

electoral inclusion

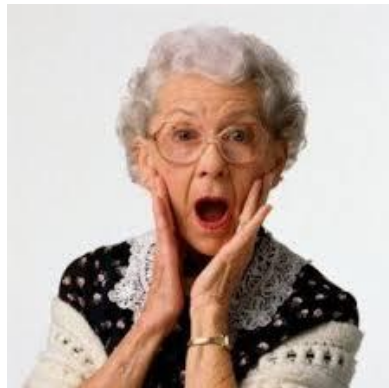
a global perspective



did somebody say...



Sex, politics & religion?



our inspiration

Even some of the mundane practicalities of voting - such as organising a five-minute drive to a polling station no more than once a year - often prove to be logistical impossibilities for many support services.

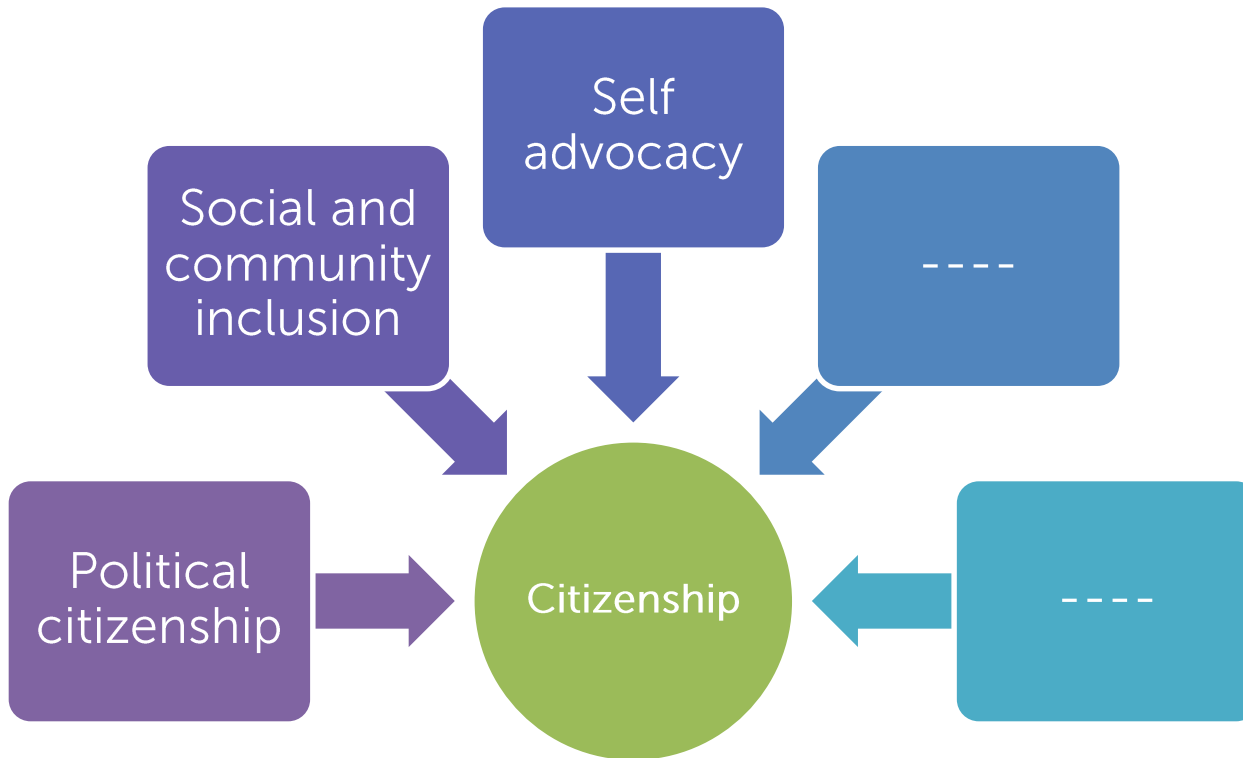


Serena



citizenship

Ensuring our definitions of citizenship, self-advocacy and good practice are not confused with each other.



self-advocacy and advisory groups

Self-advocacy...

...in the context of the empowerment of people with intellectual disability present on advisory committees. Are self-advocate groups self-advocate centred?

Frawley and Bigby (2011): The milieu, structures, and processes of advisory bodies must all be adjusted to accommodate people with intellectual disability if they are to participate meaningfully.



democratic participation

What is possible?

Can a person be a political party member? Can they comment on more than just disability policy but also industrial relations, as part of their union?

What do I think about **education policy**, **climate change**, **foreign media content**?



UN CRPD: which articles?

3

General Principles

4

States Parties' obligation to ensure rights

5

Equality and non-discrimination

8

Awareness raising

9

Accessibility

12

Equal recognition before the law

21

Freedom of expression, access to information

30

Participation in cultural life

29

Participation in political and public life

Article 29 as culmination, application and expression of Articles 3, 4, 5, 8, 9, 12, 21, 30.



