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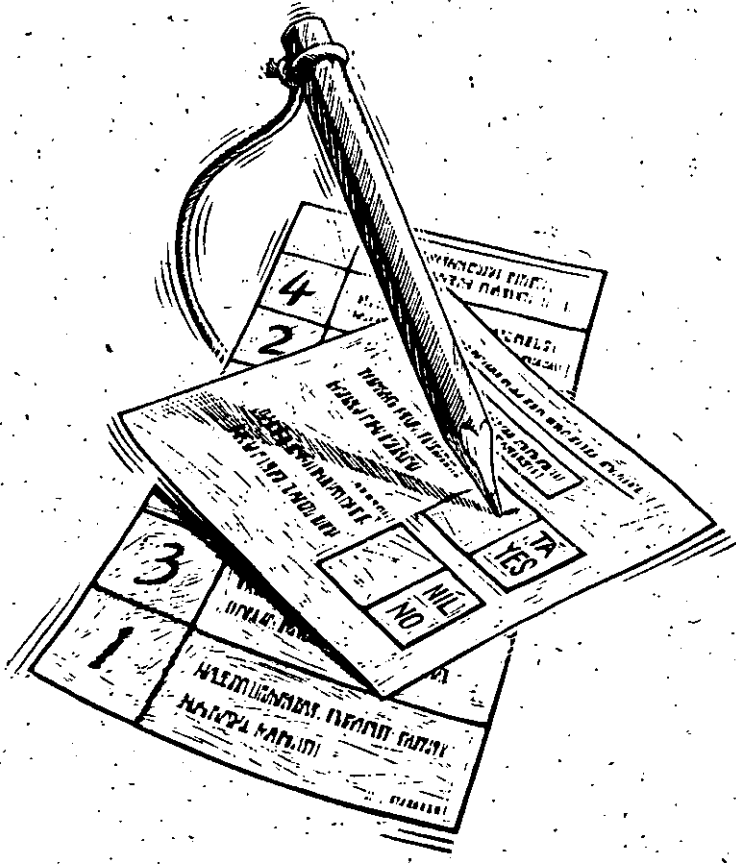
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# Information for Voters with Disabilities



## **1. -Introduction**

There are special arrangements to assist electors with certain disabilities to exercise their voting rights more easily. This leaflet details these arrangements, which can be summarised as follows:

- voting at an alternative polling station if your local station is inaccessible to you;
- assistance in voting at the polling station by a companion or the presiding officer;
- voting at home by electors who opt for inclusion on the special voters list.

These facilities are available to you if you have a physical disability or illness, a visual impairment or if you have reading or writing difficulties.

This leaflet is also available on tape – contact your county council or city corporation for a copy.

## **2. Voting at alternative polling station**

Whenever possible, polling stations are located in buildings that are accessible to people with disabilities. Polling stations must be located on the ground floor in all cases. If necessary and feasible, temporary ramps are installed to facilitate access to polling stations.

However, the choice is restricted to the buildings actually available in each locality. It is not always possible to locate polling stations in buildings which are fully accessible or can be made accessible at short notice and reasonable cost.

If you have difficulty gaining access to your local polling station, you may apply in writing to the returning officer – at least a week before polling day – to be authorised to vote at another polling station in the same constituency. The returning officer is the person responsible for the conduct of the election in your constituency. In Dublin and Cork the returning officer is the city or county sheriff, elsewhere the county registrar.

When you apply, you should explain in what way you are excluded from gaining access to your local station. Knowing your needs, will help the returning officer select a suitable alternative station. If possible, you should suggest an alternative polling station which is both accessible and convenient for you. The returning officer will send you a written authorisation enabling you to vote at another polling station in the same constituency, normally the station suggested by you. Present this authorisation when you go to vote at that station (remember to bring the usual evidence of identity as well). Once you have been assigned to another station to vote, you may not vote at your local station.

## **3. Access within polling stations**

The standard voting compartment is designed to accommodate voters standing to mark their ballot papers on ledges at average waist height. These compartments may not always be suitable for older people and people with

disabilities. Returning officers are advised to make available at polling stations a table and chair at which electors can vote if they find that more convenient.

#### **4. Assistance with voting**

The responsibility for taking the poll at a polling station rests on the presiding officer, who is the person who asks for your name and address and looks at your polling information card on arrival at the station. A supervising presiding officer may also be on duty. His/her responsibilities include monitoring the arrangements for voters with disabilities. Any of the staff on duty will call the supervising presiding officer at your request.

Voting is a fundamental democratic activity and there are strict procedures in place to ensure that voting is properly carried out and that the secrecy and security of the ballot are maintained. For example, under no circumstances may a ballot paper be taken out of a polling station during the poll and assisted voting is only permitted in limited circumstances.

