



Tithe an
Oireachtais
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An Comhchoiste um Thithíocht, Pleanáil agus Rialtas Áitiúil

**Tuarascail maidir le hIdirghabháil I ndáil le Staidéar Náisiúnta ar
Thogcháin agus Reifrinn**

Aibreán 2019

HOUSES OF THE OIREACHTAS

Joint Committee on Housing, Planning & Local Government

**Report on Engagement on a National Election and Referendum
Study**

April 2019

32/HPLG/22



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CHAIR'S PREFACE



I believe it is in all of our interests to have a well-functioning and open democracy. It is something that needs to be cherished and valued; it should never be taken for granted. An important aspect of any vibrant democracy involves a clear understanding of the behaviour and attitudes of the electorate.

To ensure that we continue to have a strong democracy it is important that we have a thorough analysis of elections and referendums, to allow us to better understand the impact of such elections for the benefit of policy makers and citizens.

On behalf of the Joint Committee, I would like to thank Dr. Theresa Reidy, Professor David Farrell and Dr. Jane Suiter who informed the Joint Committee on this important topic and who presented a fact-based, well developed and convincing argument on the topic. The Joint Committee gained valuable insights and these are reflected within the contents of the report.

The Joint Committee has made a number of recommendations within the report which are both practical and achievable and it is fully committed to monitoring the progress being made on the on-going implementation of the recommendations contained in the report.

A handwritten signature in black ink, appearing to read 'Maria Bailey', with a long horizontal flourish extending to the right.

Maria Bailey TD
Chair of the Joint Committee
3 April 2019

INTRODUCTION

Elections and Referenda are an important feature of the democratic process. However, they represent just one facet of the overall electoral process. Arguably, the information garnered from analysing the inputs, results and factors that influenced the end outcomes are equally, if not more important. At its core democracy is about participation. Elections and referendums provide such opportunities for citizens to engage in the democratic process. Such events provide an opportunity to assess and analyse the attitudes and behaviour of the electorate and thereby in the process hopefully contribute to and enhance our understanding of our democracy. Hence, electoral and referenda studies have the capacity to provide information that is open and accessible to wider society and is beneficial in terms of providing a “litmus” test of the democratic process at any given point in time.

The Committee engaged with stakeholders to assess the potential of establishing an electoral study that would provide a democratic audit process and contribute to electoral analysis in Ireland. The witnesses informed the Committee that prior to 2007, funding was provided to enable analysis and studies of elections. In the aftermath of the financial crisis, funding ceased and researchers were forced to secure ad-hoc funds to undertake limited studies of both the 2011 and 2016 elections. Furthermore, during discussions it was further revealed that funding has never been provided for referenda studies in Ireland.

The Committee notes that Ireland appears an outlier in term of not having a dedicated funding line supporting the study of elections and referenda. Most European countries fund such studies although they employ varied models. The Committee universally acknowledges the benefits of such studies and supports the establishment of a dedicated public funding line that would provide for a democratic audit process.

In its examination, the Committee has identified a number of key criteria of what any future study should aim to incorporate. It is imperative that any study is independent, is scientific, has the highest form of integrity and is open and transparent through publishing its information/evidence so that it is accessible to wider society. Such studies should also be representative and should incorporate sampling to ensure that as many views, attitudes and behaviours are considered as far as possible.

The Committee understands that some discussions have taken place between stakeholders and Departments concerning electoral studies. The Committee recommends that the relevant Departments recommit to engaging in constructive dialogue and establish a publicly funded mechanism that is permanent and not constrained by fluctuations in the economic cycle. Moreover, the Committee recommends that interim funding be provided

in advance of upcoming local, European and the next General Election to provide for a professional analysis of these important democratic milestones.

