

Mr Grice

Copy to : Miss Barton
Mrs McCracken

**MINISTERIAL MEETING TO DISCUSS ARRANGEMENTS FOR THE DISABLED
AT THE REFERENDUM**

1. A Ministerial meeting to be attended by Ministers from The D of EE, Home Office and Welsh Office as been arranged for 4.30pm on 9 July 1997. Mr McLeish has also asked you to attend on his behalf.
2. I now attach briefing for your use. A draft was passed to you yesterday which has since been updated and can now be destroyed. I understand from officials in D of EE the Mr Alan Howarth has given this issue considerable priority and wishes to see something done for the referendum. We have gone further than at recent elections by including disability issues in our guidance and giving the absent voting campaign a higher profile.
3. am happy to discuss.

HUW WILLIAMS
08 July 1997

MINISTERIAL MEETING ON WEDNESDAY 9 JULY AT 1630 HOURS TO DISCUSS ARRANGEMENTS FOR THE DISABLED AT THE REFERENDUMS

Present :

Alan Howarth, MP - Parliamentary Under-Secretary of State, Department of Education and Employment with responsibility for disabled issues.

Peter Haines, MP - Parliamentary Under-Secretary of State, Welsh Office

George Howarth, MP - Parliamentary Under-Secretary of State, Home Office

Paul Grice - Scottish Office, Constitutional Group

Purpose

The meeting has been called by Mr Alan Howarth to discuss what the government currently does with regard to making voting easier for disabled electors at elections and what improvements can be done in the future. With the referendums being held shortly Mr Howarth wishes to see some action being taken, whether by legislation or best practice guidance, to be ready for the referendum.

Background

This meeting has been organised by Mr Howarth at his insistence. Officials in the D of EE had initially suggested a meeting of officials, however, Mr Howarth considered that this was a matter of considerable importance which needed to be addressed quickly and at Ministerial level. His concerns have been raised by a disabled organisation in Wales who issued the Minister with one of their leaflets which complained about the poor arrangements which were in place for the recent general election, particularly with access to polling stations.

A report by the Spastics Society after the 1992 general election also showed that based on a random survey in England and Wales 92% of polling stations were considered to have poor access arrangements. The Society will be publishing their report of the 1997 election on 16 July. The Home Office are hopeful that this report will show that there have been some improvements, although at this stage it is not known what the report will contain. With the referendums to be held shortly Mr Howarth would like to ensure that more assistance is given to electors who will be able to vote at the referendum.

The Scottish Office, will, however be providing as much assistance as is practically possible in the run-up and on the day of the referendum itself. The Scottish Office fully support any measures to improve facilities for the disabled, although it should be recognised that the expenditure provisions are limited by Treasury to expenditure on election related items.

Issues to be raised by Mr Howarth

We understand that the Minister wishes to consider how the government can provide better assistance to the disabled at the forthcoming referendum :

- by way of legislation
- what other measures can the government take
what can local authorities do themselves
- what are the obstacles to any improvements.

CHANGES TO THE LEGISLATION

In respect of the existing provisions to assist the disabled electorate the ROP legislation provides :

Absent voting arrangements (section 6, ROP 1985 Act) - this allows electors who are unable to attend their polling station by reason of blindness or other physical incapacity to apply for a postal or proxy vote for an indefinite period. Absent votes are also available for a particular election or referendum.

Prior to the referendum the Scottish Office propose to run an advertising campaign comprising TV and newspaper adverts over a 3-week period. This campaign will draw electors attention in a very much more high profile way to the availability of absent votes.

In the long-term work is already progressing on the production of an audio tape covering a guide to electoral registration and voting at elections. This is to be distributed to electoral registration officers for onward transmission to organisations for the blind and partially sighted.

- Under section 18 of the ROP Act local authorities are required, so far as is reasonable and practicable, to designate as polling places only those places which are accessible to electors who are disabled.

Where it is not practical the Scottish Office Home Department will provide grants of 50% for the provision of temporary ramps (the local authorities are expected to meet the other 50% as the ramps can also be used by the local authorities for their own local government election purposes as well).

