

General Scheme of the Electoral Reform Bill
Pre-Legislative Scrutiny 22 January 2021

Opening Statement

- Thank you for inviting me to appear before you today to discuss the General Scheme of the Electoral Reform Bill, which was approved by Government on the 15th December 2020. Today is my first time to appear before this Committee and I am genuinely delighted to be here with such a positive set of policy proposals.
- In terms of electoral reform, the General Scheme is ambitious and forward-thinking. It provides for:
 - The establishment of a statutory, independent Electoral Commission for Ireland;
 - The modernisation of our electoral registration processes;
 - The regulation of online political advertising around electoral events; and finally
 - Measures which would assist with holding an electoral event safely, should Covid-19 restrictions be in place.
- Some of these reforms are a long time coming:
 - For example, an Electoral Commission has been a fixture in Programmes for Government for many years.

- We live in an evolving society. With the advent of new technology, changes in living patterns, and changes in how we receive information, there has been a need for some time to regulate new media formats, and ensure that our people have transparency around online political advertising which may influence how we vote.
- We can also harness new technology to bring about a more secure, accurate and user-friendly electoral register.
- In addition, it is responsible and prudent to consider how we would run an electoral event with Covid-19 restrictions in place. I have been working with officials to make the necessary provisions.
- I'd like to briefly bring you through each element of this General Scheme:

Firstly, the Electoral Commission;

- The Commission which I'm proposing to establish will bring about a more cohesive and efficient administration of electoral functions in Ireland.
- It will address challenges which we currently face, and it will be a bulwark which protects and enhances our electoral system into the future.
- It will be independent of Government and will report directly to the Oireachtas.

- The Commission will have seven members – a mix of public officials experienced in electoral functions and experts who will be recruited through a public PAS process on the basis of their skills and experience.
- It will be an organisation of substance, taking on a broad range of new and existing statutory functions. These include:
 - A new policy research and advisory function to inform and advise both the Government and the Oireachtas on electoral issues.
 - The Commission will have a voter education and awareness function, working to increase participation in our political processes
 - It will have a monitoring role in respect of the modernised electoral register.
 - The Commission will have responsibility for the regulation of online political advertising, which I will come back to.
 - Lastly, the Commission will take on several existing statutory electoral functions from other bodies, including the work of:
 - The Referendum Commission;
 - The Registrar of Political Parties;
 - The Constituency Commission; and
 - Local Electoral Area Boundary Committees;
- The Commission will be established by the end of this year, in line with the Programme for Government commitment.

Electoral Register Modernisation

- The General Scheme lays the foundations for a modernised Electoral Register. This ambitious project will deliver:
 - a single, continuously updated or 'rolling' electoral register;
 - the simplification of forms and processes, including the gradual rollout of optional online registration;
 - a central national Electoral Register Database;
 - the use of PPSNs as part of a data verification process;
 - provision for anonymous registration for persons whose safety may be at risk if their name and address were to be published; and
 - the pre-registration for 16 and 17 year-olds.
- Overall, it will make the process of registering to vote more accessible and streamlined.
- The register will continue to be administered by local registration authorities – as I said, the Commission will oversee its management and operation.

Regulation of Online Political Advertising:

- In terms of the regulation of online political advertising, in recent years, we've been hearing more and more about the spread of disinformation in the run up to electoral events. We have heard concerns raised and debated, both nationally and internationally, on its prevalence online, and its potential to damage trust in our electoral processes and undermine our democratic institutions.
- To ensure that our elections remain free from hidden influence, I am legislating for the compulsory labelling of online political advertisements during electoral periods. This will ensure transparency during the run up to electoral events.
- This labelling will provide a link to certain information for the electorate, in a transparent and conspicuous manner, on who is behind the advertisement and why they are being targeted. The General Scheme sets out that such information must be displayed in a transparency notice clearly linked to the advertisement.
- This will mean that the rules which currently apply to the more traditional forms of advertising will be extended into the online advertising space.

COVID-19 Voting:

- Lastly, this General Scheme will include measures to assist with the holding of electoral events where Covid-19 restrictions are in place. These include:
 - conducting a poll over two days to facilitate social distancing; and
 - providing a postal vote for those on the special voters list, should nursing homes and similar institutions be inaccessible.

Conclusion:

- The principal reform measures set out in this General Scheme are founded on political consensus and public support which have been built up over several years, through reports and public consultations. The 2016 *Report of the Oireachtas Joint Committee on the establishment of an Independent Electoral Commission* has been of particular benefit in framing the provisions. The establishment of the Electoral Commission and the modernisation of the Electoral Register will see many of the recommendations that were set out in that Report come into effect.

- I will repeat that many of these reforms are long-promised. We have an opportunity here to address long-standing electoral issues and put our system on a stronger footing. The progression of this legislation is timely; the next scheduled electoral events to take place throughout the country are in 2024 – we have a great opportunity to have each of these electoral reforms in place and firmly bedded down over the intervening period.
- I am very happy to work with the Committee in this process and look forward to a constructive discussion today.
- Thank you.