

FINAL REPORT

Ireland Referendum on the 36th Amendment to the Constitution (Abortion) 25th May 2018



Dr John Ault
20th July 2018

Ireland Referendum – May 25th 2018

Final Report on Election Observation of Voting

Objectives

1. To objectively observe the electoral process across the Republic of Ireland.
2. To advise the local returning officers and national electoral bodies on the results of the observation for the improvement of electoral practice within Ireland.
3. Support local returning officers, councils and national election bodies with constructive feedback on areas of concern so that they may consider them as part of their own reviews and potential plans for improving the voting process.

Methodology

In advance of the referendum several visits were made with local and national interlocutors (listed in Appendix A). These gave a useful background to the referendum for the team. Democracy Volunteers deployed teams across the following constituencies in the Republic of Ireland for the referendum:

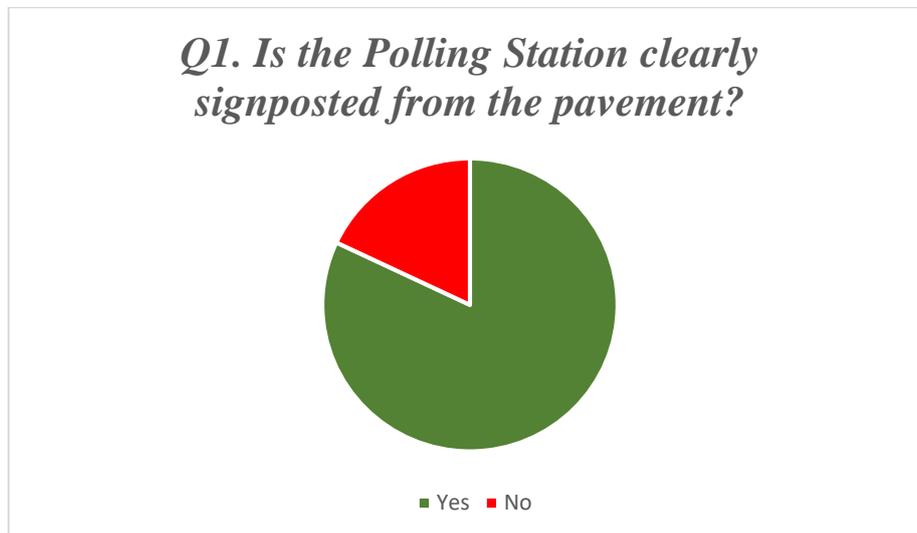
Galway West, Galway East, Cork North Central, Cork South Central, Dublin Fingal, Dublin Mid-West, Dublin South-West, Dun Laoghaire, Dublin Central, Dublin South Central, Dublin Bay South.

Twelve observers were deployed in total with the team. The number of polling stations visited differed between the constituencies. 175 ballot boxes were observed in the polling stations that were visited in total.

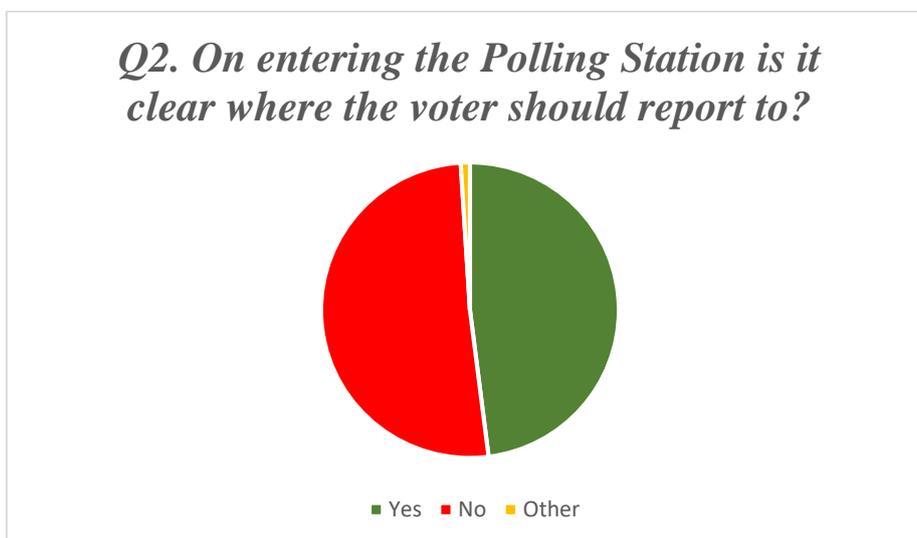
Observers attended polling stations in teams of two. This started with the opening of polls at 7am and ended at 10pm. Observations lasted no less than 30 minutes and no more than 45 minutes per polling station. On exiting the polling station, the two observers completed an online form with their immediate report of their observations at that polling station.

