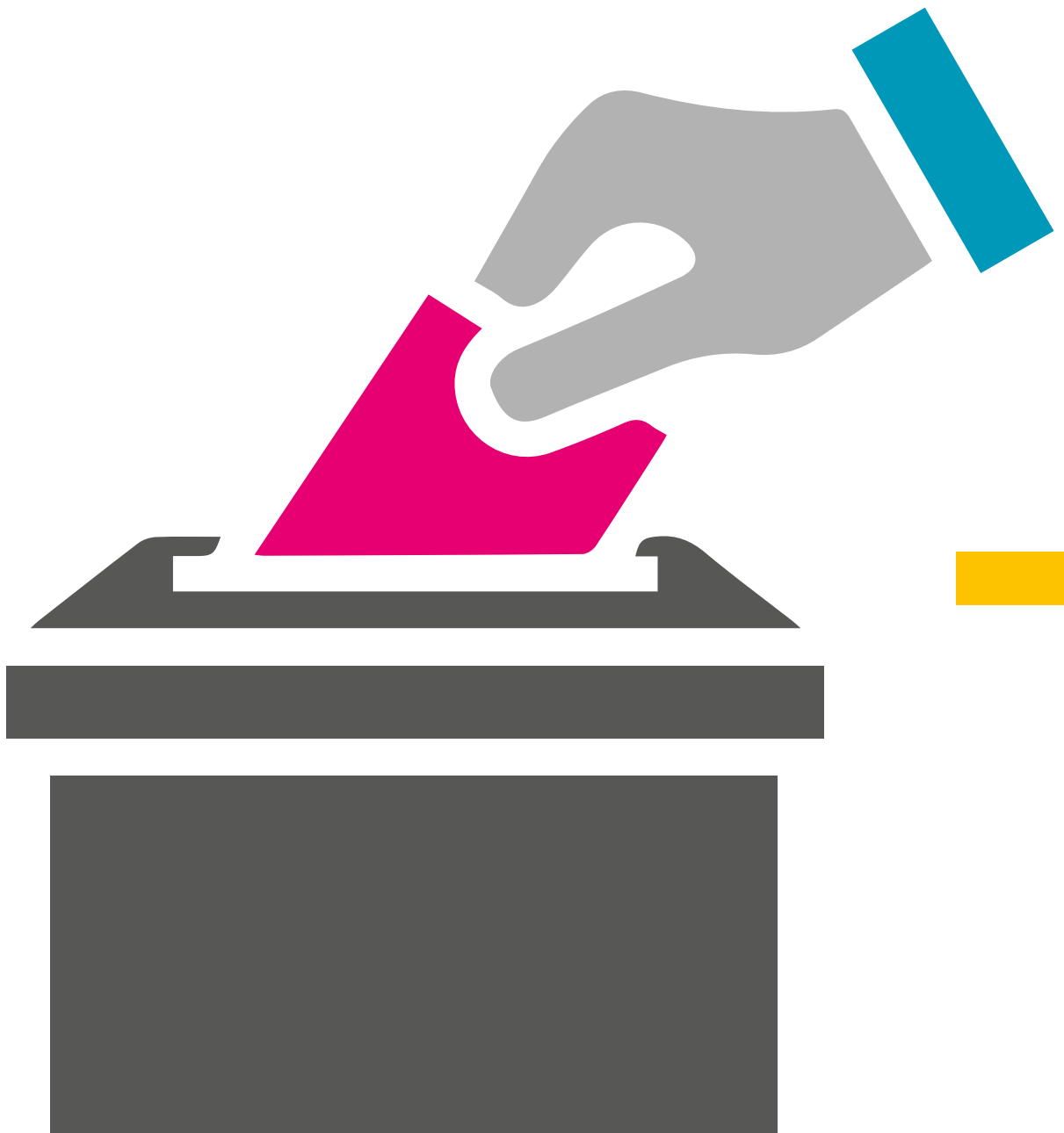


R N I B

See differently

Turned Out 2019



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Turned Out 2019

Voting requires an individual to make a mark in a specific box on a piece of paper to indicate their preference. It's a fundamentally visual exercise.