Marcus Redley:

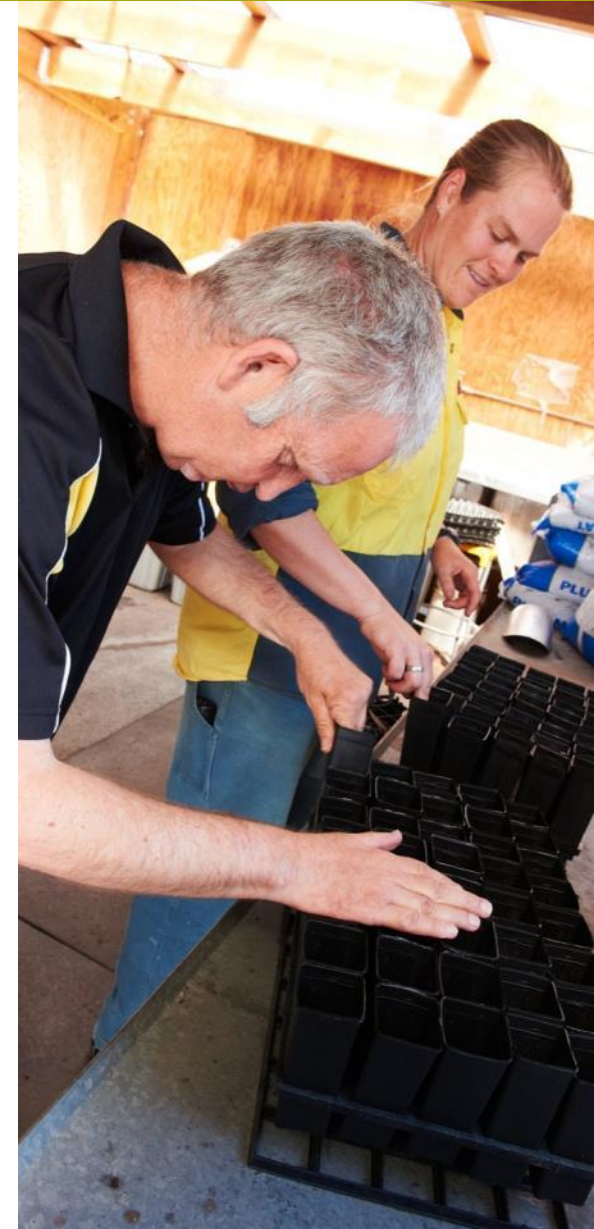
2005 UK General Election

Agran and Hughes:

Legislative justification of discrimination in 44 American states in 2010.

The Shriver Report:

2015: 22% of Americans believe people with intellectual disability should not be allowed to vote in elections.



the australian glass ceiling

500,000 people with ID who are profoundly affected by policy are excluded from the polity.

1. **Voting in Australia is compulsory.** Enrolled voters who do not vote received a fine.
2. **1918 Commonwealth Electoral Act:** A person with a sound mind, that is, a person who “cannot understand the nature or significance of voting” is not permitted to vote. An elector merely needs to submit a written objection and a person may be removed from the electoral roll if no contestation is received within 30 days.
3. **Disability Act 2006**
4. **People with intellectual disability**, therefore, can still be enrolled to vote and can, in theory – and occasionally in practice – vote.



double standards and the right to vote

Cognitive ability does not negate a person's capacity to have a well-defined value system in the same way that a powerful intellect does not ensure a person will have superior ethical or moral opinions.

"To deny an adult the right to vote because of a perceived deficiency in their ability to assess the qualities of individual candidates would be discriminatory [as] no such requirement is placed upon members of the general population."

-Marcus Redley



human rights law

JurisDoctor Clinic students at Melbourne Law School create a Sound Mind legal brief



AHRC Sydney Roundtable: ALRC, disability academics, the disability sector.



Australian Law Reform Commission Report:

- Easier to enrol
- Harder to be fined
- Litigate. Enrol. Communicate.



Australian Government

Australian Law Reform Commission

the role of discretion

Disability support practitioners

- Assessment of risk (eg. UK support workers)
- Assessment of decision making abilities
- Resource constraints
- Political and electoral awareness as part of regular interaction

Human rights law

- Assessment of decision making abilities
- Knowledge of disability research and practice
- Problematisation and rationalisation of legal architecture

