

ELECTORAL MATTERS COMMITTEE

Inquiry into Voting Centre Accessibility

Melbourne – Monday 23 March 2026

MEMBERS

Dylan Wight – Chair

Chris Crewther – Deputy Chair

Jacinta Ermacora

David Ettershank

Emma Kealy

Nathan Lambert

Sarah Mansfield

Evan Mulholland

Lee Tarlamis

WITNESSES (*via videoconference*)

Joshua Lucey, Senior Policy and Advocacy Adviser,

Nicholas Brealey, Supported Employee, and

Rita Robert, Employee Coordinator, Endeavour Foundation.

The CHAIR: I declare open this public hearing for the Electoral Matters Committee's Inquiry into Voting Centre Accessibility. All mobile phones should now be switched to silent.

I would like to begin this hearing by respectfully acknowledging the Aboriginal peoples, the traditional custodians of the various lands each of us is gathered on today and pay my respects to their ancestors, elders and families. I particularly welcome any elders or community members who are here to impart their knowledge of this issue to the committee, or who are watching the broadcast of these proceedings.

I am Dylan Wight, Member for Tarneit and committee Chair. With us online today also is Christopher Crewther, who is the Member for Mornington; Deputy Chair Jacinta Ermacora, Member for Western Victoria; Nathan Lambert, Member for Preston; and also Sarah Mansfield, Member for Western Victoria. We have got Joshua Lucey, who is a Senior Policy and Advocacy Adviser; Nicholas Brealey – I hope I am pronouncing that right – who is a Supported Employee; and also Rita Robert, Employee Coordinator from Endeavour Foundation.

All evidence taken by this committee is protected by parliamentary privilege. Therefore, you are protected against any action for what you say here today. But if you go outside and repeat the same things, including on social media, you may not be protected by the same privilege. The committee does not require witnesses to be sworn, but questions must be answered fully, accurately and truthfully. Witnesses found to be giving false or misleading evidence may be in contempt of Parliament and subject to penalty.

All evidence given today is being recorded by Hansard and is broadcast live on the Parliament's website. The broadcast includes automated captioning. Members and witnesses should be made aware that all microphones are live during hearings and that anything said may be picked up and captioned, even if said quietly. You will be provided with a proof version of the transcript to check as soon as available. Verified transcripts, PowerPoint presentations and handouts will be placed on the committee's website as soon as possible.

I will invite you to give a brief 5-minute opening statement to the committee, and then that will be followed by questions by committee members until about a quarter past 12.

Joshua LUCEY: Thank you, Chair, Deputy Chair and members of the committee. Apologies in advance, I might sound a bit nasal; the flu has hit us here in our office. Thank you for the opportunity to appear before you today. My name is Joshua Lucey. I am Endeavour Foundation's Senior Policy and Advocacy Adviser, and along with me today is Nicholas Brealey, who is a Supported Employee of Endeavour Foundation in Melbourne. Nick also serves as the deputy chair of Endeavour Foundation's client advisory committee, and he recently attended our inaugural self-advocacy conference, where he learned a lot of skills about self-advocacy, which he is hopefully applying here today. Nick is being supported by Rita Robert, an Employee Coordinator at Endeavour Foundation, and I believe her name appears on your screens there.

First for the benefit of the committee and for those who are unfamiliar with us, Endeavour Foundation is an independent for-purpose organisation established in 1951. We celebrate 75 years today, which is quite a big achievement. We were established with a vision to support people with disability to live their best lives. We are Australia's largest employer of people with disability – people like Nick – and currently support more than 1700 people with disability across Australia, including almost 300 in Victoria. We deliver a range of services in-home and across community on top of that, and this submission was developed with direct input from the people that we support.

To start off our submission, we fundamentally believe that a right to vote is a fundamental part of democracy. We acknowledge and strongly support the physical accessibility improvements that we have seen as of late, including ramps, accessible parking and the like. But we ask the committee to consider that while over 21 per cent of Australians live with disability, their needs are not uniform. Significant and often overlooked

proportions have cognitive or intellectual disability, and for these Australians and these Victorians the barriers to voting are not the entrance of a voting booth or a voting centre, but they are inside. Complex ballot papers, overwhelming environments, staff who may not be trained to support them – these are the kinds of things that voting centre inaccessibility, for the people that we support, looks like. We have put together about 23 recommendations across four areas, and I will just take a really brief moment to highlight some of them.