RNIB's Turned Out series of reports monitoring experiences of voting in general elections have consistently shown that the adjustments provided to enable blind and partially sighted people to participate are failing to guarantee the right to vote independently, and in secret, for these voters.

There are around 350,000 people registered blind or partially sighted in the UK and an estimated two million people are living with sight loss that affects their daily lives. Sight loss is a spectrum and every eye condition affects someone's sight differently. For example, glaucoma affects peripheral vision and cataracts cause cloudy vision. The majority (93 per cent) of people who are registered blind or partially sighted have some usable sight.

RNIB has been calling on the UK Government to create an accessible voting system that guarantees blind and partially sighted voters can access information about elections and candidates independently. When voting, they should be able to, without any assistance:

- review the candidates on the ballot paper.
- reliably find and mark their chosen candidate on the official ballot paper.
- be in sole control of the secrecy of their vote.

Turned Out 2019 headlines

- Just over one in 10 (13 per cent) blind voters, and less than half of partially sighted voters (44 per cent), said they could vote independently and in secret under the current voting system
- Less than half (46 per cent) of blind and partially sighted people are satisfied with their experience of voting
- At the polling station, nearly two thirds (61 per cent) of blind people and a third (32 per cent) of partially sighted people had to get another person to help them to vote.
- Nearly a quarter (23 per cent) of blind voters who voted in a polling station had to rely on a member of staff to help them vote.
- More than half (53 per cent) of blind people reported being unable to read any information regarding the election sent to them by local councils, including polling cards.

Less than half...

46%

of blind and partially sighted people are satisfied with their experience of voting.

Recommendations for UK Government and local electoral services

- Continue to work with RNIB's User Experience team to find a solution to enable blind and partially sighted people to vote independently and in secret and roll it out in time for elections in 2021.
- Better publicise accessible voting options, and the support available within a polling station, both before polling day and in polling stations themselves so blind and partially sighted people know what support they can expect and request.
- Publish the names of candidates and their order on ballot papers online, and in local electoral offices, before elections so blind and partially sighted people can look up who they want to vote for and where they will be placed on the ballot paper.
- Ensure Presiding Officers and their staff are fully trained to understand sight loss, different sight conditions, and the various types of support they should be offering.
- Update local registers of blind and partially sighted people, collect information on preferred formats, and use them to send items like polling cards in formats that electors can read.
- Review and revise the postal voting system to make it accessible for blind and partially sighted people

Legal case May 2019

In law, each polling station must have:

- a large print version of the ballot paper; and
- a tactile voting device.

The Tactile Voting Device (TVD) is a plastic template, which is intended to be put over the ballot paper by the Presiding Officer, to enable blind and partially sighted people to locate the voting boxes and find where to make their mark. However, it does not tell the voter the names or parties of the candidates. Any voter wishing to rely on the TVD alone to vote would be dependent on knowing the order of the candidates as printed on the ballot paper. In practice, this means many people require assistance from a family member, friend or member of polling station staff to provide this information so the voter can mark the right box.

The current system used to make ballot papers accessible for blind and partially sighted voters was declared unlawful in May 2019 in a case brought by campaigner Rachael Andrews and law firm Leigh Day. RNIB provided supportive evidence.

In the judgement, Mr Justice Swift said:

“Enabling a blind voter to mark ballot papers without being able to know which candidate she is voting for is a parody of the electoral process”

... and that to meet legal obligations under the Representation of the People Act a device...

“must allow the blind voter to mark the ballot paper against the name of her candidate of choice... without any need for assistance”.

“Regulation 29(3A) of the rules encapsulates a laudable objective – that of enabling blind voters to vote without assistance. The TVD prescribed by regulation 12 of the 2001 Regulations does provide assistance, but it does not itself meet the purpose specified in Rule 29(3A).”

New advice to Returning Officers

Following the ruling in May 2019, RNIB began working with the UK Government to help find a suitable lawful alternative to current provisions. However, when a snap general election was called for 12 December 2019, it became clear that there would not be time to find a solution to ensure fully accessible voting ahead of polling day. As such, RNIB supported the Cabinet Office in issuing advice to polling station staff making it clear that mobile phone apps (such as 'Seeing AI' which can use Artificial Intelligence to read out printed text), or video magnifying devices, could be used by blind and partially sighted people to vote as a reasonable adjustment under the Equality Act.