Results of the Observation

The observers answered the following questions in order as they progressed with each observation at each polling station:

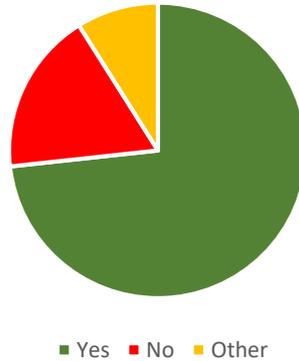


QUESTION 1: Signposting of the polling stations was generally good but, in some areas, this was less than obvious. Often signs were no more than a sheet of A4 paper. Greater thought could be exercised when signposting stations as this may affect newer and younger voters if they are not fully familiar with local voting arrangements.



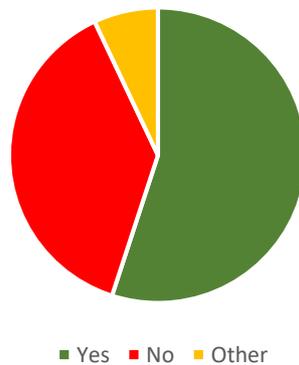
QUESTION 2: Observers identified significant issues in terms of where voters should report in the polling stations. This was often because there were numerous ballot boxes in some polling stations. In one case observers saw 12 ballot boxes in one polling station and this did lead to some considerable confusion over where voters should report to receive their ballot paper.

Q3. Was it clear how disabled voters would access the Polling Station?



QUESTION 3: 73% of observations indicated that access to the polling station was clear. Another 9% suggested that some aspects of the polling station were inadequate and 18% were unsuitable for disabled access.

Q4. Did the polling staff for your letter of accreditation on arrival?

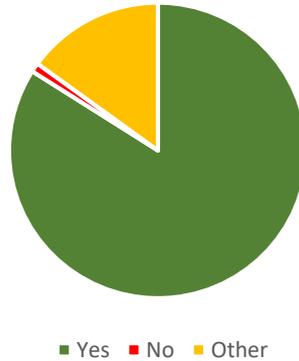


QUESTION 4: Polling staff were generally not aware that observation teams might be operating across the constituency, even though accreditation was via local returning officers.

55% of observers had their credentials checked on arrival at the polling station. However, 38% did not check the ID of observers on arrival at the desk in the polling station.

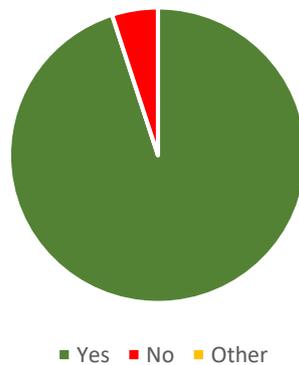
More importantly, often observers were excluded from polling until higher authority was granted from the local returning officer and in more than one occasion the Garda was required to adjudicate as to whether accredited observers should be granted access to polling stations – even though they were in possession of official accreditation.

Q5. Are there two staff on duty in the polling station as you arrive?



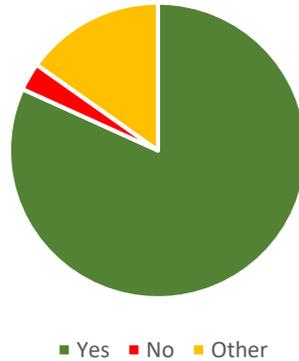
QUESTION 5: 84% of polling stations had two members of polling staff on duty as observers arrived at the polling station. Often staff were busy on other duties which explains that 15% did not have two staff on arrival – but for the bulk of each observation they did.

Q6. Is the Ballot Box clearly sealed with the padlocks provided?



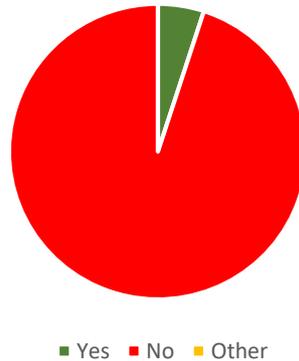
QUESTION 6: An important aspect of the electoral process is that the ballot should be secret and maintained as such allowing no one access to the ballot papers. The process for closing and sealing a ballot box, from the opening of the polls at 7am and closing at 10pm was observed. All the ballot boxes observed were sealed. However, on 9 occasions ballot boxes were not sealed as per the prescribed manner. The process for sealing ballot boxes in Ireland required presiding officers to demonstrate that the keys to the padlock which they are associated is also out of use. On several occasions it would have been possible to use the keys to unlock the padlock, and as such we have described them as incorrectly sealed.

Q7. Is each polling booth equipped with an explanatory poster and a pen/pencil?



QUESTION 7: 18% of the polling stations were not properly equipped with the requisite pencils and posters in each polling booth.