Electoral staff

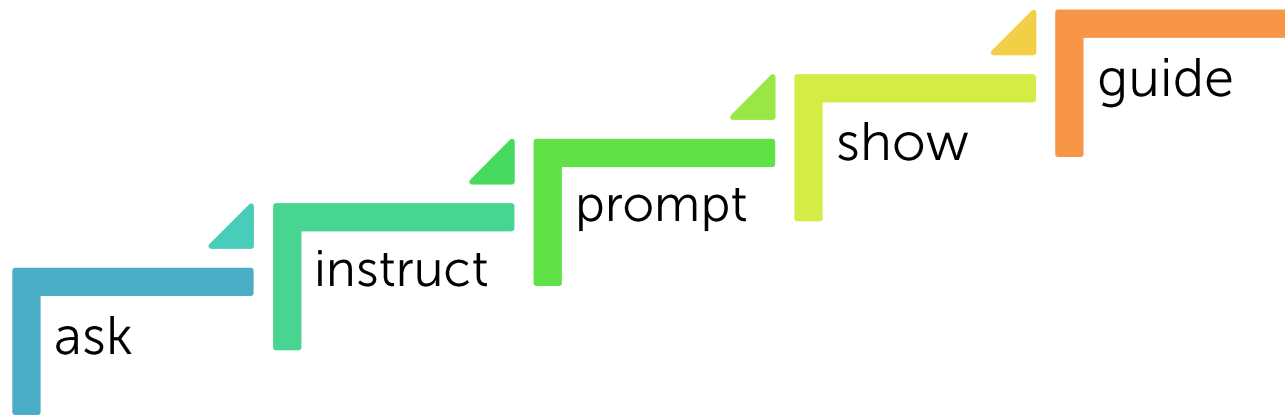
- Use of discretion at polling stations
- Knowledge of disability practice



discretion and practice



graduated support (from active support)

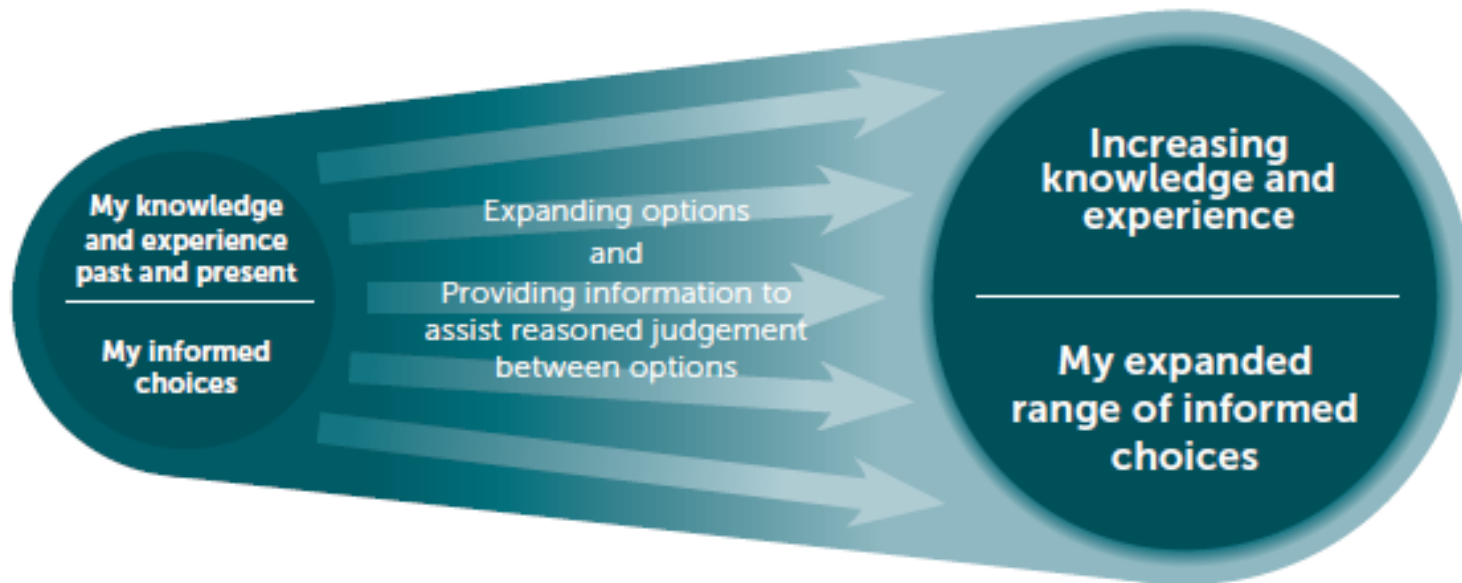


The level of support increases from simply *asking* someone to *guiding* someone (eg. hand on hand) to do something.



Principle 5

My choices are likely to be greater and more 'expansive' where I have more knowledge and experience to inform my choices. Building knowledge and experience is important to making choices informed by past experience.



Principle 6

My personal experiences may be limited by money, experience or what is possible. Nobody is completely free to choose and pursue any choice they wish.

What is important is whether the limitations I experience are reasonable or not.



risk mitigation vs avoidance

The links between risk and resilience and a good life are well documented.

ASK:

What are the barriers that prevent you from understanding, preparing for, enrolling in and make decisions throughout the voting process? How can we mitigate these?

DON'T ASK:

Do you have a sound mind? Do you understand the nature and significance of voting?



risk perception

“People with intellectual disability cannot understand government, governance, politics or voting.”

Reasonable/
Unreasonable

Actual Risk

Mitigations



risk perception

“It is exploitative to encourage a person with disability to pursue civic or political engagement.”

