

ENHANCING DEMOCRACY

electoral reform and a pathway to participation
for young and first-time voters



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**“AS REPUBLICANS, SINN
FÉIN ARE AMBITIOUS ABOUT
ENCOURAGING PARTICIPATION
IN THE DEMOCRATIC PROCESS.
‘ENHANCING DEMOCRACY’
SETS OUT HOW WE BELIEVE
THE STATE SHOULD ENGAGE
YOUNG AND FIRST TIME
VOTERS, AS WELL AS RADICAL
PROPOSALS THAT WILL WIDEN
ELECTORAL PARTICIPATION
ACROSS ALL OF SOCIETY”.**

Introduction by Senator Fintan Warfield

A chairde,

We can only achieve a thriving democracy when all of our society has a stake in that process.

The activism and involvement of young people in the referendum for civil marriage equality and the referendum to repeal the 8th amendment is evidence that when engaged, young people demonstrate an interest in mobilising and participating in the political process. This is despite the obstacles that exist, including a lack of formal education, promotion and difficulties in registering to vote.

These obstacles must be overcome to ensure that young people feel empowered by their democracy, while legislative reform is urgently required to ensure the inclusion of as many people as possible.

Sinn Féin are calling for registration processes that make it easy for people to have their say. We will improve education for first time voters. We will lower the voting age to sixteen and give our diaspora the opportunity to participate also. We will prioritise a referendum to allow citizens in the north to vote in presidential elections. We will open up Seanad elections to all. And Sinn Féin will legislate to allow people who have lived in Ireland for five years, a right to vote in all elections, regardless of their nationality or citizenship.

Sinn Féin will also prioritise the establishment of a permanent, independent electoral commission who will encourage participation, oversee registration procedures and the collection of electoral data.

As republicans, Sinn Féin are ambitious about encouraging participation in the democratic process. 'Enhancing Democracy' sets out how we believe the state should engage young and first time voters, as well as radical proposals that will widen electoral participation across all of society.

We will work with those who seek to achieve such reform, and we welcome and encourage your engagement with us around these issues.

Is mise le meas,

Senator Fintan Warfield.

Sinn Féin spokesperson on youth affairs.

September 2018

1. ELECTORAL COMMISSION AND VOTER REGISTRATION

a. An Electoral Commission

The establishment of an electoral commission was first raised in the Oireachtas in 2004 and has been agreed in consecutive Programme's for Government since 2007.

Such a commission could be modelled on the similar 66 state-run electoral commissions that currently operate worldwide, 28 of which are established in European countries. Should an electoral commission be established with the general powers delegated to most other electoral commissions, its remit would be to promote and encourage participation and voting, oversee voter registration procedures and collate electoral data.

Currently, these responsibilities lie within the remit of local authorities and the Department of Housing, Planning and Local Government. In April 2008, the Joint Committee on the Environment, Heritage and Local Government published its first report on 'The Future of the Electoral Register in Ireland and Related Matters.'¹

The Joint Committee noted the discrepancy between local authorities and the relevant department and recommended that an independent electoral commission be a key priority to enhance and promote electoral participation.

Sinn Féin believe that a lack of resources in the relevant department and local authorities, and a lack of clarity and political will from the Minister and leadership in these institutions have failed to enhance participation.

Sinn Féin recommends that:

- A permanent electoral commission be established.

¹ First Report The Future of the Electoral Register in Ireland and Related Matters (Joint Committee on the Environment, Heritage and Local Government 2008): <http://opac.oireachtas.ie/Data/Library3/Library2/DL044618.pdf>



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YES



b. Data Collation

As it stands, neither the relevant departments, nor local authorities collate data on voter turnout.

The last data collated on turnout by age was compiled by the CSO in 2011 (which saw a turnout of 62% of young people aged between 18 and 25 years in the 2011 General Election. Overall turnout was 69.9%.

When asked by Donnchadh Ó Laoghaire TD in July 2017 on the issue of government collating electoral turnout data by age, Minister for Housing, Planning, Community and Local Government Eoghan Murphy TD stated that the government had “no immediate plans” to do so and referred to the establishment of an electoral commission in his response.²

It is clear that there is neither the appetite from leadership, nor the resources to collate such data.