The law is specific about the types of electors who may be assisted in voting and how and by whom they may be helped. The presiding officer is obliged to apply the law, which is intended to ensure that you can vote, that your vote is secret and that you are protected from outside pressure.

Depending on the nature of your disability, you may be assisted to vote in two ways.

**Companion voting:** If you have a visual impairment or physical disability, which prevents you from voting without help, you may have the ballot paper marked for you by a companion. To act as a companion, a person must be at least sixteen years old, must be neither a candidate or an agent of a candidate and may not assist more than two electors at an election. The presiding officer must not permit a companion to assist an elector unless he/she is satisfied that the companion fulfils these conditions. If a person is not eligible to act as a companion, you can have another person act as companion or you may ask to be assisted by the presiding officer.

The procedure for companion voting is straightforward. The companion goes with you to a voting compartment and there marks the ballot paper in accordance with your wishes. The companion then places the marked ballot paper in the ballot box in the normal way.

**Assistance by presiding officer:** You can avail of this facility if you have a reading or writing disability which prevents you from voting without help, or if you have a visual impairment or physical disability but do not wish to be assisted by a companion.

Under this procedure, the presiding officer and the personation agents go with you to a part of the polling station where a conversation in normal tones cannot be overheard. If necessary, the presiding officer will suspend entry to the polling station and have the station cleared to ensure that no other person can overhear how you vote. The presence of the personation agents is a safeguard to confirm that the presiding officer complies with your instructions. It is a protection for you and for the presiding officer. As with all other persons

involved in a poll, there is a statutory obligation on personation agents to maintain the secrecy of the ballot.

The presiding officer will ask which candidates you wish to vote for and will mark the ballot paper in accordance with your instructions. If necessary, the presiding officer will read out in full the particulars on the ballot paper in relation to each candidate and ask to which candidate you wish to give your first preference vote. He/she will repeat the procedure for your second preference and so on. When the ballot paper has been marked in accordance with your instructions, the presiding officer will put it in the ballot box in the normal way.

The law specifically prohibits a presiding officer from acting on any written instructions received from a voter. The reason for this is that the written instructions may not represent the voter's real wishes – someone else may have written them, for example.

If you wish to be helped to vote by the presiding officer, you should, if possible, go to the polling station well before it closes. Assisting an elector can take time and the law, therefore, allows a presiding officer to refuse a request for assistance during the last two hours of voting (i.e., the busiest time) if helping one elector would delay or obstruct others. Presiding officers are reluctant to use this power and sensible co-operation should make its use unnecessary. This restriction does not apply to companion voting, i.e., you can be helped to vote by a companion at any time during polling hours.

## **5. Voting at Home**

If you have a physical disability or illness which prevents you from going to the polling station, you can vote at home if you opt to be included in the special voters list which is drawn up each year as part of the register of electors.

In order to be entered on the special voters list, application must be made by 25th November each year to your county council or city corporation. Application forms may be obtained by phoning the county council or city corporation and are also available in post offices, public libraries, local authority offices and Garda stations. An application form is normally sent by post to each person on the current year's special voters list. The application form includes provision for a medical certificate which is generally required in the case of a first application only.

At an election or referendum, you will be notified of the day and approximate time (am/pm) when a special presiding officer will call to your home to enable you to vote. The special presiding officer will carry evidence of identity and an appointment warrant and you should ask to see these on arrival. The special presiding officer will be accompanied by a Garda whose role is to guard the ballot papers (in the same way as in a polling station) and to act as an independent witness to ensure that the voting procedure is carried out properly.

Only the presiding officer and the Garda may be present when you cast your vote. The presiding officer will give you a declaration of identity which

he/she will witness for you. You then mark the ballot paper in secret, place it in the special envelope provided, close the envelope and give it to the presiding officer.

If you require assistance in voting, it will be provided by the special presiding officer in the same way as at a polling station. A special voter may not be helped to vote by a person other than the special presiding officer.

## **6. Electoral Law**

The law in relation to the registration of electors and the special voters list is set out in Part II of and the Second Schedule to the Electoral Act, 1992 (IR£13.35). The law in relation to assistance with voting is set out in the legislation governing the particular type of election, for example, the Electoral Act, 1992 which relates to Dáil and Presidential elections and referenda. The Act is available from the Government Publications Sale Office, Sun Alliance House, Molesworth Street, Dublin, 2.

## **7. Other Leaflets**

Other leaflets available in this series are as follows:

How the President is Elected

The Referendum in Ireland

How the Dáil (Lower House of Parliament) is elected

How the Seanad (Senate or Upper House of Parliament) is elected

European Parliament: How Ireland's representatives are elected.

The Register of Electors.

Department of the Environment  
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