ENGAGEMENT ON A NATIONAL ELECTION AND REFERENDUM STUDY

1.1 PRESENTATION TO THE COMMITTEE

Dr. Theresa Reidy, Professor David Farrell and Dr. Jane Suiter from *The National Electoral and Referendum Study* addressed the Committee. At the outset, the witnesses stated that the presentation also reflected the views of a wider group of political scientists who work on elections and referendum research. The presentation referred to Ireland's long and proud democratic tradition but also drew attention to a number of problematic areas that have emerged as part of the Electoral Integrity Project.¹

Areas of concern highlighted include:

- Electoral Registration Process;
- Party Financing; and
- Access to the Electoral Process for Women and Minorities.

The presentation emphasised that elections and referendums are the cornerstone of democracy and that it is important to nurture and invest in the democratic process. In that regard and noting that democracy is not an inevitable political outcome, the witnesses stated: “...we are here today to argue for the creation of a permanent democratic audit process, which would be a study of each referendum and election.”

Most democracies provide funding for electoral and referendum research. Between 2002 and 2007, funding was provided to undertake such studies through a combination of the Programme for Research in Third-Level Institutions and the Irish Research Council. The financial crisis and economic circumstances that followed from 2008 onwards impacted negatively and since then political scientists have been unable to secure consolidated funding for election or referendum research.

The witnesses also informed members that election and referendum research conducted in Ireland has often been imperfect due to the lack of funding. Moreover, no funding has ever been provided on a permanent footing for referendum research. Limited studies of both the 2011 and 2016² elections only occurred due to the use of ad-hoc arrangements. Despite these shortcomings, what analysis and research that has been undertaken has been put to

¹ <https://www.electoralintegrityproject.com/> Founded in 2012, the Electoral Integrity Project produces innovative and policy relevant research comparing elections worldwide. The research team is based at the University of Sydney and Harvard University's John F. Kennedy School of Government.

² In evidence to the Committee, witnesses stated that approximately €50,000 to €60,000 was accessed in 2016 which was “highly inadequate”.

use. Such evidence garnered has been used to inform public debates, shape policy-making and enhance political campaigns.

According to the witnesses, a national election and referendum study has a lot to offer. It would provide an in-depth understanding of the way representative democracy functions in Ireland. Such a study would deliver unique insights into Irish public opinion, political participation, attitudes towards politics and explanations of political outcomes. The evidence collected has contributed to and can inform future public policy debates on areas including:

- Voter Registration;
- Political Education;
- Reform of Political Institutions; and
- Populist Political Communication.

The evidence gathered can be used by a range of actors. As well as political scientists, it can be used by members of parliament, the policy-making community, political parties and civil and voluntary organisations.

Electoral and Referendum studies take on various forms and scale depending on the jurisdiction. Typically though, the witnesses stated that the research is usually conducted in the pre and post-vote stages and involves questionnaires administered by professional polling companies. Most questionnaires are tailored to the local political environment but questions from cross-national studies do feature. These questions have added value in facilitating international comparison.

The witnesses concluded their presentation by stating that a dedicated and flexible budget line needs to be established. It was suggested that a Government Department or an Electoral Commission or the Irish Research Council could manage such a fund.

1.2 ISSUES ARISING

Several issues emerged during the ensuing exchange between the witnesses and Committee members. The interaction facilitated an in-depth discussion on how electoral and referendum studies have been conducted in the past and also how future studies might take shape in the event that public funding is provided.

The Committee requested additional detail on a number of aspects referenced in the presentation. Specifically, members sought further information on the following matters:

- The most recent study carried out;
- The best option from an evidence point of view;
- Examples of best practice in comparable EU member states;
- Issues relating to the Terms of Reference of any study;
- Who decides what questions to ask in a study;
- The best location for such funding to be managed;
- The estimated cost to fund an Electoral and Referendum Study.