The Cabinet Office sent a note to Returning Officers reminding them they are legally required to have the TVD, a large print version of the ballot paper displayed on the wall and a large print handheld version of the ballot paper for partially sighted people to use alongside their ballot paper. For the first time, they also suggested other options that could be used, explaining that many people with sight loss use their mobile phones to read documents audibly, or visually, and that others carry pocket-sized video magnifiers to help them read. They explained that Returning Officers were permitted to allow these devices to be used by voters with sight loss.

However, in reality the decision on the day as to whether to allow the use of technology rested with the individual Returning Officer which meant being able to use this type of tool was not guaranteed. Use of these kind of apps would, of course, also only be available to people who owned them themselves and brought them to the polling station. RNIB believes refusal to allow the use of this type of tool is likely to be a breach of the Equality Act.

The reaction from blind and partially sighted people online to the news that mobile phone apps would be allowed as a means of meeting Equality Act obligations was overwhelming; a video we shared on the topic was seen by nearly 30,000 users making it the most popular post of the year from the **@RNIB_campaigns** Twitter account.

On polling day itself, some blind and partially sighted people were celebrating that they had been able to vote independently, and in secret, for the first time. However, other people reported still needing the help of another person to vote, and there were calls online for other solutions, such as braille ballot papers, to be implemented.

Our video about voting and the Equality Act was seen over

30,000

times

Background to Turned Out 2019

We have been surveying blind and partially sighted people's experiences of voting since the general election in 2015 and re-ran a survey – using similar questions to previous Turned Out reports – to understand any changes in 2019. We had 480 responses from blind and partially sighted people.

Although we took some responses over the phone, due to research timescales this was a self-selecting online survey advertised through email and social media, and therefore is likely to exclude the experience of those people with sight loss who do not use the internet.

Of those who took part in the survey, 62 per cent were blind and 38 per cent were partially sighted. Of the 350,000 people in the UK registered blind and partially sighted, half are registered blind and half are registered partially sighted, demonstrating a higher uptake of our survey among the registered blind population.

Similarly, this survey is more representative of the experiences of younger blind and partially sighted people. While around a quarter of the general population of blind and partially sighted people are working age, 68 per cent of respondents to the survey were aged under 65.

68%

of respondents to the survey were aged under 65.

An independent and private vote?

Around one in four (24 per cent) blind and partially sighted voters agreed they could vote independently and in secret, which is the same as in our previous Turned Out surveys.^[1] However, only around one in 10 (13 per cent) blind (Severely Sight Impaired) voters agreed that they could vote independently and in secret under the current voting system, compared with nearly half (44 per cent) of partially sighted (Sight Impaired) voters. Previous research from RNIB didn't make this distinction so this disproportionate effect on people registered blind is highlighted here for the first time. This disparity in experiences between blind and partially sighted voters suggests that those blind and partially sighted people who are able to vote independently are relying on their usable vision.

- "The lady had to read out the candidates to me and point out the one I wanted to vote for. It was slightly humiliating... Don't get me wrong – the ladies were lovely and kind but it wasn't secret or independent."
- "No large print available – only braille [the tactile voting device] and I was asked if I could read braille, I said no, the lady asked me if I was sure I couldn't. Asked my 10 year old son to assist me... all I want to do is vote independently."

- “I do not have confidence in the tactile voting device as a totally blind person. When going to the polling station, I ask a member of staff to fill in my ballot paper and I am resigned to the fact that I cannot vote in secret. To me, getting the right vote is more important than my privacy but I should not have to make this compromise.”
- “The voting booth was right beside the queue for the check in desk; it wasn’t closed off and I had to verbalise my choice to my partner. When telling her which candidate I wanted, a person, waiting in the queue beside the booth, audibly sighed. I don’t feel I get privacy in my vote.”
- “My helper disagrees with my vote and I have no way to be sure she voted as I wished... ”

Voting is a fundamental democratic right. It is absolutely essential that changes are made to ensure blind and partially sighted voters can get the information they need to access the vote and make an informed choice and feel confident they are guaranteed an independent and private vote, every time.