Furthermore, the department does not wish to mandate any existing public bodies to do so. Without sufficient data on age demographic, the behavioural analysis of youth turnout cannot be examined. For example, without the percentage turnout for the marriage equality referendum versus other given referenda, the level of participation cannot be gauged on an issue that was seen to have a particularly high turnout.

Sinn Féin recommends that:

- Data collation should be within the remit of a permanent electoral commission when established. In the interim, this task should be delegated to the CSO.

² Electoral Commission Establishment (13 July 2017) Written Answers (KildareStreet.com) : <https://www.kildarestreet.com/wrans/?id=2017-07-13a.3433#g3434.q>

c. Standardisation of Voter Registration Process

A report by the Joint Committee on the Environment, Heritage and Local Government in 2008 noted a distinct lack of uniformity amongst bodies in relation to voter registration.

The Union of Students in Ireland (USI) noted a variety of concerns that stem from this ambiguity.³

In particular, USI voter registration campaigners noted that some local authorities accept RFA registration forms in bulk, whereas others only accept a registration form if delivered by the individual registering to vote. In other instances, where the applicant has only entered their own personal details on an RFA form, some local authorities have been known to remove other eligible voters in the household from the electoral register.

Sinn Féin note that such inconsistencies have stifled those registering to vote. While local authorities for the most part do stellar work in processing RFA forms, the absence of standardisation and departmental direction is a cause of frustration. These are all reasons why the state ranks 137th in the world for its voter registration processes.⁴

Sinn Féin recommends that:

- Periodical guidelines be given to local authority staff from the Minister for Housing, Planning and Local Government to give clarity in terms of processing.
- Voter registration should be brought within the remit of an electoral commission mandated by the Minister for Housing, Planning and Local Government to retain data, recommend reform and promote registration.

³ The Union of Students in Ireland 'Voter Registration Reform' (June 2015) Available at: http://usi.ie/wp-content/uploads/2015/06/VOTER_REG_REFORM_FINAL.pdf

⁴ Reidy, T. How we can shake up our electoral system (1 June 2018) Irish Independent. Available at: <https://www.pressreader.com/ireland/irish-independent/20180601/281539406638470>



Sinn Féin



AG SEASAMH AR SON
COMHIONANNAIS, MEASA
AGUS IONRACAIS

ACHT NA GAELIGE ANOIS



d. Promotion of Voter Registration Deadlines

Currently, those who wish to be included on the electoral register must do so by printing off the RFA 1 form and sending it to their local authority by a certain date in a calendar year (usually late November). The individual would then be registered for the following year. Should the individual wish to register before an election or referendum but has missed the deadline, they can fill out the RFA 2 form for inclusion on the supplementary register, 15 days before polling day. The RFA 2 form requires a signature from a member of the Gardaí.

Again, it remains ambiguous as to who holds responsibility for promoting registration deadlines. The Department of Housing, Planning and Local Government send out posters to local authorities each year promoting the date, while some local authorities undertake different initiatives. Civic society and NGO's also take on registration campaigns.

None of the bodies mentioned are in a position to provide the necessary resources for the significant, state-wide effort that is required to reach all of our society. Much of these initiatives therefore fail to reach the majority of the potential electorate.

Until young people reach 16-18 years of age, their engagement with institutions is largely conducted through a parent or guardian. Therefore, additional effort is required in order to reach young people, with a particular focus needed online.

Furthermore, there are no substantial benefits to having periodic registration windows. It should be noted that the use of rolling registration windows are used in Britain and have been successful.

Sinn Féin recommends that:

- The Electoral Commission, once established, should be given resources to run truly widespread and targeted campaigns encouraging people to become registered voters, including demographics that are traditionally marginalised from the processes.
- The use of rolling registration windows be examined in an Irish context.

e. Online Voter Registration

The process of registering to vote must begin with the individual printing off either RFA form, filling out the details, and submitting it to a local authority (possibly with a stamp from a local Garda station, depending on the registration window).