In Scotland, however, attention should be drawn to the remoteness of certain parts of the country where this is not practical and where there is a strictly limited choice of property for use as a polling station.

Returning officers consider that finance should be made available from the electoral provision for improved permanent access to polling stations. While there is some economic sense in providing permanent ramps instead of temporary (which are measured to fit a particular building only), elections are only held periodically and the polling stations which are mainly schools or community centres have other day to day uses. It is therefore not realistic to expect money provided by Parliament specifically for elections to be used for permanent adaptations to buildings not in government ownership.

The government has still to implement some parts of the Disability Discriminations Act 1995. One of these sections requires the owners of buildings used by the public to adapt the buildings to provide for disabled access. It is understood that this requirement might be in place by the end of 1998 and would require the building to have been adapted by the next scheduled general election. The Minister might therefore be under some pressure

from local authorities who would be expected to adapt all the properties it controls and might be looking for alternative ways of spreading the financial costs.

It is not clear what measures Mr Howarth proposes to suggest to include in any ROP legislation. However, any amendment legislation would take time and, even if pushed through Parliament quickly, would be unlikely to come into effect in time for the referendum. D of EE officials were not aware of the timetable for the referendums in Scotland and Wales.

WHAT OTHER MEASURE CAN THE GOVERNMENT TAKE

Long-term measures are for the Home Office to consider as they have lead responsibility for electoral matters.

At the referendum in Scotland The Scottish Office will be seeking the assistance of the returning officers

- Prior to the referendum taking place we will be ensuring that all those living in Scotland are aware of the issues on which they are required to vote at the referendum. This will involve distributing a summary leaflet to all households. We propose, with the assistance of the Scottish Braille Press to prepare audio versions of the leaflet and also Braille copies.
- By ensuring that the ballot papers will be printed using print which is as bold and clear as is practical

Some of the print sizes on the forms which are used at the referendum have been enlarged. In particular the Declaration of Identity form which is required to be completed by voters who have applied for an absent vote.

- In the Guidance Note which is being produced for returning/counting officers we will have a section encouraging electoral officers to do all they can to assist disabled voters. This will suggest among other things that the returning officers might wish to contact their local disabled forums to discuss what improvements can be made.

On the night of the count we are proposing to invite someone who is able to use sign language to 'sign' the results to the television cameras.

WHAT CAN LOCAL AUTHORITIES DO THEMSELVES

- Many local authorities already have a policy of 'positive discrimination' towards the disabled and regularly meet with disabled groups.
- Most authorities when renewing voting compartments now ensure that they have as least one disabled booth - along with other items of election equipment the cost of these compartments is met by The Scottish Office from the consolidated fund.
- Some authorities already promote a number of initiatives designed to make voting easier for disabled people. These measures include :

Setting up telephone helplines to provide advice to disabled people. This only works where a helpline is already in existence.

Publication of a leaflet to provide additional information on access arrangements etc. (large print and audio tape versions also produced) - Considerable resource implications

Printing all election notices in clear bold type and placing these at a level which is easy to read.

Highlighting slots in white on the ballot boxes to assist voters with visual impairment.

Providing assistance to the physically disabled from any parking area to the polling place.

Consider layout of polling stations carefully

- Many of these measures which are not resource intensive will be included in our guidance. In addition
- South Lanarkshire have also invited views through a questionnaire on how successful their arrangements were. This was in the form of leaflets issued to disabled council employees, local disabled groups and distributed at the polling stations. The Council have received over 130 responses. Much of this feedback is positive, however, they will now concentrate on the layout of the polling stations following some comments. One of the local MPs, George Robertson, fully supports this initiative.

OBSTACLES TO IMPROVEMENTS

Before the referendum time is an obstacle to introduce any formal provisions

- Resources particularly financial. Treasury only give approval for election expenditure to be used for the purposes of the conduct of elections. Many new initiatives might not meet this criteria.
- For the referendum we have a limited budget. While wishing to do all we can to assist it might be that it is for Mr Howarth's Department to fund some of the initiatives particularly access ramps.