Information prior to the election

Accessibility of information received before an election – whether provided by councils or political parties – remains an issue for blind and partially sighted people.

Poll cards are usually sent out by electoral services as printed information in bulk to all electors in an electoral area a few weeks before the election. Just 11 per cent of blind people and 32 per cent of partially sighted people said they were able to read all of the information sent to them by the local council, including poll cards. More than half (53 per cent) of blind people and 15 per cent of partially sighted people said they couldn’t read any of the information the council had sent.

Those blind and partially sighted people who are unable to read this information are entirely reliant on hearing about an election and knowing where the polling station is through other means, such as speaking to friends or relatives. Under the Equality Act, service providers are obliged to provide information in an accessible format – as a reasonable adjustment – in order to provide equal access to their services. Local electoral services should be sending election information in accessible formats.

Local authorities hold registers of blind and partially sighted people and Care Act guidance has been amended to make it clear that local authority services, including electoral services, could use these registers to make sure they are sending information in accessible formats to blind and partially sighted people.[2]

Many local authority registers are out of date and may not hold information about people's preferred formats, even though the Accessible Information Standard applies to social services. But some local authorities made good use of them during the coronavirus pandemic to check that blind and partially sighted people had the support that they needed. Local authorities should update their registers of blind and partially sighted people, collect information on preferred formats, and use them to send information about services (including poll cards) in formats that electors can read.

- "It would be great if the party information was sent to all on A4 rather than A5, where the writing is too small, even for a magnifier to help read to myself."
- "I wish more of the information sent to me was in large print or the number for asking for large print wasn't in the smallest print."

Respondents who had asked for political party manifestos in accessible formats had varied experiences:

- "I was directed to a link online which I could read using JAWS screen reader."

Political parties need to prioritise this issue to ensure they are ... giving citizens access to the information they need to inform their choice.

- "Paper braille copy requested: Labour provided .brf [braille ready format] file... LibDem had only screen reader compatible despite initial offer of braille. Green Party suggested I use the Easy Read version. Only Conservative Party sent me a paper braille copy after the third attempt to request it."
- "Never received a thing and had to trawl around websites that were dreadful to access with a screen reader."
- "I received them from all parties and in the format which I requested which was braille."

Although manifestos are produced in accessible formats, the experience of blind and partially sighted people in accessing them is inconsistent.

- "I would like to see something change, so that I can read about the things which people are standing for and then vote myself. Something like an app or an independent site. I am not saying that is an easy answer but there is so much technology out there now would like to see something make the party information for accessible."

Political parties need to prioritise this issue to ensure they are reaching all of their potential voters and giving citizens access to the information they need to inform their choice. Again, failure to provide this information in an accessible format is likely to be a breach of the Equality Act.

Postal, polling station and proxy voting

Our survey found 70 per cent (68 per cent of blind respondents and 73 per cent of partially sighted respondents), who were able to vote, did so at a polling station. These voters reported experiences suggesting inconsistencies in polling station staff training and knowledge of how to support blind and partially sighted voters.

- “They didn’t have a large print ballot or a braille template or magnifiers or trained staff.”
- “I was not able to take the large template guide to the private booth, I had to look at and read it at the desk, where I checked in with my polling card, and remember which box down I wanted.”
- “Although not perfect, this was my best voting experience so far. The person who assisted me at the polling station was very helpful and did a good job. He had never assisted a visually impaired person with voting before. I hope the time will come when people with no (or limited) eyesight can vote totally independently!”
- “The officials didn’t know how to use the tactile/large print voting device. They told me it was in position and read the ballot paper when I felt the tactile device I immediately realised it had been placed incorrectly. Had I not realised this I would have accidentally spoiled my ballot and not voted at all! I had to show the official how it works and start again.”

