

CHECK AGAINST DELIVERY

Opening statement to be delivered to the Joint Oireachtas Committee on Disability Matters by the Chief Executive of An Coimisiún Toghcháin, Mr. Art O'Leary.

25 October 2023 – Committee Room 1, Leinster House.

Introduction

My thanks, Chair, Members,

Our appearance today marks the very first appearance by An Coimisiún Toghcháin, as Ireland's independent electoral commission before the Oireachtas, since our establishment in February this year.

It is good from the outset to have our first committee discussion in these houses focused on disability rights.

An Coimisiún Toghcháin

Considering our status as a new independent public body, not yet nine months old, I will firstly take a moment to outline our work and functions. An Coimisiún Toghcháin has taken on a range of pre-existing electoral functions, along with new functions as set out in the Electoral Reform Act 2022.

The pre-existing functions include the carrying out of constituency reviews for local, Dáil and European elections; the registration of Ireland's political parties; the role and work on referendums previously held by the Referendum Commission, and encouraging people to get out and vote across our electoral events.

Our newly established roles include preparing research and providing advice on electoral policy and procedure; building awareness of our democratic processes through education and information, and overseeing Ireland's electoral register,

We also have functions related to the regulation of political advertising online and online misinformation and disinformation around election periods. These functions, set out in Parts 4 and 5 of our founding legislation are yet to commence.

Very pertinently to today's discussion, we have also been tasked after every electoral event to prepare an independent report on how those events were administered.

Democratic access

It is important from the outset to be clear that Ireland is a State that has a long and proud tradition of universal suffrage.

But already as a body which is only months old, we have become acutely aware that the universality of people's access to voting and democratic participation is riddled

with obstacles - some of them physical, related to bricks and mortar access, others related to our electoral registration processes, and more still related to the act of voting.

Disabled people, while having an explicit guarantee of equal participation in political and public life under Article 29 of the UN CRPD, often face a very different reality when seeking to vindicate that right.

While acknowledging that there has been some reform in recent times, around rolling registration in particular, accounts of disabled voter experiences during the 2020 General Election identified a range of concerns which included:

- Ad hoc arrangements at polling stations to allow persons with disabilities vote in private
- Inaccessible polling stations
- Lack of voter information in accessible formats
- Certain persons not being informed on how to vote due to inaccessible information
- Saturday voting meant personal assistants were not available to accompany potential voters to the polling station
- Incorrectly installed wheelchair ramps
- Postal voting system unnecessarily complicated and based on an outdated medical model
- Postal votes being removed without notice

The report produced by this Committee last October on participation in political, cultural, community and public life, focused on these issues in depth following your hearings, and reflects the lived experience of people with disabilities in seeking to be active citizens.

Universal political access

While there tends to be an immediate public focus on the physical access to polling stations for wheelchair users and others, we are seeking to focus, from the outset as Ireland's Electoral Commission on a universal design approach to democratic participation. An holistic perspective which looks to the access people with disabilities, and people across our population, have to registering, to voting, to political activity including standing as candidates, to accessing results, and being able to engage after each election on how to make the operation of the next election better.

As a newly established Commission we certainly do not claim to be experts in this area, and readily acknowledge that we are now in the early stages of a process which will involve us learning directly from people with disabilities and their representatives about these issues.

I'm speaking and listening at the NDA Annual Conference this week within a session focusing on democratic inclusion, and in our early work and outputs around the publication of the recent Constituency Review, we have sought to place accessibility

at the forefront of our communications through our consultations, publications, website, digital and video content.

While we are not tasked with the keeping of the register of electors, which remains the preserve of our local authorities, or administering the elections, which remains under the auspices of the Department of Housing, we have a significant oversight role, which will allow us to report after each electoral event on the administration of that election.

In relation to the electoral register, An Coimisiún Toghcháin may commission or carry out research in relation to; the accuracy and completeness of electoral registers; the maintenance of electoral registers and the processes relating to the compilation, maintenance and functioning of the electoral registers.

Each year An Coimisiún will publish a report setting out our assessment of the status and functioning of the electoral register, and any recommendations the Commission considers necessary to maintain and enhance the integrity of the electoral register and the registration process.

The other significant tool in our armoury is our research function. This allows us, as a Commission to identify key issues within our democracy that need specific scrutiny and to make necessary recommendations to Government.

While our inaugural research programme has not yet been laid before these Houses and will shortly be opened for consultation, I can already confirm that within one of our proposed research strands there is a focus on democratic and electoral participation.

An Coimisiún will conduct and commission research to inform its approach to our education and public engagement remit, and to encourage the electoral participation of under-reached groups including increasing representation of women, people with disabilities and people from diverse ethnic backgrounds.

Conclusion

Based on the Census 2022 findings, more than one in five of us reported experiencing at least one long-lasting condition or difficulty - 22% of our population.

The next Dáil is likely to see 174 TDs representing 43 Dáil Constituencies, how many, if any of those TD's will be disabled people? – the answer to that question will significantly depend on how we as a State can support, promote and facilitate people with disabilities to have an equal opportunity to put themselves forward to the voters in line with the CRPD.

We are coming into a potentially hugely busy electoral period with the possibility of every possible type of electoral event being held within the next 24 months.

As a new body in the service of Ireland's people, and dedicated to building trust in our elections, An Coimisiún Toghcháin's determination is to be part of a rights-based approach to identifying and clearing barriers to democratic access and participation.

ENDS