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# Submission to the Committee on Housing, Local Government and Heritage on the General scheme of the Electoral Reform Bill

March 2021

## Introduction

Founded in 1973, the National Women's Council (NWC) is the leading national women's membership organisation. We represent and derive our mandate from our membership, which includes over 190 groups and organisations from a diversity of backgrounds, sectors and locations across Ireland. Our mission is to lead and to be a catalyst for change in the achievement of equality for women. Our vision is of an Ireland and of a world where women can achieve their full potential and there is full equality for women.

We welcome the opportunity to make this submission to assist the committee at this pre-legislative scrutiny stage on the establishment of the Electoral Commission. The numbers of women in politics matter. In a representative democracy, it matters who represents us, and what they represent. Women's representation is essential to the quality of our democratic processes. This is because principles of justice and equality dictate that a representative government should constitute a microcosm of the larger society in terms of gender, class, age, minorities, disability and so on. The under representation of any of these groups weakens democracy as their interests are at risk of being marginalised or ignored. Women make up the largest group who are currently vastly under-represented in Irish political institutions, government and political parties. NWC believes that the Electoral Commission can contribute to addressing and challenging these systemic gender inequalities still evident in Irish political institutions.

## Observations

We welcome the Electoral Reform Bill in its intention to deliver a much needed centralised and professional structure to provide for the needs of citizens, candidates, political parties and the media. Its responsibilities and obligations to uphold democratic values should be clearly outlined including ensuring that electoral politics delivers for women. Equality, diversity and inclusion should be clearly evident across all its functions and responsibilities including broadening the scope of the functions currently outlined in the General Scheme. These should include the promotion of equality, diversity and inclusion within the Electoral Commission itself, across all its policies, procedures, processes and practices, specifically

- Promoting gender balance in political life and in electoral contests including necessary change to support women's access to elected office,
- using their broad policy role to engage groups facing barriers in participating in the electoral system and safeguarding equity of access for all including Travellers, young people, disabled people and people from minority ethnic backgrounds.
- creating conditions for safe and fair elections, electoral competition and electoral communications (online and offline).

We note the following and welcome their inclusion;

1. Recognition of the need for anonymous registration where a women's safety due to experience of intimate partner violence may be compromised by their name and address details being publicly available.
2. The inclusion of a proposal to register young people aged 16 and 17 in schools before they become eligible to vote.
3. Ensuring an equitable balance between women and men as members of the commission.

## Promoting political participation

### Encouraging and supporting candidacy

Research demonstrates that women face numerous barriers in running and getting elected to local (and national) office in the Republic of Ireland. As a result, women remain under-represented in the ranks of local councillors, as indeed they are in national politics. Women accounted for 21% of councillors elected in the 2014 local elections and this figure increased only marginally to 24% in 2019 (226 women councillors). At least 69 co-options have occurred since the 2019 local elections and women have filled 37 of these vacancies. Only seven out of thirty-one local authorities have achieved a critical mass of 30% women councillors. This is below the EU average of 32% for women's representation in local and municipal councils. There is also a notable urban-rural divide in the likelihood of women being selected and elected for local office in Ireland, with councils representing urban and suburban communities generally more gender-balanced than predominately rural areas. Gender quota legislation targeting the proportion of female candidates has been in place for Dáil elections since 2012, but government has yet to implement similar quota measures for local elections. Alongside other measures, a proven successful mechanism for increasing representation is the implementation of quotas.

In the most recent Local Elections 2019, while more women ran, they still only brought the overall percentage of women candidates to 29%, with strong differences between urban and rural areas. Significantly, the two largest parties, Fianna Fáil and Fine Gael, failed to run 30% women as candidates.

The United Nations Committee on the Elimination of Discrimination Against Women 2017 report recommended "that the State party increase the use of temporary special measures, including statutory quotas, in all areas covered by the Convention in which women are underrepresented, such as in local government elections.<sup>1</sup> People in Ireland acknowledge and recognise that work is needed to address gender inequality in politics. A recent

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<sup>1</sup>[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolNo=CEDAW%2fC%2fIRL%2fCO%2f6-7&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolNo=CEDAW%2fC%2fIRL%2fCO%2f6-7&Lang=en)

Eurobarometer survey found that 72% of people in Ireland think there should be more women in political decision-making roles and 79% are in favour of legal measures to ensure gender equality in politics.<sup>2</sup> In order to deliver on commitments in the Traveller and Roma Inclusion Strategy, specific measures are to be put in place to improve the participation of Traveller and Roma women in political and public life.

Fifty-one countries in the world have some sort of legislative quota for local government. The introduction of gender quotas in local elections has seen some success internationally. In a recent study of forty-one countries, fourteen introduced mandatory quotas at the local level. These countries have more women elected at the local level (32% versus 28% in countries with no quotas) but, more importantly, have witnessed greater progression on average (+9% compared to +4%).<sup>3</sup>

NWC believes that the Electoral Commission would be suitably placed to oversee a candidate selection quota at local level of 40% for the Local Elections 2024 which would include geographical targets. This would require the Oireachtas to extend the legislative gender quota to Local Elections by amending the Electoral Act 1997, Art 17 Sec 3, to allocate state funding to qualified parties based on their first preference vote at the preceding general election and the preceding local election (e.g. 60-40 split). This would allow for a minimum 40% gender quota for the 2024 local elections We note that this issue has not been addressed in the General Scheme.