- “I was with my partner and holding my symbol cane but the polling officer did not offer assistance or provide options (such as tactile aids). It is quite possible that the officer made a judgement that my partner would assist with my vote (which she did), which is not an unreasonable assumption, but it would have been nice if she had enquired if I needed any assistance or aids.”

It is essential that all polling station staff are aware of their responsibilities under the Equality Act and the Representation of the People Act, know how to support a voter with sight loss, and where to find the tools that may help them on the day.

Meanwhile, 29 per cent of blind and partially sighted people used a postal vote, with 31 per cent of blind respondents and 26 per cent of partially sighted respondents voting this way. According to the Electoral Commission, 17.2 per cent of all electors in the 2019 General Election used a postal vote.^[3] This suggests postal vote usage is much more prevalent among the blind and partially sighted population than the population as a whole. Though some blind and partially sighted people find postal voting more convenient, others reported feeling pushed into choosing this option.

- “When I fill in my electoral register forms I keep being heavily encouraged to accept a postal vote as it would be “easier”. Easier for who? I have voted all my life at polling stations. For me it is important as a part of my right to vote. Why should I have to change that just because someone else thinks my sight loss means I need things made easy for me.”

- “I have a postal vote because a previous polling clerk refused to let my husband enter the booth with me.”

A small proportion – less than 1 per cent – of respondents to our survey chose to use a proxy vote, citing a range of reasons, including a lack of confidence in provisions available in a polling station, not wanting to travel to the polling station, and the belief that a proxy vote is more private as there is no risk of being overheard.

One proxy voter explained in more detail:

- “I had tried to vote myself on the last two occasions, but both were very difficult experiences: one telling an officer at the station who I was voting for and being overheard. Also I knew the officer. The second time my husband voted for me but again although we had discussed prior to going who I would vote for it was confusing and again had to be read out to me.”

This suggests a lack of accessibility in the voting system is making blind and partially sighted people vote using methods they wouldn't have otherwise chosen.

Disenfranchisement of blind and partially sighted people

Disappointingly, 15 respondents to our survey reported attempting to vote but being unable to cast their ballot. Reasons for this included “not being able to read the ballot papers” and “scarcity of light inside the polling booth [meaning]... I couldn't see the ballot paper”.

It is essential that adaptations available to blind and partially sighted people to enable them to vote are publicised ahead of polling day, and clearly explained within the polling station. It is likely that even under the current system some of our respondents could have used the TVD and assistance to vote, or in the example above about poor lighting, the respondent could have used an additional lamp as a reasonable adjustment under the Equality Act, had they been aware of what assistance and adjustments were available.

A further 10 voters told us they did not attempt to vote. Their reasons include:

- They thought they would not be able to read the ballot paper;
- They requested a postal ballot but did not receive it;
- The proxy ballot was too complex with their son who handles paperwork living too far away;
- And they thought that they would be unable to vote in secret and didn't want to share their vote with someone else.

Some voters with sight loss are effectively giving up their democratic right to vote because the voting system does not guarantee that they can vote independently and in secret every time. It is unacceptable that blind and partially sighted people are left feeling disenfranchised from the democratic system because it is not accessible.

Adaptations used by voters

Of those who used a postal vote only 6 per cent of blind voters and 37 per cent of partially sighted voters who responded to our survey were able to cast their postal vote without low vision aids or assistance. 68 per cent of blind postal voters and 22 per cent of partially sighted postal voters had assistance from another person to enable them to vote. Meanwhile a quarter (25 per cent) of blind postal voters and 41 per cent of partially sighted postal voters used a low vision aid or smartphone app to cast their vote.

Although a higher proportion of blind and partially sighted people chose a postal vote the complicated process means it is not inherently more accessible than voting in a polling station, and people may be choosing this option for privacy rather than convenience or accessibility:

- “Although I registered for a postal vote, I could not complete the process independently. I found the process of voting on the ballot paper, signing the declaration and inserting each paper into the appropriately designated envelope to be completely impossible without assistance. I obtained this assistance by turning up at my local polling station, where I then found the tactile template overlay did not properly fit over my ballot paper. Though I valiantly attempted to mark in my chosen box, I have no way of knowing whether my vote was accurate and valid, as I could not see the paper and chose to exercise my right to a secret ballot.”