There are no legislative barriers to bringing this process online. However, the duty to establish such facilities is a matter for local authorities according to the Department of Housing, Planning and Local Government.⁵ The department has placed no obligation on local authorities to do so.

In 2017, Galway County Council established an online facility in which the person registering to vote can simply input the details of the RFA form into the local authority website.

Around the world, the old system of registering to vote with a form offline is now becoming an exception rather than the norm as a number of countries including Britain and the US now have online facilities in place.

While it does not pose any further vulnerabilities than the current system, personal identifiers could be used to guarantee reliability.

Sinn Féin recommends that:

- The Department of Housing, Planning and Local Government resource a centralised voter registration website that shares data with the local authority until such a time that automatic voter registration is established. This should also include options to amend details such as an address, name or gender.

⁵ Electoral Reform (8 July 2015) Written Answers (KildareStreet.com): <https://www.kildarestreet.com/wrans/?id=2017-07-13a.3433#g3434.q>

f. Automatic Voter Registration

It is well documented that the voter registration process is flawed, outdated and open to abuse. In an effort to increase voter participation and alleviate the inherent bureaucracy that comes with such a system, a number of countries have established automatic registration when a person reaches the age of eligibility.

Where it has been applied, the introduction of automatic voter registration has enhanced turnout in every country. Canada, Australia, Germany, Finland, Italy, Switzerland, France, Sweden, Argentina, Peru and Belgium have all introduced automatic voter registration in one form or another.

The biggest obstacle to the process is the monitoring of eligible voters when they turn a legal age.

This can be done in numerous ways. Sweden uses tax registration rolls to produce voter lists. Britain (who don't have automatic voter registration) monitor voter details through their property registration system, whereas France monitors voting registers through local tax contribution.

Each jurisdiction that has a system of automatically enrolling voters reduces the risk of duplication via a personal identifier.

In this state, issues with a lack of centralisation can lead to duplication risks where a person can be registered in multiple constituencies. As noted by the OSCE, local authorities can cross check their registers with others but the practice is informal and not prescribed in law.⁶ Additionally, there is no formalised structure to track emigration so therefore, voter turnout figures can be skewed - particularly following years of emigration.

