

BALLOT PAPER DESIGN: ADDRESSES OF CANDIDATES ON THE BALLOT PAPER

Research Report

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Introduction

Under the *Electoral Act 1992* candidates seeking to run for election to the Dáil must provide an address on the nomination paper, which is subsequently published on the ballot paper along with the candidate's name and occupation (if any), and party affiliation (or non-party) and photo (if desired). The address requirement is replicated in legislation providing for other electoral events and it has been a feature of the Irish electoral process since the foundation of the State (and provided for previously under an 1872 Act).

There have been calls to end or reform this practice on the basis that displaying a candidate's address on the ballot paper can place a candidate's safety and personal privacy at risk in the context of an increase in reports and threats of harassment, abuse and intimidation (HAI) of candidates and public representatives. The risk is not only a concern for the candidate but for the safety and privacy of their families and any others with whom they may reside. This was acknowledged during a Dáil debate on the issue in November 2023: "families and others are not standing for elected office, and these are their homes too."

A number of respondents to An Coimisiún Toghcháin's *Draft Research Programme* 2024-2026,² including the (then) Minister for Housing, Local Government and Heritage and the (then) Minister of State for Heritage and Electoral Reform, suggested that this topic be further explored, and it was the subject of one of twelve recommendations in the Report of the Oireachtas Taskforce on Safe Participation in Political Life (2024).³ It has been the subject of a Private Members' Bill (2024),⁴ which proposed to remove a candidate's address altogether from the ballot paper, and of an opposition amendment, not ultimately adopted, to the *Electoral Reform Bill* 2022 which proposed to replace address with a more general indicator of location.⁵

This *Research Report*, which is being conducted under An Coimisiún's powers provided by s.64 of the *Electoral Reform Act 2022*,⁶ explores the case for reforming the legislation and practice on the content of a ballot paper pertaining to candidate addresses. It is set out in four parts.

<u>Part 1</u> describes the historical and current legislative context including the purpose of requiring a candidate's address. It is noted **that while many candidates do provide a home address**, **the legislation does not explicitly define the term address**, or identify the particularity with which it must be identified. It appears that there is a degree of flexibility in practice about how complete or precise an address must be.

<u>Part 2</u> describes the issue that has given rise to calls for reform – the nature of harassment, abuse and intimidation experienced by electoral candidates and public representatives in Ireland – and considers whether a connection can be said to exist with the public availability of a candidate's address during the election process.

Part 3 then explores the extent to which there are benefits in continuing this practice.

<u>Part 4</u> evaluates the arguments for ending, reforming or retaining the current practice and, drawing on the analysis, sets out some possible reforms for An Coimisiún's consideration and, if adopted as recommendations by An Coimisiún, for the ultimate consideration of the Minister for Housing, Local Government and Heritage and the Government.

The evaluation is informed by four key principles – (i) promoting integrity in validating nominations for election, (ii) protecting the personal safety and privacy of candidates, (iii) preserving transparency and the features of local representation valued by voters (the electorate), and (iv) ensuring consistency in application of the address requirement for all candidates in so far as is possible.

The evidence on which we draw is fully referenced, as are the legislative framework and parliamentary debates. Our research involved an analysis of existing studies, in particular the political science literature concerning voter behaviour and the relevance or otherwise of local issues in Irish electoral contests; survey data on and other insights into harassment, intimidation and abuse of electoral candidates and public representatives in Ireland; an analysis of the legislative context in other relevant jurisdictions; and a focused consultation with political parties, returning officers, and a number of other stakeholders and interested parties who responded to the open consultation during February 2025 (described in Appendix 4).

1. The original and current legislative provisions

Candidates' addresses have appeared on every Dáil, Seanad, local, European Parliament and presidential election ballot paper since the foundation of the State.

The origins of displaying candidates' addresses on the ballot paper lie in the *UK Parliamentary and Municipal Elections Act 1872*. The 1872 Act, known as the Ballot Act – as it introduced the secret ballot for the first time – provided that a candidate must give his or her abode on the nomination form, from where it was transferred to the ballot paper. The reason appears to have been to allow the returning officer (who is responsible for managing the electoral process) to sufficiently verify or ascertain the identity of the candidate. This provision was retained, although worded slightly differently, in subsequent UK legislation; the UK *Representation of the People Act 1949* required "place of residence" and the UK *Representation of the People Act 1983* required "home address in full." This latter change was reportedly to "remove ambiguity" and it would have consequences that are very relevant to this analysis (see Appendix 2).