50%

of blind and partially sighted people had to rely on another person to help them vote

While at the polling station, half (50 per cent) of blind and partially sighted people had to rely on another person to help them vote. 61 per cent of blind people voted with the help of another person: 38 per cent with a companion and 23 per cent with a staff member at the polling station. This compares with 32 per cent of partially sighted people who voted with assistance, 20 per cent with a companion and 12 per cent with a member of staff.

Both the TVD and a large print ballot paper are required to be present in the polling station. The TVD was used by 26 per cent of blind people and 7 per cent of partially sighted people, while the large print template was used for reference by 11 per cent of blind respondents and 12 per cent of partially sighted respondents.

Adaptations outside those legally required to be present in the polling station are also already widely used. 22 per cent of blind people and 30 per cent of partially sighted people used a magnifier or smartphone app to help them to vote. As explained in more detail below, voters' satisfaction with the process was influenced by the adjustments they used.

Satisfaction with the electoral process

Overall, less than half (46 per cent) of blind and partially sighted people are satisfied with their experience of voting. The experience is judged to be significantly less satisfying by blind voters, of whom just 38 per cent were satisfied while 42 per cent were dissatisfied with their experience of voting. Meanwhile 60 per cent of partially sighted voters are satisfied with their experience of voting compared with 24 per cent who are dissatisfied.

- "As a member of the disabled community I have to work much harder to engage in the electoral process. My friends have leaflets through the door and information at every turn. I have to seek it out. Hunt for it in my format. Argue I deserve to be treated the same. This doesn't feel right when my voice is supposed to be equal to the next person."

However, within these headline figures, there is room for hope. Satisfaction with the voting process varies substantially depending on the type of adjustments used to enable the voter to cast their vote.

While only 29 per cent of blind and partially sighted respondents who successfully voted in the polling station with assistance from another person were satisfied with the experience of voting, satisfaction was almost double this among those who used a magnifier or smartphone app, with 57 per cent satisfied with the experience.

This indicates just how valuable being able to vote independently and in

private is to blind and partially sighted voters, who repeatedly said that a more advanced solution must be found:

- “It would be nice to have an audio CD or something like that that tells you who the candidates are and the party they are representing. You could play it through headphones as long as you need it. And using with that the tactile template is a better option instead of staff leaving the desk to come and help you like a child.”
- “Could an electronic magnifier be made available for public use in the polling station rather than individuals needing to bring their own?”
- “I think maybe a headphone version with audio as to who each large print number represents would be useful as the numbers are good but read the actual card was difficult and I would have struggled had I not taken a companion with me.”

Many people also advocated for an online or telephone solution:

- “It’s 2019. I think it’s time for us to be able to vote electronically at this stage using the same security the banks use.”
- “I have always attended polling stations to vote but now I have no residual vision the experience of voting is awful. I am not sure if my vote is counted or it’s a spoiled paper. This is not acceptable for me to feel like this purely as I cannot tell if my X is written into the correct box. We need online accessible voting.”

It’s clear – and a Judicial Review has found – that the current system created to enable blind and partially sighted people to vote simply isn’t good enough.

Experience of voting over time

Although the clarity around use of aids and adaptations to assist in voting was a positive breakthrough, and did make things much easier for some, it did not vastly improve the experiences of voters overall. Not only has the proportion of voters who agreed that they could vote independently and in secret remained static since 2017 at around one in four, [4] but more respondents felt their experience had deteriorated than improved since last General Election.

When asked how their experience in 2019 compared to previous years, 16 per cent of blind and partially sighted respondents said their experience of voting had improved since last election, 57 per cent felt it had remained broadly the same, while 21 per cent said their experience had deteriorated. There was no significant difference in views between blind and partially sighted voters.

When asked how their experience in 2019 compared to previous years

21%

said their experience had deteriorated

The future of voting

Since the 2019 general Election RNIB has continued to work with the Cabinet Office to find an accessible voting solution which allows voters to review candidates on the ballot paper themselves, reliably find and mark their chosen candidate on the official ballot paper and be in sole control of the secrecy of their vote.