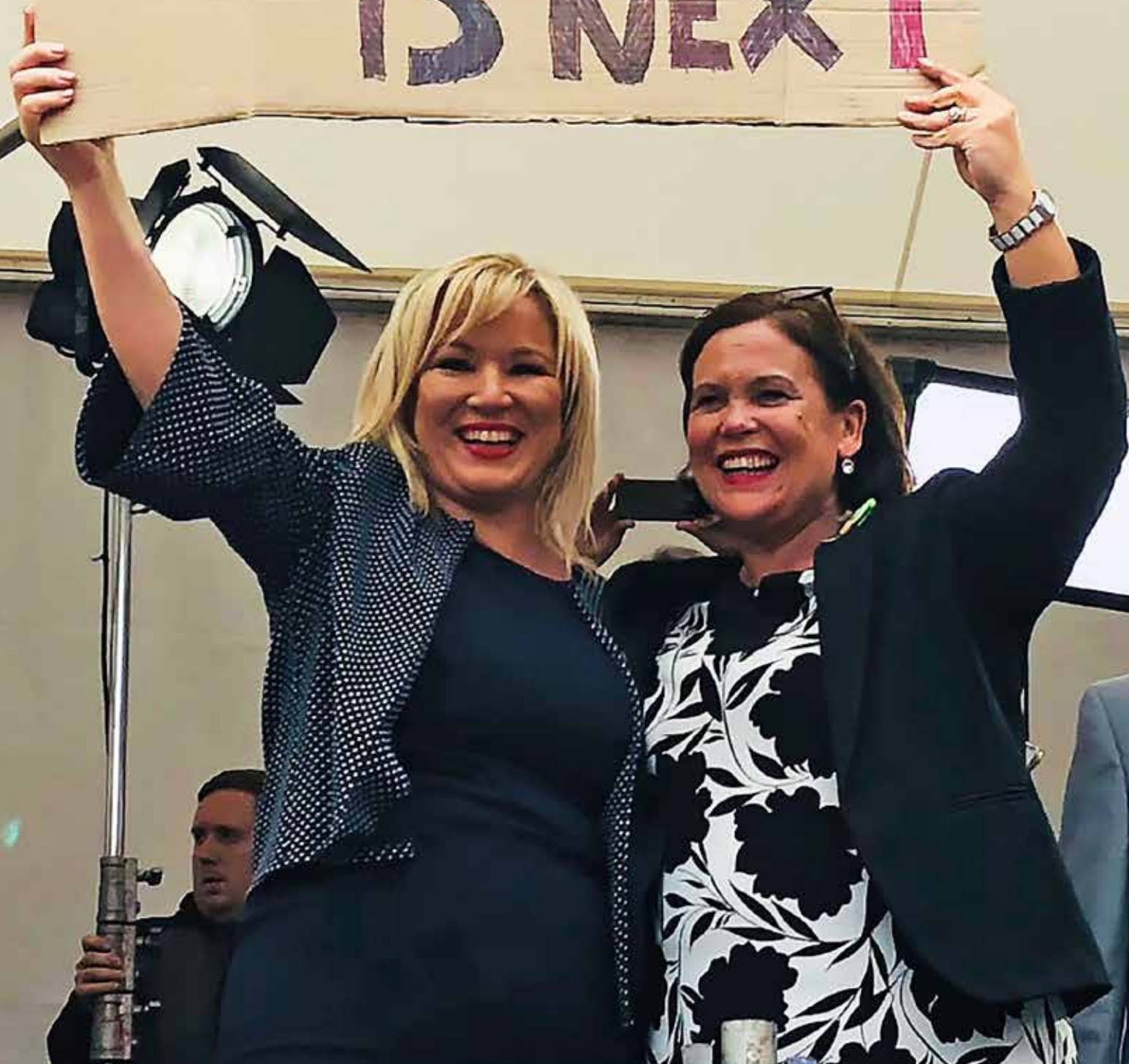
In previous Oireachtas debates about the use of personal identifiers in regards to voting, a PPS number has been mentioned as the best possible option to avert risks of fraudulent registration.

Sinn Féin recommends that:

- The Department of Housing, Planning and Local Government introduce an automatic voter registration process and investigate the use of personal identifiers for the purposes of voting.

⁶ Office for Democratic Institutions and Human Rights 'Ireland: Parliamentary Elections: OSCE/ODIHR Needs Assessment Mission Report' (February 2016) Available at: <https://www.osce.org/odihr/elections/ireland/221786?download=true>

THE NORTH
IS NEXT



2. EDUCATION AND ELECTORAL REFORM

a. Educating Future Voters

A major criticism from young people is the lack of formalisation of Civic, Social and Political Education (CSPE). CSPE is largely conducted in second-level schools on an ad-hoc basis. Despite it being an exam subject for the Junior Certificate, teacher training and support on the curriculum is lacking as is an emphasis on its importance.

A new 'Politics and Society' subject is currently being rolled out across the state. Sinn Féin strongly welcomes this initiative. As part of the four core tenants of the curriculum, active citizenship details the benefits of community involvement and activism. There is however no mention of teaching students the core components of voting, the potential effects of a vote, and reasons why some choose not to vote.

With a referendum to lower the voting age to 16 planned by Government for 2019, it is becoming more imperative that we equip young voters with the tools to become informed voters.

Sinn Féin recommends that:

- CSPE should be further formalised, given equal focus and attention as other core junior-cycle subjects. Sinn Féin further recommends that the newly-launched politics module must teach the core components of voting as part of its active citizenship strand.

b. Lowering the Voting Age to 16

In 1972, a referendum to reduce the voting age from 21 to 18 was passed by a majority of 85%.

In 2013, the Constitutional Convention recommended that the voting age be lowered to 16 in all elections. In 2019, the Government intend to hold a constitutional referendum on the question of lowering the eligible voting age from 18 to 16.