Reasonable/
Unreasonable

Actual Risk

Mitigations



risk perception

“It’s too expensive and time consuming to organise regular support for a person to engage in voting or civic and political activities, especially voting!”

Reasonable/
Unreasonable

Actual Risk

Mitigations



risk perception

“If the support network around an Australian voter with intellectual disability breaks down in five year’s time, that person will be at risk of years of fines for failing to vote.”

Reasonable/
Unreasonable

Actual Risk

Mitigations



circles of support

for the person

Choice and decision making

- Empowers the person to make informed decisions and take control of their own life.
- Maintains focus on the person and what they want
- Gives the person independence
- Enable a person to improve their quality of life.

Relationships & Support Networks

- Enables the person to reconnect with old friends and strengthen current relationships
- Builds new networks through people in the circle and the community.

for the family, advocate and carer

- Alleviates the pressure of providing all support for the person.
- Allows time for supports to plan for the future as a collective.
- Utilises the skills that the family and friends already have to assist the person.



an inclusive voting campaign

So...

If Australian laws do indeed permit active electoral participation, and practices exist to support this, how do we put this practice...

...into practice?



an inclusive voting campaign

Electoral commissions worldwide are prevented from producing and transmitting information that may appear partial, including:

- Contextualised political information
- Information about citizenship that may be viewed as ideological (eg. worker's rights, reliance on human services)
- Political news
- Political parties' *how to vote* material



UK: mental and legal capacity

United Kingdom

- Separation of mental capacity and legal capacity
- Supported decision making over substituted decision making



Mental Capacity Act (UK) 2005

S29: Voting rights.

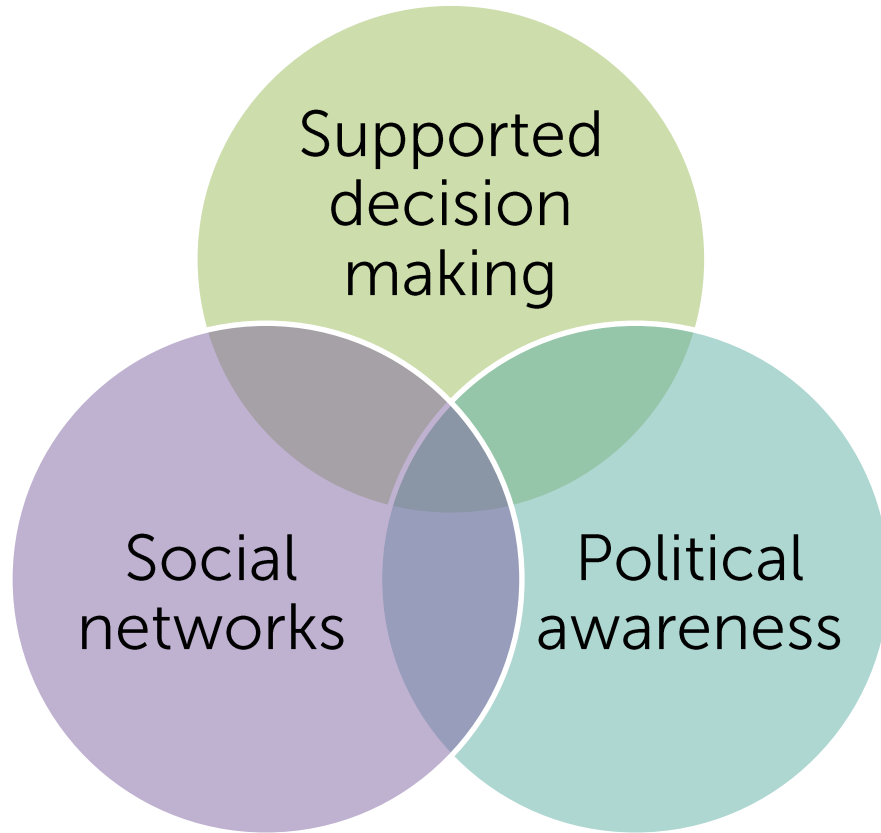
(1) Nothing in this Act permits a decision on voting at an election for any public office, or at a referendum, to be made on behalf of a person.

Electoral Administration Act (UK) 2006

S73: Abolition of common law incapacity: mental state.

(1) Any rule of the common law which provides that a person is subject to a legal incapacity to vote by reason of his mental state is abolished.

inspiration from sweden



Anette Kjellberg and Helena Hemmingsson (2013)





För mer demokrati



I en studiecirkel lär vi oss tillsammans.

**Studieförbundet
Vuxenskolan**



Make sure you have your issues and questions ready.

- What do the candidates say about your important issues?
- What will they do about it?
- Do you agree with their policies?

Issue	Question/What do you want to know?
For example: I care about employment for people with disabilities	For example: What will your party do to help people with disabilities get jobs?