Firstly, on the venue selection, which I know is a big focus of this inquiry, the feedback that we received from the people we support was that when it comes to the labelling of accessibility, it does not necessarily always meet expectations – the current labelling of ‘accessible’, ‘partially accessible’ or ‘not accessible’. We heard that voting centre accessible ramps are too steep for independent wheeling. They may not have accessible bathrooms or dedicated entrances for people with disability, therefore not meeting that expectation of a person with a disability. We also heard that there are significant environmental factors that are not considered in accessibility: noise, light, excessive queuing. And I believe Nicholas has some thoughts on that as well.

Secondly, in terms of the voting experience itself, easy-read or easy-English instructions should be proactively offered to voters, not just available on request. We also heard that a separate, quieter desk for voters who need more time and detailed guidance would reduce the overwhelming experience that many with intellectual disability have when they currently vote.

The third topic is in regard to technology. We know that there are other jurisdictions that use digital voting and electronic voting, including the ACT. We heard from people with disability who have motorical challenges, including Sarah, who is the case study in our submission, who cannot currently hold a pen to fill out a ballot. She relies on support from family members or trusted individuals, which reduces her ability to independently cast a very personal decision about who to vote for. It might be worth looking at electronic voting. A lot of the things we do these days are electronic, including this hearing.

Fourthly, and critically for us, accessible voting centres will only go so far if people cannot actually get on the electoral roll to begin with. Section 48 of the *Constitution Act 1975* in Victoria deems people of unsound mind not entitled to be enrolled as electors of the Council or the Assembly. We know that between 2008 and 2012 more than 28,000 people were removed from the federal roll under a similar provision. So we urge this committee to recommend repealing that exclusion and replacing it with a supported decision-making framework, one that presumes capacity and provides assistance, rather than denying the right to vote.

In concluding, Endeavour Foundation believes that every Victorian, with disability or not, should be able to cast a formal vote independently, with dignity and without barriers. The recommendations in our submissions are practical, achievable and grounded in the lived experience of the people that are affected the most. We thank the committee for this inquiry and for taking the time to hear from us, and I really want to acknowledge and thank you for the adjustments that you were willing to make to allow Nick to participate in this hearing. I know that proactively providing questions is not the norm, but it really has meant that Nick can actually participate and give voice to lived experience, which I really thank you for. I am happy to hand over to any questions you may have for me or Nicholas.

The CHAIR: Fantastic. Thank you for that. Congratulations on 75 years. I might just take some advice on how you would like to proceed. We have provided the prewritten questions. Would you like me to go through them? Does Nicholas have them available?

Joshua LUCEY: Nicholas has the questions that we received from the committee available. I am happy for you to ask those questions individually or for Nicholas – he has written some responses to each question, so I am really happy for you to determine which way you would like to go.

The CHAIR: Everybody on the committee should have those questions in their pack. Deputy Chair, could we go to you first.

Joshua LUCEY: And maybe before – sorry, Chair – I am very happy to answer any other questions you may have.

The CHAIR: Why don't we do that. Are there any questions following Josh's summary? If there are, maybe we will ask them first, and then we can go to the questions that are in the pack. Jacinta.

Jacinta ERMACORA: I think my question is from the questions. Is that what you are looking for, Dylan?

The CHAIR: If there are any other questions of Joshua following his quick introduction.

Jacinta ERMACORA: I will wait until we get on to the questions.

The CHAIR: Away you go.

Jacinta ERMACORA: Thanks, Joshua, for your contribution and the submissions. They were really interesting. With question 2, the recommendation is to train staff to recognise a sunflower lanyard, which indicates invisible disability, and for voting centres where staff have been trained to consider registering them as sunflower friendly. Is it your view that all the centres should be sunflower-friendly?

Joshua LUCEY: First and foremost, I think all voting centres should be accessible – that is the hallmark. I would point to the South Australian election that just occurred over the weekend. I saw that they had partnered with the hidden disabilities campaign to train staff but also to create, I suppose, advertisements. I think in an ideal world every voting booth would be sunflower-friendly. We know that people with disability, including hidden disability, live throughout the state of Victoria, but I do also live in a realistic world. We heard quite routinely in our inquiries with the people we support that they overwhelmingly prefer early voting centres, partially because it is less of an overwhelming experience – there are usually fewer people there, the queues are shorter and they might have the capacity to attend throughout the week if they are outside of work or if they do not work or only work part time. I think that could be a start, and see how you go. But ultimately I think Nicholas is a person who wears the sunflower lanyard on a daily basis, so we just know that this is a growing cohort of people who do not visibly showcase their disability, particularly people with intellectual disability – this whole question.