In 2017, Sinn Féin tabled a bill in the Seanad that would lower the voting age to 16 in local and European elections, the two instances where the voting age is not determined by the constitution.

Debates are ongoing on this issue as 18 years of age is considered the legal age of adulthood. However in the Irish context, people at the age of 16 years can:

- Pay tax.
- Drive a car.
- Seek full-time employment.
- Travel Internationally.
- Apply for Gender Recognition ⁷

A person at the age of 17 years can:

- Give sexual consent.

While 18 is considered the legal age of adulthood, the state allows numerous rights for persons at 16 and 17 that involve degrees of maturity and responsibility.

Arguments that young people are not mature enough but are entrusted with these rights and have the intelligence to undertake the Leaving Certificate and start college would lead us to believe that such an argument is a fallacy.

Ireland has the opportunity to follow the lead of countless countries that have extended the right to vote to citizens who have reached the age of 16. In a European context they include Malta (2018) Scotland (2014), Norway (2011) and Austria (2007).

⁷ In order to attain a gender recognition certificate, a trans young person must gain a court order with supporting documentation from medical professionals. Available at: http://www.citizensinformation.ie/en/birth_family_relationships/children_s_rights_and_policy/children_and_rights_in_ireland.html

The move has proven to foster the engagement of young people in politics and society.

Voter turnout in all occasions has either been greater than, or consistent with other age groups, and in no case has seen a decline. There is no evidence to suggest that voter turnout would be low and has proven to be above the average turnout of first time voters.

It has also been proven that when given the opportunity, young people have shown the same levels of scrutiny and reasoning as older generations.⁸

It is important to argue that 'votes at 16' is not the 'silver bullet' to end disengagement of young people in politics. However, it opens a door, previously closed to young people to be involved in political processes. Voter Registration in schools and new Politics curricula can go a long way to inform young voters.

This move would allow approximately 110,000 young people to gain voting rights.⁹

Sinn Féin recommends that:

- The voting age should be lowered for local and European elections through legislation.
- The voting age for General, Presidential elections and referenda should be decided upon by referendum in the immediate future. Sinn Féin will campaign for a 'yes' vote in this referendum.

8 Wagner, Markus, David Johann, and Sylvia Kritzingner. "Voting at 16: Turnout and the Quality of Vote Choice." *Electoral Studies*. Butterworths, June 2012. Available at: <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4020373/>

9 According to CSO figures.





c. Voting Rights Abroad

Ireland has a history mired with emigration. Irish people have left our shores and shaped societies in every corner of the globe. Our diaspora are also known for having pride in their identity and heritage.

Recent generations have departed this state due to economic downturn and lack of employment prospects. Many emigrants either wish to return and/or still hold strong links with the island. Of the EU28, this state is one of only four member states that do not facilitate suffrage of its citizens abroad (including Malta, Czech Republic and Greece). This is despite our diaspora being one of the largest.

Currently, the Government has tentatively scheduled a referendum for summer 2019 on voting rights for expatriates in presidential elections.

Sinn Féin recommends that:

- A referendum should be confirmed as soon as possible in which Sinn Féin will be campaigning for a 'yes' vote.

d. Voting Rights in the North

Twenty years ago, the Good Friday Agreement enshrined in law the rights and entitlements of Irish citizens across all of Ireland's thirty-two counties. It did not seek to give partial citizenship or indeed second-class citizenship to Irish citizens in the North; it gave full Irish citizenship as a birth right.

The role of the President of Ireland is one that is representative of all Irish citizens, not just those who reside in the twenty-six counties. In 2013, the Constitutional Convention endorsed the view that a referendum should be held on extending voting rights to citizens in the north in presidential elections.

Since the Good Friday Agreement, Sinn Féin has been pressing the Irish Government to allow for citizens in the North and in the diaspora to have a right to vote in Presidential elections.

As stated, the Irish government is almost unique in not allowing widespread voting rights from outside the jurisdiction.¹⁰

The referendum on presidential voting rights (tentatively scheduled for summer 2019) will encompass both voting rights for citizens abroad and citizens in the north.