In reply, the witnesses provided greater detail on the 2016 study. Professor O'Farrell referred to the use of questionnaires linked to the RTE exit poll and also the commissioning of two telephone polls. The paucity of resources meant the research was sub-optimal as it was stated that *"...we ended up with five separate samples that do not speak to each other."*³

There were other limitations in the data that reduced the scope and size of the study. Researchers were limited to analysing people who engaged in the political process. The witnesses stated that this was the major constraint experienced in the 2016 study as they would have liked to look at non-voters as well. This is an important point as in effect the study is omitting a cohort or segment of society who are not engaged in the political process. In that regard, the study is to an extent unrepresentative of a segment of the population. The clear suggestion was that researchers are keen to examine those who don't engage and seek explanations for the behaviour and attitudes underpinning such non-engagement

In regard to who decides what questions to ask, the witnesses identified three main components which are:

- Values that people have;
- Attitudes; and
- Behaviour.

³ Official Meeting Transcript, Page.5

The analysis then combines these three different components to come up with deeper ways of understanding patterns of behaviour and the trends over time in the political system.

In terms of costs and management of such funds, the witnesses stated that they were agnostic about the mechanism for funding so long as there is integrity to the design of the study. To date, discussions have centred on the Irish Research Council but as its budget is annualised, it simply cannot cater for an election study. In the event that an Electoral Commission is established, it might become a source of funding (providing it is given sufficient budgetary resources to support this).

By nature, elections and referendums are or can be sporadic and unplanned. The number and frequency of elections and referendums in any given time will ultimately feed into the cost of and/or funds necessary to undertake a study. The witnesses did suggest funding in the region of a couple of hundred thousand euro should cover the exercise.⁴

Regarding the types of questions that would/should feature in any electoral study, the witnesses suggested that the format is open to wider input but that the process should aim to be highly scientific, be consistent and take account of questions that are asked internationally. Adopting these elements would allow benchmarking and comparative analysis of how Ireland compares and/or differs from international studies. However, the witnesses were clear in stating that *'...there is absolutely no reason there should not be wider consultation about the kinds of questions asked'*.⁵

Members also stated that in order for the study to be truly democratic, it was imperative that it would be properly funded on a public basis. It was also important that such studies should be permanent and not subject to fluctuations in the economic cycle.

The issue of independence and integrity of any potential study arose in the course of discussions. The Committee considered it important to ensure that any research undertaken would be independent and not skewed one way or another in support of whoever is funding it. The witnesses concurred with this point and stated that countries who provide for such studies apply different models. Dr. Reidy referred specifically to the role and work of the Irish Research Council in this context.

Traditionally, various Departments have provided funding for projects but the Irish Research Council has assumed responsibility for managing the process and recruiting researchers. Furthermore, the Council is subject to international peer review and evaluation. Taken together, Dr. Reidy stated: *"...that would be one way of guaranteeing the independence and*

⁴ Figures estimated for an Election Study was between €250,000 and €300,000. Estimates to conduct a referendum study was €100,000.

⁵ Official Meeting Transcript, Page.7

integrity of the study."⁶ The witnesses cited Finland, Austria and Switzerland as examples of how studies are undertaken in other European countries.

It also became apparent that such studies would likely evolve over time as various factors emerged and influenced the political discourse. As an example, the witnesses stated that the questions asked as part of their 2016 electoral research contained many more questions on social media than the 2011 election. It is likely that the impact and effects of social media will become even more significant in the future in the context of reviewing and analysing electoral campaigns and results.

The breadth and depth of any such electoral study is also an important aspect. Many of the existing polls are limited in that polling agencies tend to use an existing panel of respondents to track voting behaviour. However, this approach is limited and does not reflect or capture the views and attitudes of non-voters for example. The witnesses reiterated that it is crucial to include non-voters in the studies and that sampling would be vital to the success of any study. Unfortunately, it has not been possible to conduct or sample the non-voting cohort in Ireland since 2007 due to insufficient funds.