Jacinta ERMACORA: That is very useful. I want to also ask about the assistance for completing a ballot paper in a booth. We have heard from other witnesses how crowded that space can be. I particularly wonder what you see the role of the VEC should be in establishing the independence of the person who is filling out the form for the person next to them.

Joshua LUCEY: I think what was interesting to me was that many people who do require assistance or a trusted person to be there with them, whether it be to help them understand the instructions – because of course, you have two ballot papers; they are different to fill out – did not actually know that the commission was permitted to assist in the completion of a ballot. In fact I heard from one person who thought – and had been informed allegedly by the commission – that they were not permitted to do so. So I think there is a lot of potential misinformation out there or outdated information. We hear a lot of electoral information coming from overseas as well, so I think there is maybe a role there to actually clarify what the commission's role in the booth is. I think from what we heard as well was people do rely on trusted people in their environment. That is a really big risk for those who have ageing family members or may not have family members anymore. We support quite a lot of people in their 60s and 70s, and that relies on a support worker to do that work, which is a really tricky thing to do and really becomes a bit problematic. So I think ultimately we would like people to independently fill out a ballot, but if it is their decision to ask for help, it should be really easy to do so, and it should potentially be something that is proactively offered to voters, particularly for those who either have a very obvious disability or wear a lanyard, for instance, but also for others.

Jacinta ERMACORA: Thank you. Thanks, Chair.

The CHAIR: Thank you. I am going to ask a question myself, if that is all right, of Nicholas. When you voted in past elections, did anything make you feel unhappy, stressed or uncomfortable, and if so, what made you feel that way?

Joshua LUCEY: Apologies, Chair. I have just gotten a text from the team saying they have some microphone issues. In the meantime, are there any other questions for me?

The CHAIR: Deputy Chair, do you have some questions for Joshua? Is that a cat on your lap?

Chris CREWETHER: It is. It wanted some company. I have no specific questions for Joshua, but I am more than happy to ask the questions for Nicholas, if you would if you would like me to start off with those.

The CHAIR: We are just trying to see if we can fix Nicholas's microphone.

Nathan LAMBERT: I am happy to jump in, Chair, while you are waiting.

The CHAIR: Sure. Away you go, Nathan.

Nathan LAMBERT: Joshua, thanks for joining us. I might just take this opportunity, while we are dealing with that technical issue, to pick up on the comments in your submission regarding the so-called unsound mind provision. I think we would all agree – you would be aware this was discussed quite extensively as part of our inquiry in the 2022 election – and we all would like to see, certainly, the language that is currently there removed and changed, both at the federal level and at the state level. But you might recall, if you saw the committee's recommendations, that I think we said something to the effect that the committee was not sure if it should be replaced with anything else or simply abolished, which was a little unclear about where were trying to go there, and then – if I am not being unfair to your submission – I felt your submission also was a little unclear on exactly the same question. So I thought I would just seek some clarification about whether you would want to see anything else in the *Constitution Act*, or whether you would simply abolish that existing section 48 provision.

Joshua LUCEY: I will admit I am not a legal scholar or a constitutional scholar as a start. What I would say, I think, is there is an argument for having something in the constitution for people who genuinely have lost capacity to vote so that they do not incur fines for not voting. I see that point. However, that could also be substituted with a piece of regulation, I think, to consider capacity, because what we, sadly, hear quite frequently, particularly for individuals with profound intellectual disability, is that family members make the decision on behalf of the individual to have them removed from the roll in order to not have the hassle of having to go through the process, at every election, to fill out a ballot. To me, that is potentially very inappropriate. In my own family my parents and I may not agree on all issues of politics, and so we are concerned about carers removing that choice of control – which is language that we believe in when it comes to disability – from an individual. In terms of the actual mechanisms of the Act, I think it seems logical to have something in the Act that suggests that there is the possibility of being removed from the roll, but in order to do that you have to go through a process to determine that that is actually the appropriate thing to do. I would imagine that with other parts of that section, for those who have a criminal record or do not hold visa status, proof has to be provided of that. Somebody who has a criminal record has gone through a judicial process to get to that point. Somebody who has lost citizenship status, again, would have done the same, but for somebody who has lost capacity or has partially lost capacity, that does not seem to be the case at the moment. I think really it is about building in a process that actually does rule those out appropriately and ensures those who do not meet that definition have still got access to vote. Does that answer your question?