My important issue:

For example: employment

Political party or Candidate	Their policy	Do I agree? Yes/No

Decide who

Candidate

Candidates in my electorate:

House of Representatives Candidates:

Labor	Liberal	Greens	Other

Senate Candidates:

Labor	Liberal	Greens	Other

Federal Party Leaders:

Labor	Liberal	Greens	Other
Bill Shorten	Malcolm Turnbull	Richard Di Natale	
			

Voting sheet 3 – Deciding who to vote for

Voting Sheet 3 helps you learn how to decide which candidates and political parties you might want to vote for.

Deciding who to vote for

Once you know who your candidates are you need to find out about their plans on your important issues. These plans are called **policies**.

What is the candidate's opinion on your important issue and what will they do about it?

Here are some websites that might help:

<http://www.abc.net.au/news/federal-election-2016/guide/>

<http://www.aec.gov.au/>

You can also contact your candidates directly. They are there to answer your questions. You can call or email them.

Candidates may also visit your local shops or knock on your door. Take the opportunity to ask them your questions.

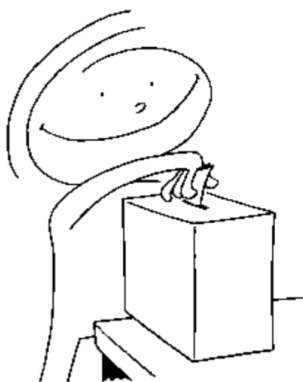
advocacy for
inclusion

**You
have
the
right
to
vote!**

GET THE VOTE OUT

Election 2015

**Information and
Participation Guide**



If you have a
question about
voting you can call:
Elections Canada
1-800-267-7360

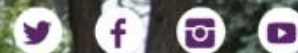
TTY 1-800-361-8935

This call is free.



The guide includes:

- Background and introduction to voting
- Questions and answers about voting
- Who can vote?
- How do I get on the voters' list?
- If I am not on the voters' list on Election Day, can I still vote?
- Where do I vote?
- Can I vote on any other days?
- What if I live in a hospital or group home?
- What if I need a ride?
- What if I still can't get to the polling station?
- How do I vote at the polling station?
- What if I need help when I vote?
- How do I get information about voting?
- Political parties and their leaders
- Other ways to participate in the Election
- Rights and responsibilities
- What does it mean? (Glossary)
- You can vote poster



GET INVOLVED



HOME

WHAT'S NEW

NEWS

TOOLS TO GET INVOLVED

VIDEO RANTS

EVENTS

LINKS

PRIORITY ISSUES

ACCESSIBILITY

FAIR WAGES

ACCESS TO SERVICES

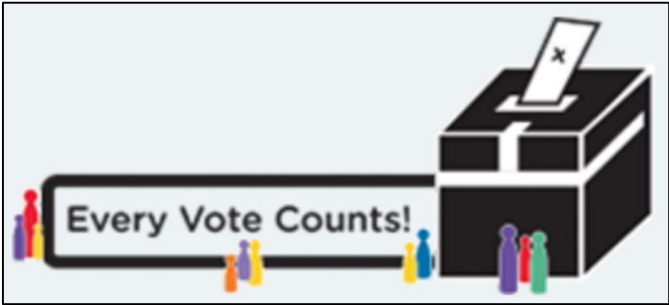
EMPLOYMENT

DIGNIFIED INCOME

GREEN PARTY OF MANITOBA

DMV2016 ASKED EACH LEADER AFTER THE WINNIPEG CHAMBER OF COMMERCE DEBATE ON APRIL 14, "WHAT IS YOUR MESSAGE TO DMV2016 SUPPORTERS BEFORE ELECTION DAY?"





Every Vote Counts!

Information for politicians | Information for carers | Signmap | Contact us

How politics works | How politics affects you | Voting | What is Every Vote Counts?

Learn how you can vote

Take this walkthrough to discover how you can **register to vote**. It will also show you the ways you can use your vote.

[Begin walkthrough](#)

What is Every Vote Counts?

We have worked with people with a learning disability and people who support them to develop easy information about politics, how politics affects people, and how to get involved and have a say in how the country is run.

[Read more about Every Vote Counts!](#)

Registering to vote

To be able to vote, you have to be over 18 and on the electoral register.

[Find out more >](#)

What is a referendum?

A referendum is held sometimes to help the government make a very important decision.

[Find out more >](#)

The European Union

England is part of the United Kingdom (UK), and the UK is part of a large group of countries called the European Union.