Sinn Féin believes that Irish citizens living and working outside of the state and, in the context of the Good Friday Agreement, those living in the North should be able to vote in presidential elections.

Sinn Féin recommends that:

- A referendum should proceed in summer 2019 in which Sinn Féin will campaign for a 'yes' vote.

¹⁰ It does, however, allow for voting from outside the jurisdiction in the NUI and TCD Seanad panel elections.





e. Voting Rights for Non-Citizen Residents

Voting rights are currently extended as follows:

- Irish citizens may vote in every election and referendum;
- British citizens may vote in Dáil, European and local elections;
- Other European Union (EU) citizens may vote in European and local elections;
- Non-EU citizens may vote in local elections only.

This means that those who may reside permanently within the state and contribute to its culture and diversity do not hold the power to shape their society come election time. In this sense, it is taxation without representation.

Our system is particularly rigid given that many non-EU citizens may come from nations that do not allow dual-citizenship.

Residents may arrive on our island to work, study or for family reasons, or they may be forced migrants fleeing persecution, poverty and war.

Given that many people who come to this state are particularly vulnerable - in systems like direct provision, and by exploitative work and racism - they are especially disenfranchised from our institutions.

Sixty-five countries in six continents allow for voting rights for long term non-citizen residents.¹¹

In November 2017, Senator Fintan Warfield introduced a private members bill to the Seanad that would extend the right to vote in Dáil and European Elections to all adults of voting age who have been legally resident in the State for five years.

Sinn Féin recommends that:

- Voting rights should be extended to all adults who have been legally resident for five years and asserts that long term non-citizen residents should be allowed to vote in all elections regardless of nationality or citizenship.

¹¹ Countries that Grant Some Voting Rights to Foreign Residents (65 of 193 Member States of the United Nations) ivote.org Available at: http://www.ivotenyc.org/?page_id=1189

f. Seanad Reform

In October 2013, a referendum to abolish the Seanad was defeated by 52% of the vote. It was agreed across this campaign by both those who advocated for abolition and retention that the Seanad in its current form was unsustainable.

While Sinn Féin supported Seanad abolition, we recognise that the will of the people was for a reformed Seanad.

There has been no reform in over four years since the referendum.

In 1979, a referendum to extend the franchise of the university panels (NUI and TCD) to all graduates of third level institutions passed with 92.4% of the vote. Successive governments have failed to implement this reform.

Sinn Féin believe that the Seanad in its current form is elitist and out of touch. The Seanad should be a more open and accessible house and more diverse in its makeup. In logistical terms, we propose:

- Universal franchise via direct elections.
- Elections the same day as general elections for the Dáil.
- Representation from the North.
- Representation from the diaspora.
- 50% representation of women.
- Representation from traditionally marginalised groups in society.

Currently, the Oireachtas is exploring the logistics around legislating for the Manning Report via the Seanad Reform Implementation Group. As the Manning Report seeks to implement reform within the confines of Bunreacht na hÉireann, this means that the group may seek to implement:

- 30 members of the Seanad elected by popular vote.
- 6 members of the Seanad elected by a wider, third level graduate panel.
- 11 members of the Seanad nominated by An Taoiseach.
- 13 members elected by elected representatives.

The Sinn Féin members of the Seanad Reform Implementation Group are working toward the government initiating legislation on Manning, which has already been drafted.¹²

Sinn Féin would then seek to implement some of our proposals around representation via amendments. However, not all of these reforms could be implemented within the confines of Bunreacht na hÉireann and would inevitably need a constitutional

¹² 'Report of the Working Group on Seanad Reform' pgs. 61-79 Available at: <https://www.merriestreet.ie/en/ImageLibrary/20150413SeanadReformFinal1.pdf>

referendum to abolish the likes of Taoiseach-nominees and elections through non-public votes. This should be considered as the next step after legislative reform.

Sinn Féin recommends that:

- The Manning Report be implemented in full.
- Further investigation be given to the proposal of holding a constitutional referendum to abolish elections by elected representatives and Taoiseach's nominees. This investigation should also work to ensure representation of 50% women and representation from the North, the diaspora and traditionally marginalised groups in society.

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