Similarly, insufficient funding has also meant that studies analysing European elections have not taken place since 2004. This theme was discussed in the context of extending analysis to both local and European elections and perhaps learning about the involvement or otherwise of younger voters. The witnesses suggested that a panel study would facilitate such a study and could encompass all elections provided a panel was in place.

⁶ Official Meeting Transcript. Page. 9

RECOMMENDATIONS

The Committee recommends that -

- 1.** Evidence based research and analysis of elections and referendums is critical to understanding and developing the democratic process and that the benefits in terms of the public value of information far outweighs the cost;
- 2.** A dedicated permanent and public funding line be established to support the undertaking of electoral and referenda studies;
- 3.** In the interim, for the next General Election, that a funding line be established for electoral research until a Electoral Commission is established;
- 4.** The Department of the Taoiseach and the Department of Housing, Planning and Local Government engage constructively with relevant stakeholders in regard to finalising the appropriate funding structure for electoral studies;
- 5.** Any future electoral and referenda studies must be conducted in an independent manner and incorporate the highest standards of integrity. The Committee recommends that any study be as open, transparent and widespread across the research community as possible and that consideration be given to the Irish Research Council managing the process and appointing personnel;
- 6.** All such studies should be published and made available to the public within a specified timeframe following the conclusion of any election/referendum;
- 7.** This report be debated in both Dáil Éireann and Seanad Éireann.

APPENDIX 1 – ORDERS OF REFERENCE

a. Functions of the Committee – derived from Standing Orders [DSO 84A; SSO 70A]

- (1) The Select Committee shall consider and report to the Dáil on—
 - (a) such aspects of the expenditure, administration and policy of a Government Department or Departments and associated public bodies as the Committee may select, and
 - (b) European Union matters within the remit of the relevant Department or Departments.
- (2) The Select Committee appointed pursuant to this Standing Order may be joined with a Select Committee appointed by Seanad Éireann for the purposes of the functions set out in this Standing Order, other than at paragraph (3), and to report thereon to both Houses of the Oireachtas.
- (3) Without prejudice to the generality of paragraph (1), the Select Committee appointed pursuant to this Standing Order shall consider, in respect of the relevant Department or Departments, such—
 - (a) Bills,
 - (b) proposals contained in any motion, including any motion within the meaning of Standing Order 187,
 - (c) Estimates for Public Services, and
 - (d) other mattersas shall be referred to the Select Committee by the Dáil, and
 - (e) Annual Output Statements including performance, efficiency and effectiveness in the use of public monies, and
 - (f) such Value for Money and Policy Reviews as the Select

Committee may select.

(4) The Joint Committee may consider the following matters in respect of the relevant Department or Departments and associated public bodies:

(a) matters of policy and governance for which the Minister is officially responsible,

(b) public affairs administered by the Department,

(c) policy issues arising from Value for Money and Policy Reviews conducted or commissioned by the Department,

(d) Government policy and governance in respect of bodies under the aegis of the Department,

(e) policy and governance issues concerning bodies which are partly or wholly funded by the State or which are established or appointed by a member of the Government or the Oireachtas,

(f) the general scheme or draft heads of any Bill,

(g) any post-enactment report laid before either House or both Houses by a member of the Government or Minister of State on any Bill enacted by the Houses of the Oireachtas,

(h) statutory instruments, including those laid or laid in draft before either House or both Houses and those made under the European Communities Acts 1972 to 2009,

(i) strategy statements laid before either or both Houses of the Oireachtas pursuant to the Public Service Management Act 1997,

(j) annual reports or annual reports and accounts, required by law, and laid before either or both Houses of the Oireachtas, of the Department or bodies referred to in subparagraphs (d) and (e) and the overall performance and operational results, statements of

strategy and corporate plans of such bodies, and

(k) such other matters as may be referred to it by the Dáil from time to time.