Nathan LAMBERT: It does, yes, though it raises, I think, the additional difficult question of how exactly you would do that.

The CHAIR: Nicholas, we are just going to go to some of the questions that we submitted to you prior to the hearing, if that is okay.

Nicholas BREALEY: Yes, that is fine.

The CHAIR: Great. When you voted at past elections, did anything make you feel unhappy, stressed or uncomfortable, and if so, what made you feel that way?

Nicholas BREALEY: The hard thing is if it is your first time voting it can be a little confusing, especially if you do not have support. There are lots of instructions given in a short space of time. If you have not watched any videos or seen any of the advertising, there is no guidance at the polling booth that is easy to understand.

The CHAIR: Thanks for that. We are going to go to Jacinta Ermacora for another question, please.

Nicholas BREALEY: Sorry, Chair, there is more.

The CHAIR: Sorry. Go on.

Nicholas BREALEY: The third thing is there is not a clear explanation of what happens if you do not vote. Then the fourth thing is, after voting, I wish the ministers would actually keep their policies true and act on them in their local people's interests.

The CHAIR: All right. Thank you for that. I will go to Jacinta Ermacora for another question, please.

Jacinta ERMACORA: Thank you. Thank you very much for appearing today and for your contribution. Because we have got a limited amount of time, Nicholas, is there anything that you need us to know that we should consider or recommend when we are doing our deliberations at the end of this inquiry?

Nicholas BREALEY: I would probably do a summary at the end of it.

Joshua LUCEY: Nicholas, if you wanted to read out the summary at the end, that might be beneficial.

Rita ROBERT: You just want to make voting easier.

Nicholas BREALEY: Yes. What could make voting easier is if at the polling booth you could have screens on repeat showing the steps on how to vote, so if you miss them the first time, you know you will be able to see them again. And then the two voting papers could be given separately. For example, you could be given instructions for the mini lower house first and then get the instructions for the huge upper house from a different table. Getting both sets of instructions at once is quite overwhelming. You could also have an escort person out the front at bigger polling centres, wearing a bright vest marked for accessibility, to escort you past the campaign workers and help people get to an accessible entry point. I think you have already talked about this – all volunteers to complete an awareness course about the hidden disabilities lanyard, so they know the person may need extra space, extra time, or to ask questions in a polite way and not rush at them.

Joshua LUCEY: And Nicholas, just on that, I think you referred to volunteers as the commission staff.

Nicholas BREALEY: Yes.

Joshua LUCEY: Just for clarification.

Jacinta ERMACORA: Okay. Those ideas sound very good – very interested in the escort person with bright colours. And would that person be able to assist almost anybody that wants to navigate their booth with assistance?

Nicholas BREALEY: Let us say, get them past the people who are handing out information on how to vote – the flyers – and go straight into the polling area.

Jacinta ERMACORA: Yes. And then once they are in the polling area, what kind of navigational assistance? Is it literally navigation – where to go? Or is it that they escort that person all the way through the steps?

Nicholas BREALEY: All the way to the polling booths, yes.

Jacinta ERMACORA: Yes, awesome. Thanks, Chair.

The CHAIR: All right. We might have time for one more of these questions. Chris?

Chris CREWITHER: Thank you, Chair. Going to one of the questions provided, what are the hard things about voting?

Nicholas BREALEY: So the hard thing is if it is your first time voting it can be a little confusing, especially if you do not have support with you. There are lots of instructions given in a short space of time, and if you have not watched any pre videos or seen the adverts, there is no guidance at the polling booth that is easy to understand. There is not a clear explanation of what happens if you do not vote. And after voting, I wish the ministers would actually keep their promises and act on them.

The CHAIR: That was it? Okay.

Nicholas BREALEY: Yes, that was it.

The CHAIR: Brilliant. Thank you. Just because of time, we are going to have to finish up there, unfortunately. Thank you so much, Nicholas and Joshua, for being here today to give evidence to our inquiry, and Rita for being here in support as well. Thank you so much for the submission. And if there is anything else, perhaps for any questions that we did not get an answer for, you may be able to submit the answers via email.

Witnesses withdrew.