#### **RECOMMENDATION**

**The Electoral Commission adopts as part of its functions a role to oversee the extension of gender quotas to local government elections.**

#### **Safety and dignity for women in political life**

We support the call from the Irish Human Rights and Equality Commission and the United Nations Committee on the Elimination of Racial Discrimination that the Commission take on

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<sup>2</sup> European Commission (2017). Eurobarometer on Gender Equality. [https://ec.europa.eu/ireland/news/79-per-cent-of-Irish-people-in-favour-of-legal-measures-to-ensure-gender-parity-in-politics\\_en](https://ec.europa.eu/ireland/news/79-per-cent-of-Irish-people-in-favour-of-legal-measures-to-ensure-gender-parity-in-politics_en)

<sup>3</sup> CCME Women in Politics Local and European Trends(2020)

a role in developing standards in political discourse that are free from discriminatory rhetoric and hate speech. Another challenge to women's political engagement is a growing concern in the rise of online abuse and how this impacts their lives in many ways. It can have a chilling effect, leading to women turning away from political life because of these difficulties, which risks widening the gap in gender representation.<sup>4</sup> Women politicians have experienced a high degree of threats of physical and sexual violence online, this affects their mental health, their families, and their decisions around safety while canvassing or attending large public gatherings.<sup>5</sup> This can be particularly acute for minority women candidates and younger women experiencing both racism and sexism both directly and through social media. For women from minority backgrounds, sexist abuse is often compounded by issues such as racism and homophobia. This hostile environment threatens women's participation, silences their voices and also has wider implications for democracy when women do not run for office out of fear of being abused and harassed online.

#### **RECOMMENDATION**

**The Electoral Commission develops standards in political discourse that are free from discriminatory rhetoric and hate speech**

**The Electoral Commission advocates for actions and regulatory functions for social media companies to ensure they take online abuse seriously and are proactive in tackling it**

#### **Funding for political parties**

Political parties have received substantial funds from the tax payer, one of the aims of this funding is for the promotion of women in politics. More transparency is necessary in relation to party expenditure on women's participation. This could be widened to include a specified amount dedicated to promote women's participation, a gender and equality audit of parties in relation to officer roles and membership and robust reporting with includes

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<sup>4</sup> <https://www.irishtimes.com/news/politics/online-abuse-turns-female-politicians-off-politics-european-ombudsman-says-1.4185716>

<sup>5</sup> <https://www.amnesty.org/en/latest/research/2018/03/online-violence-against-women-chapter-3/>

targets and detail on progress made publicised. In 2018, of the 5.9 million that political parties spent, just 3.5% of this was spent on measures to promote women in politics.<sup>6</sup> Political parties' activities in terms of their candidate recruitment and selection process must be continually monitored and reassessed to ensure that progress continues.

#### **RECOMMENDATION**

**The Electoral Commission develops improved and increased monitoring of expenditure of political parties related to promoting women's participation to ensure it is impactful and that progress is being made.**

#### **Funding for civil society**

NWC notes that the provisions relating to political advertising will also apply to 'third parties' so defined under the Electoral Act, and believe that it is essential that definitions of what constitutes 'political advertising' under the Electoral Reform Bill must be aligned with the existing definition of 'political purpose' in the Electoral Act.

In this regard, it will be essential that the proposed Electoral Reform Bill also takes into account the amendments to the Electoral Act set out in the Electoral (Civil Society Freedom) (Amendment) Bill which is also before the Oireachtas at present. This is an issue on which the Coalition for Civil Society Freedom of which we are a member, has set out a detailed position.<sup>7</sup>

#### **RECOMMENDATION**

**The Electoral Reform Bill adopts the amendments to the Electoral Act set out in the Electoral (Civil Society Freedom) (Amendment) Bill in order to protect the legitimate advocacy role of civil society organisations.**

<sup>6</sup> <https://www.sipo.ie/reports-and-publications/state-financing/expenditure-of-exchequer/Exchequer-Funding-of-Political-Parties-2018.pdf>

<sup>7</sup> <https://www.iccl.ie/wp-content/uploads/2018/10/Coalition-for-Civil-Society-Freedom-statement-on-Electoral-Act.pdf>

## Voter turnout, education and participation

There are many people in Ireland interested in participating in democracy and having their voices heard. There should be no obstacles to electoral participation. While there are few studies that indicate that there is a gender gap when it comes to voting in elections in general, research by Filip Kostelka, André Blais and Elisabeth Gidengil in Canada indicates that while women turn out in equal numbers in national elections, they turn-out less for second order elections like local elections or supranational elections.<sup>8</sup> The same has been found in relation to European elections.<sup>9</sup> Specific focus should be paid to people living in congregated and or institutional settings such as women in prison, in long term care and living in direct provision centres or emergency accommodation to remove any barriers to registration and voting. The requirement to present documentation to a local Garda Station can act as a barrier for some communities in getting on the electoral register so provisions for a rolling register must ensure that they are not disenfranchised.

### RECOMMENDATION

**The Electoral Commission should monitor voter turn-out in general and by demographic e.g. by gender and age and this information should inform the strategy in relation to voter registration information and voter registration drives.**

### Contact

Catherine Lane  
National Women's Council of Ireland, 100 North King Street, D7

E;catherinel@nwci.ie  
Tel: 01 6790 100

<sup>8</sup> <http://www.democraticaudit.com/2019/01/03/has-the-gender-gap-in-voter-turnout-really-disappeared/>

<sup>9</sup> <https://euobserver.com/eu-election/143867>