The provisions from the 1872 Act were carried over into Irish legislation after independence. *The Electoral Act 1923*, which provided for the conduct of general elections and (then) Seanad elections, used the wording from the 1872 Act (Rule 6, Schedule 1) stating that:

"Each candidate shall be described in the nomination paper in such manner as in the opinion of the returning officer is calculated sufficiently to identify such candidate; the description shall include his names, his <u>abode</u>, and his rank, profession or calling, and his surname shall come first in the statement of his name."

The 1923 Act further states that:

"Every ballot paper shall contain a list of the candidates described as in their respective nomination papers...."

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The fundamental design and content of today's ballot paper is very similar to that provided for in Schedule V of the 1923 Act, although amendments have been made – namely to include a candidate's party affiliation (1963) and to include photos (1999) and party emblems (2000) (Box 1).

The Electoral Act 1992

Box 1: Amendments to the ballot paper
The *Electoral Act 1963* officially recognised candidates' party affiliations for the first time and provided that this was to be included on the ballot paper. ¹³ Photographs of candidates were added to ballot papers in 1999 (first for the European election), and this was followed shortly in 2000 by the inclusion of party logos, the latter intended to "counteract a possible increase in candidate-centred evaluations arising from the photographs." These latter changes were intended "to make the act of casting a ballot more 'voter-friendly' at a time of declining turnout." ¹⁴

currently provides for the conduct of general elections and its provisions in respect of the candidate's address are replicated in legislation for other electoral events (Box 2). While it repealed the 1923 Act, it retains the logic of the legislative framework from earlier provisions on the nomination process.

Box 2: Relevant sections of legislation (as amended) for all electoral events.

- European Parliament Elections Act 1997 Rules 5,50.
- Local Government Act 1995 Articles 14.51.
- Presidential Elections Act 1993 s.15,16,17,37.
- Seanad Electoral (Panel Members) Act 1947,s.31,47.
- Seanad Electoral (University Members) Act 1937* s.16,20.

*The Acts concerning the Seanad retain the wording from the 1923 Act set out above.

provided as set out in the Act) (s.46(5-6)).16

Under s.46(3) and (4), each nomination paper must state the "names (the surname being stated first), and the address, the occupation (if any) and the gender¹⁵ of the candidate," and may state a candidate's party affiliation or 'non-party.' If stating a party affiliation, a certificate of party affiliation must be provided by the candidate and there are further, specific requirements for a candidate's nomination where he or she is not affiliated with a party (either a deposit or thirty signatories

Under the Act, a candidate's description – name, address, occupation and party/non-party (if included) – on the nomination paper is subsequently made public on three occasions: outside the place where nominations are received following the validation of the nomination paper (s.53),¹⁷ in the Notice of Poll (s.87) and on the ballot paper which is itself prepared in accordance with the directions set out in s.88(2) and Schedule (4) of the Act. The ballot paper must include:

- "the names and descriptions of the candidates standing nominated at the election, <u>as shown in their respective nomination papers</u>." ¹⁸

Figure 1: Public display of a candidate's address once entered on the nomination paper



The 1992 Act is prescriptive about the contents of the ballot paper in some respects. For example, it clearly sets out the order in which the candidates are listed on the ballot paper, the font sizes for the name and description and party affiliation/non-party, as well as the template for how they appear on the ballot paper. But the Act,

while it does require that an address be included both on the nomination paper and then on the ballot paper, is not prescriptive about the precise detail of the candidate's address which must appear. Neither do the provisions on the nomination paper define what is meant by a candidate's address, except that under s.52 a returning officer must object to a candidate's description – address, occupation (if any) and party/non-party (if desired) - if it is "incorrect, insufficient to identify a candidate or unnecessarily long....". ¹⁹ This suggests that the provision of an address is for the purpose of identification of a candidate.

Nowhere does the legislation provide however that the address must be a full home or full personal address.

While in practice many candidates provide a home address on the nomination paper, there appears to be a perception that home address is "a requirement" or "of benefit to" a candidate/voter. As noted above the legislation does not require a "home address in full" (as did the equivalent UK Act until 2009 – see Appendix 2). The provisions thereby appear to afford a measure of discretion to returning officers during the nomination process as to the precision required of a candidate's address, and the test is that the returning officer is satisfied that the description is correct and sufficient to identify a candidate. The implications of this are considered in Part 4 of this Report which describes the current practice and evaluates the case for reform.