While we know online voting would be a popular choice for many, the Cabinet Office has ruled this out as an option for our electoral system in the immediate future because of security risks to online systems which could theoretically undermine the reliability of the vote. They are also concerned that braille, tactile or large print ballot papers would be identifiable when placed with other ballots at the count.

In the judgement following last year's legal case, Justice Swift said "a device in the form of the present TVD would [meet its obligations] if, in addition to the flaps and raised/braille numbers on the right-hand side, the names of the candidates and/or the names of their political parties were present in Braille and/or raised lettering in corresponding position, on the left-hand side of the device."

However, based on electoral timelines, we understand from the Cabinet Office that it is impossible for manufacturers to produce individual TVDs for each constituency in the window between candidate lists being finalised and the polls. The information they would need to contain would also make them unwieldy. Moreover, if the details were embossed in braille, it would

exclude those blind and partially sighted people and those with sight loss who do not read braille.

RNIB's User Experience team – which provides consultancy on accessible products – has been running studies with the Cabinet Office to find another way to enable blind and partially sighted people to independently match the right hole in the TVD with the right candidate.

We are currently testing the concept of using an audio device with headphones so blind and partially sighted people can read the names and details of the candidates. This can be used alongside the TVD with no need for another person to be present while the list of candidates is reviewed and the vote cast. The audioplayers have raised, tactile buttons and are easy to use independently. Information about the candidates would be recorded onto USB sticks by Presiding Officers before the election and then plugged into the players and taken into voting booth by blind and partially sighted people.

Those taking part in user testing reported that they liked the audio USB reader as they could listen to candidates using headphones and stop the recording at the party they wanted to vote for, while keeping their choice private. Normally, with a Presiding Officer reading the information, this would not be possible without giving away a voter's selection. It also gave them the chance to listen to the information as many times as they wanted. Testers reported:

- "Very good idea and quite easy. Easier to vote for one. Would feel confident using this. Would prefer voting with the audio device, have more privacy."
- "That was good. Prefer to use the audio device and use it independently rather than postal vote."
- "It is good, better than having somebody read this out. More independent. What would put me off is that it is an extra thing you have to have. The biggest problem is that in my local polling station I feel they would not do it discreetly and that is important. So, prefer my partner to help me. The actual process is fine as I can vote independently and privately."

We also tested text-to-speech apps and magnifiers, and although some people have found them useful, others – particularly those less confident with technology – did not find them reliable enough to be the solution used by everyone.

Our user testing has also found that it would be helpful to have the information about the order of the

ballot paper available online before the election, so blind and partially sighted people could work out where the candidate they want to vote for will be positioned on the ballot paper in advance. RNIB believes that this would be likely to be a reasonable adjustment under the Equality Act.

We also know many blind and partially sighted voters give up the secrecy of their vote to be sure that they have marked the paper, so we will be including mark-making in the scope of the research.

We hope to secure a suitable solution guaranteeing blind and partially sighted voters an independent and private vote in local elections across the UK in 2021.

Blind and partially sighted people have the same right as everyone else to vote independently and in secret. It is shameful that so many are disenfranchised, have to tell another person their vote, or struggle to get the information they need. It is even more frustrating that an individual voter has had to resort to legal action to resolve this. An accessible voting system is vital for a healthy democracy and it is essential that this is resolved as soon as possible.

Endnotes

1. This figure has remained static at around one in four blind and partially sighted respondents to our survey - 26% in Turned Out 2017, 24% in Turned Out 2019
2. "The registers can also be used by the local authority to ensure that information about services is made accessible to that person for example to ask if support could be given to assist them to participate in electoral events." Care and support statutory guidance, 24 June 2020, section 22.4 <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance>
3. 2019 UK Parliamentary general election, Electoral Commission, <https://www.electoralcommission.org.uk/who-we-are-and-what-we-do/elections-and-referendums/past-elections-and-referendums/uk-general-elections/report-overview-2019-uk-parliamentary-general-election> accessed 14 September 2020
4. 26% in Turned Out 2017, 24% in Turned Out 2019

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