(5) Without prejudice to the generality of paragraph (1), the Joint Committee appointed pursuant to this Standing Order shall consider, in respect of the relevant Department or Departments—

(a) EU draft legislative acts standing referred to the Select Committee under Standing Order 114, including the compliance of such acts with the principle of subsidiarity,

(b) other proposals for EU legislation and related policy issues, including programmes and guidelines prepared by the European Commission as a basis of possible legislative action,

(c) non-legislative documents published by any EU institution in relation to EU policy matters, and

(d) matters listed for consideration on the agenda for meetings of the relevant EU Council of Ministers and the outcome of such meetings.

(6) The Chairman of the Joint Committee appointed pursuant to this Standing Order, who shall be a member of Dáil Éireann, shall also be the Chairman of the Select Committee.

(7) The following may attend meetings of the Select or Joint Committee appointed pursuant to this Standing Order, for the purposes of the functions set out in paragraph (5) and may take part in proceedings without having a right to vote or to move motions and amendments:

(a) Members of the European Parliament elected from constituencies in Ireland, including Northern Ireland,

(b) Members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and

(c) at the invitation of the Committee, other Members of the European Parliament.

b. Scope and Context of Activities of Committees (as derived from Standing Orders) [DSO 84; SSO 70]

- (1) The Joint Committee may only consider such matters, engage in such activities, exercise such powers and discharge such functions as are specifically authorised under its orders of reference and under Standing Orders.
- (2) Such matters, activities, powers and functions shall be relevant to, and shall arise only in the context of, the preparation of a report to the Dáil and/or Seanad.
- (3) The Joint Committee shall not consider any matter which is being considered, or of which notice has been given of a proposal to consider, by the Committee of Public Accounts pursuant to Standing Order 186 and/or the Comptroller and Auditor General (Amendment) Act 1993.
- (4) The Joint Committee shall refrain from inquiring into in public session or publishing confidential information regarding any matter if so requested, for stated reasons given in writing, by—
 - (a) a member of the Government or a Minister of State, or
 - (b) the principal office-holder of a body under the aegis of a Department or which is partly or wholly funded by the State or established or appointed by a member of the Government or by the Oireachtas:

Provided that the Chairman may appeal any such request made to the Ceann Comhairle / Cathaoirleach whose decision shall be final.
- (5) It shall be an instruction to all Select Committees to which Bills are referred that they shall ensure that not more than two Select Committees shall meet to consider a Bill on any given day, unless the Dáil, after due notice given by the Chairman of the Select Committee, waives this instruction on motion made by the Taoiseach pursuant to Dáil Standing Order 28. The Chairmen of Select Committees shall have responsibility for compliance with this instruction.

APPENDIX 2 – MEMBERSHIP

Deputies: Maria Bailey – Chair (FG)
 Pat Casey – Vice Chair (FF)
 Mick D. Barry (Solidarity-PBP)
 Mattie McGrath (IND) – Rural Independent Technical Group
 Darragh O’Brien (FF)
 Eoin O Broin (SF)
 Fergus O’Dowd (FG)

Senators: Victor Boyhan (IND)
 Martin Conway (FG)
 Jennifer Murnane O’Connor (FF)
 Grace O’Sullivan (GP)

Notes:

1. Deputies nominated by the Dáil Committee of Selection and appointed by Order of the Dáil of 16 June 2016.
2. Senators nominated by the Seanad Committee of Selection and appointed by Order of the Seanad on 21 July 2016.
3. Elected Vice Chair on 24 May 2017

APPENDIX 3 – LIST OF WITNESSES

❖ Engagement on a National Election and Referendum Study

Dr. Theresa Reidy (University College Cork)

Dr. Jane Suiter (Dublin City University)

Professor David Farrell (University College Dublin)

APPENDIX 4 – LINKS TO MEETING TRANSCRIPTS

❖ [Meeting of 23 January, 2019](#)

APPENDIX 5 – LINKS TO SUBMISSIONS & OPENING STATEMENTS

❖ [The Irish National Election and Referendum Study](#)