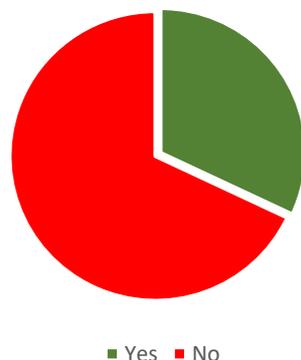
Q8. Are there any political leaflets in sight within the Polling Station?



QUESTION 8: This question was asked primarily to elicit whether improper political activity was taking place within the polling station.¹ On several occasions observers identified literature within the polling station which was biased towards local political parties but not specifically towards either side of the referendum.

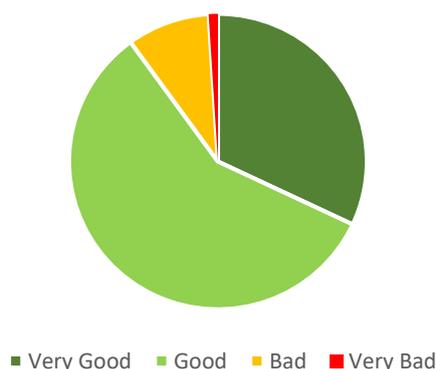
¹ This question did not just relate to literature specific to this election but observers were also asked to identify if other literature, such as TD or councillors' surgeries were on public display – advertising the names of candidates and/or parties.

Q9. Was there evidence of 'family voting' in the polling station?



QUESTION 9: In 32% of polling stations, our observer team identified so-called ‘family voting’. 7% of all voters observed were directly involved in ‘family voting’. This was predominantly family members sharing polling booths, several spouses viewing the voting intentions of their spouse or direct collusion. We observed one voter casting his own ballot and that of his female companion. The OSCE/ODIHR, which monitors elections within the Republic of Ireland, describes ‘family voting’ as an ‘unacceptable practice’.² It occurs where husband and wife voting together is normalised and women, especially, are unable to choose for themselves who they wish to cast their votes for and/or this is actually done by another individual entirely. In some circumstances this was prevented but often it went unnoticed because staff had very busy polling stations to deal with.

Q10. Overall how do you rate the quality of this polling station?



QUESTION 10: Observers were asked for an overall rating of the polling station they had attended. 47% of polling stations were reported to be ‘Very Good’, 32% ‘Good’, 58% ‘Bad’ 9%, and 1% were ‘Very Bad’.

² <http://www.osce.org/>

COMMENTS AND CONCLUSIONS

This was a very well-run referendum. Access to voting was clear and officials dealt well with the process. Nationally authorities were very welcoming and helpful to the observer group and made the process of introduction and accreditation clear and simple. We would especially like to thank staff at the Department of Housing, Planning and Local Government for their assistance and guidance. We would also like to thank individual returning officers for their help in agreeing to our attendance in their constituencies.

As with several recent elections that Democracy Volunteers have observed we continue to be concerned about the levels of ‘family voting’ at polling stations.

Our observer team saw ‘family voting’ in 32% of the polling stations attended which, bearing in mind the team records all the voters who attend polling stations, means that 7% of all the voters who attended polling stations were involved in this practice.

We would recommend that officers, and the presiding officers, take time to be aware of this and intercede when they see this. Evidence, as provided by the OSCE/ODIHR, suggests that this practice most affects women voters as the secrecy of their ballot is restricted.

RECOMMENDATIONS

1. Returning Officers should make their polling staff aware that observers may be present in the constituency. (This should be simple in Ireland as returning officers are those who grant accreditation to observers and are given advanced knowledge of their presence).
2. Returning Officers should assess the signposting of polling stations more carefully.
3. Returning Officers should alert polling staff that ‘family voting’ should be monitored and staff should be encouraged to prevent this when they observe it taking place.
4. Some polling stations have a large number of ballot boxes. Logistically it may not be possible to have more public buildings available for polling day, however it can lead to confusion amongst voters as to which desk to report to and consequently which ballot box to place their vote in. As such, we recommend that clearer delineation be made between the different ‘polling stations’ within one building and/or room. This could also be improved by combining ballot boxes to have larger electorates.

APPENDIX A – INTERLOCUTORS

Department for Housing, Planning and Local Government:

John Paul Phelan TD (Minister of State for Local Government and Electoral Reform)
Barry Ryan (Referendum Returning Officer)
Ian Stuart-Mills
Paris Beausang

Local Authorities:

James C. Barry (Dublin City returning officer)
Office of Fergus Gallagher (Dublin County Returning Officer)
Office of Marian Chambers Higgins (Galway Returning Officer)
Office of Martin Harvey (Cork City Returning Officer)

Campaigns:³

Deirdre Duffy (Campaigns Manager - Together for Yes)

³ We did attempt to meet with various No campaigns (The Iona Institute and Save the 8th Campaign), however, neither was able to make time to meet us in the week we were deployed in Ireland.