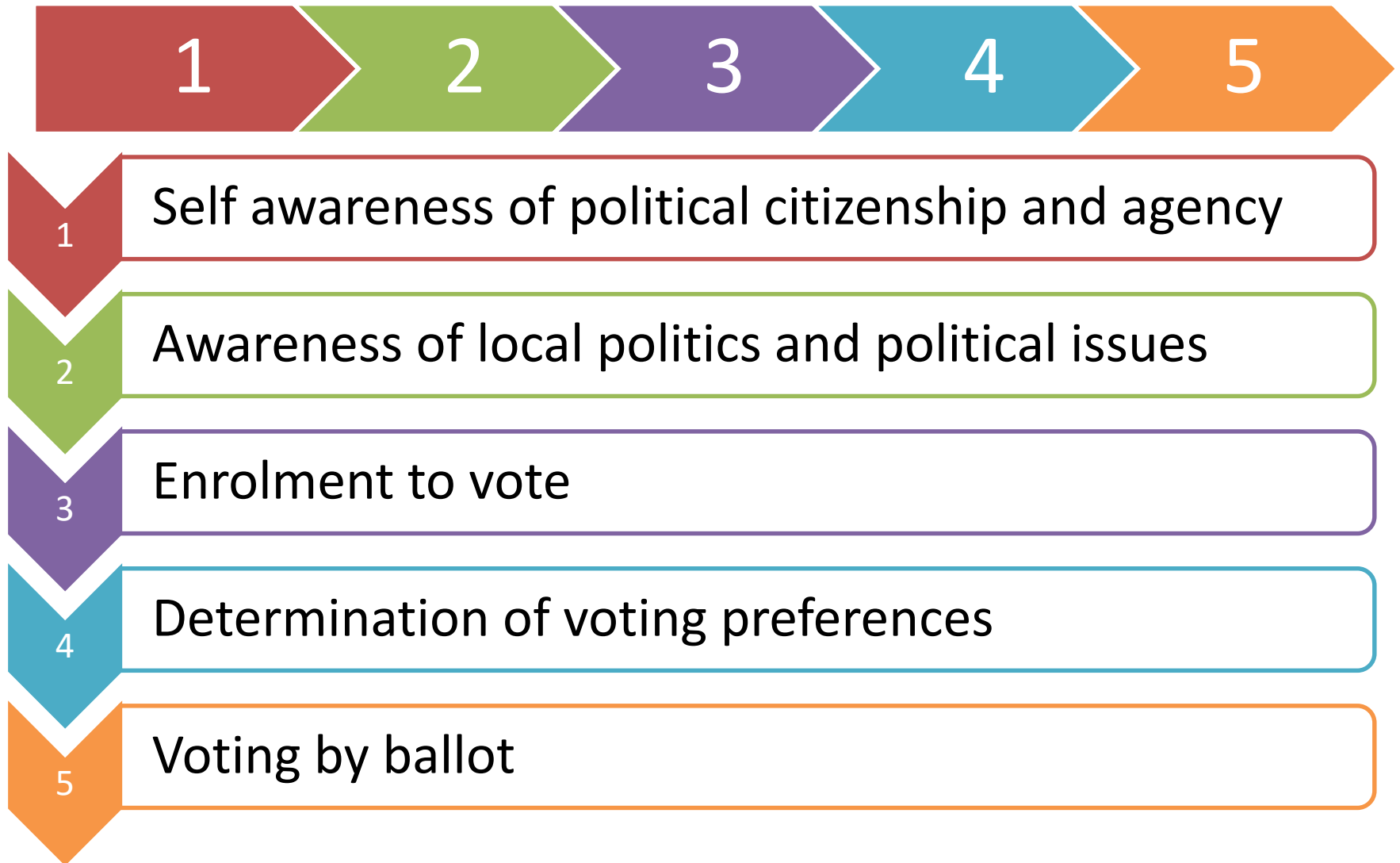
[Find out more >](#)



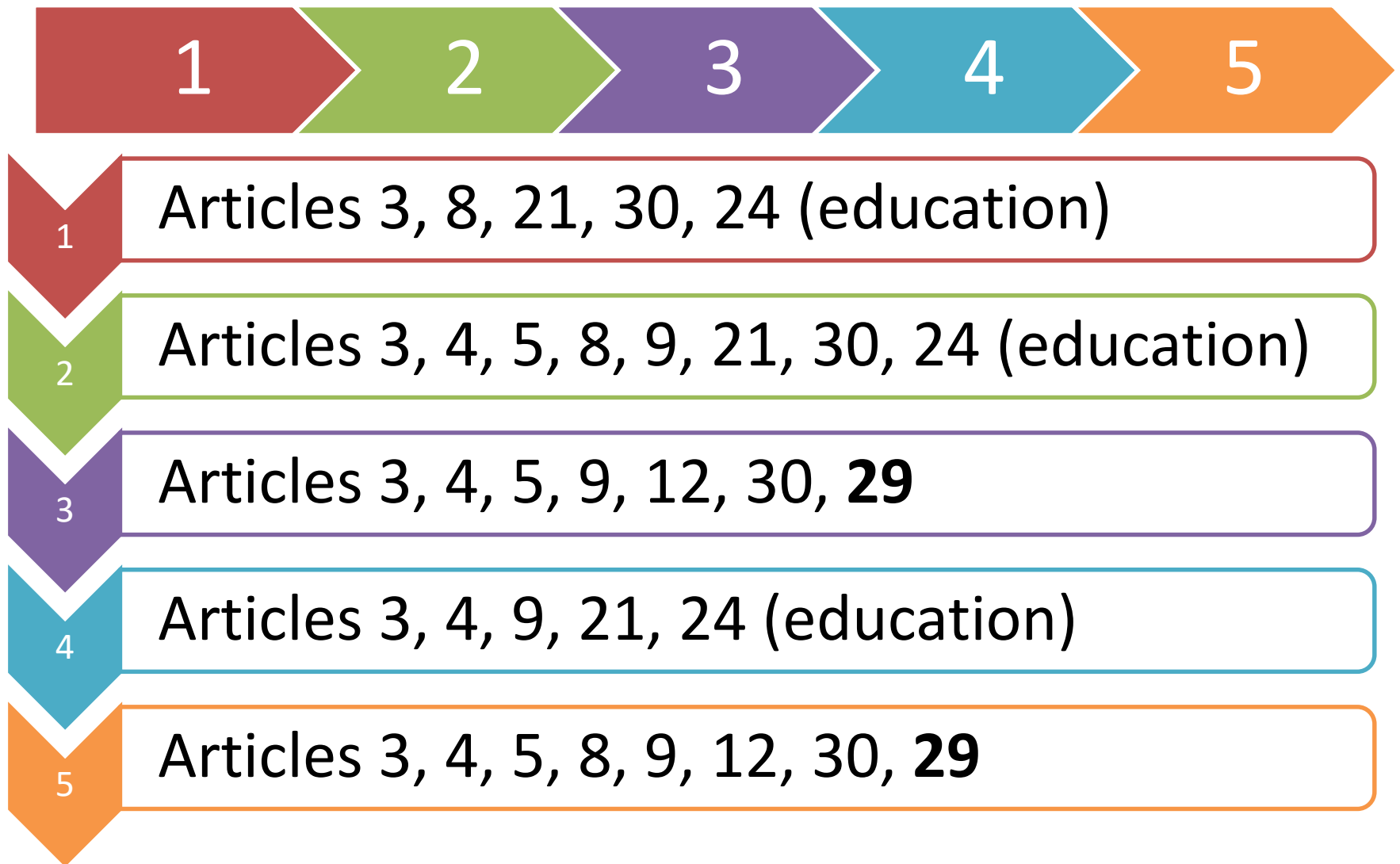
a functional model



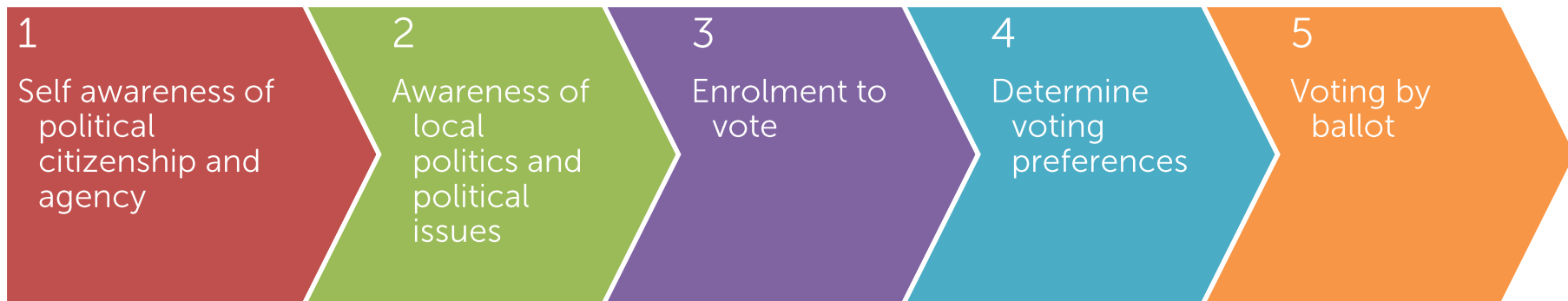
the pathway to voting



voting and the UN CRPD



campaign overview



Electoral Commission
education campaigns

1

3

5

**Studieförbundet
Vuxenskolan**

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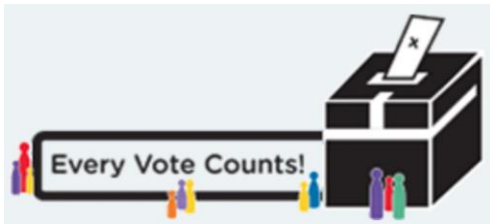
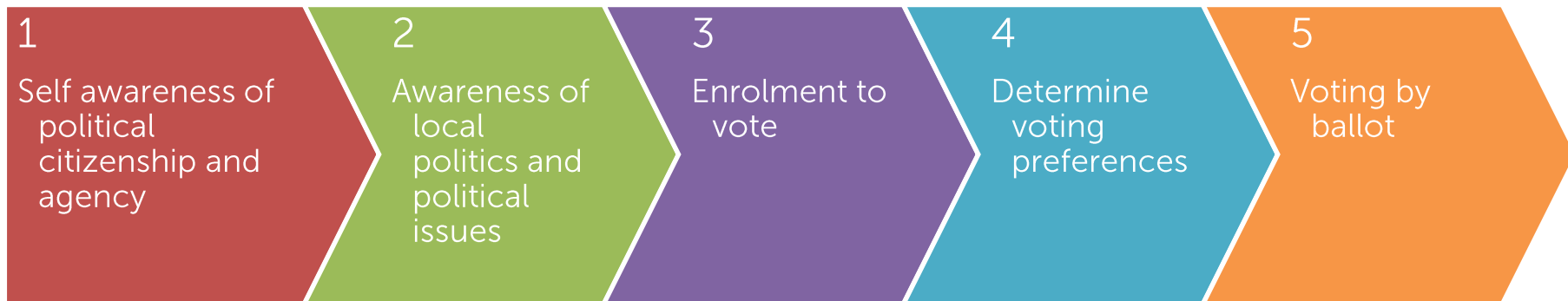
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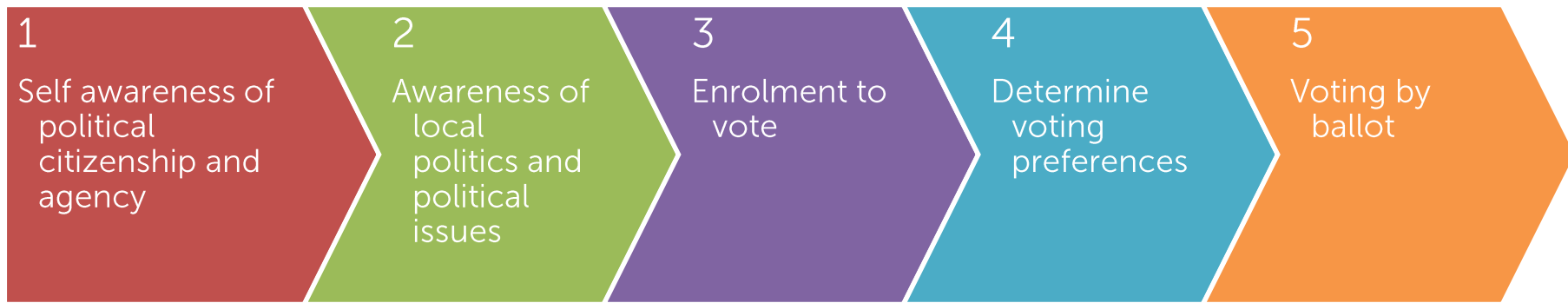
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campaign overview



campaign overview



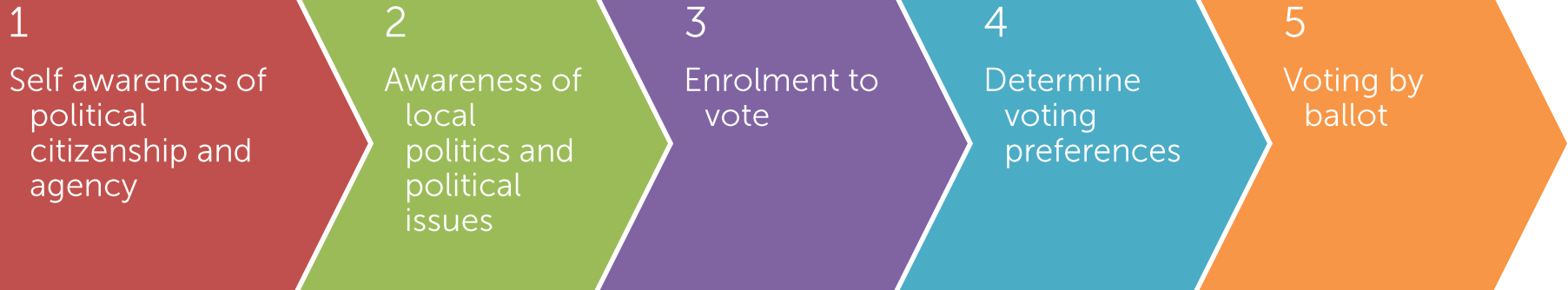
advocacy for
inclusion



?



campaign overview



campaign overview

1

- Self awareness of political citizenship and agency

Practice:

- In the everyday choices of people with disability
- In the listening, community inclusion and planning roles of support organisations
- In promoting agency on the micro level

5

- Voting by ballot

New options:

- Permit pre-completed forms and quality assured online submission
- Formal recognition of decision-making supports
- Formal recognition of communication practices at polling stations

sustainability

- In Australia, compulsory voting requires this work to be sustainable.
- Having fines waived may allay fears, but this would merely represent a step on the journey to inclusion.



what role can we play?

Research



Evidence



Policy + Grey Lit



Stat bodies



Legislation

Work with them!

Be a part of it!

Write it or contribute!

Work with them!

Use or challenge!



Thank you



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