In sum, the appearance of a candidate's address on the ballot paper is a century-old practice currently set out in the 1992 Act for a general election. Similar provisions exist for other electoral events. Three aspects of the legislative framework are of particular significance to our analysis of reform options which are evaluated in Part 4 of this Report.

- 1. It is evident from the earlier and current legislation that a candidate's description serves the purpose of allowing the returning officer (who is responsible for managing the electoral process) to sufficiently verify or ascertain the identity of the candidate. It would appear that providing for its transfer to the ballot paper was intended to allow voters to do the same.
- 2. The nomination paper and the ballot paper are inextricably linked which means that the candidate's address on a nomination paper is reproduced publicly in a number of places including on the ballot paper.
- 3. Returning officers are given a degree of discretion as to what is acceptable as a candidate's "address" on the nomination paper provided that it enables the returning officer to rule on the validity of the nomination. And, as described in Part 4 below, this discretion has been used in cases where candidates are fearful of publicly disclosing their address.

Any proposal to amend the legislative provisions on how nominations are received and validated, and concerning the contents of a ballot paper, must take these aspects of the legislative intent and purpose into account.

The safety concerns associated with the address provision are next presented, after which the possible benefits of including a candidate's address are set out (Part 3).

2. The issue: harassment, abuse and intimidation (HAI) of candidates

Is harassment, abuse and intimidation (HAI), or the threats of these, increasingly prevalent in Ireland's democracy and politics and how does it present? Does it affect political behaviour and is it disproportionately experienced by certain types of candidates or public representatives? And what, if any, is its connection to the ballot paper address requirement as set out in the Electoral Act 1992 and associated legislation?

The survey evidence reviewed for this study (set

Box 3: Harassment, abuse and intimidation of candidates

The harassment, abuse and intimidation (HAI) of candidates or public representatives can be physical or psychological and includes actions such as violence, threats,²² 'hate speech, doxing, and the deliberate circulation of false information.'23 24 As well as harming and violating the personal integrity of candidates and public representatives, it undermines the integrity of the electoral and democratic process if it affects behaviour e.g. by forcing a political actor to self-censure, or to avoid full participation or engagement in a campaign or a debate, or by deterring incumbents or newcomers from seeking election. Further, if it is very differently or more frequently experienced by a certain type of candidate, such as a candidate with certain demographic or socio-economic characteristics, it may introduce systematic obstacles to participation in elections, reducing inclusion and diversity and weakening representative democracy.

out in more detail in Appendix 3)²⁵ suggests that harassment, abuse and intimidation (HAI) during a campaign is not the norm for all candidates,²⁶ but that it is certainly experienced by some.

Psychological abuse (such as spreading of lies or promoting a campaign to discredit a candidate or public representative) is more common than physical abuse, and abuse is more frequently directed online than in person. This suggests that HAI, while not new, ²⁷ manifests itself differently in the 21st century as online communication tools have opened up new, and easily accessed and used, channels for harassment. ²⁸ And with respect to online harassment, there is some evidence from international studies that high levels of abuse online can translate into a greater tolerance of abusive behaviour offline. ²⁹

While incidences of direct physical violence against candidates or political actors appear to be relatively rare, they do happen and there have been a number of highprofile incidents during recent campaigns.³⁰ In addition, violence has been targeted indirectly through damage to property and posters,³¹ threats of physical violence (experienced by 53% of parliamentarians who responded to a survey in 2024)³² and threatening behaviour such as the relentless contacting or following a candidate/politician. Documented incidents at an electoral candidate's or public representative's home are rare, but they have been reported and 8.8% of responding councillors in 2023 said their privacy at home or in another private place was invaded.³³ 26% of those responding to a survey of Oireachtas members reported that a person loitered around their home or workplace³⁴ (survey response rates were

23% and 28% respectively). 11% of local and 12% of general election candidates responding to a Coimisiún na Meán survey received online threats to kill or seriously harm them in 2024³⁵ and a small number of candidates interviewed "recounted instances where online harassment transitioned into real-world intimidation, with opponents or critics appearing at their homes or workplaces."³⁶

Concerning whether certain types of candidates disproportionately experience HAI, the limited research that has compared abuse directed at male and female candidates in Ireland, found that female candidates were 1.27 times more likely to experience HAI than male candidates (2019/2020 study).³⁷ The same study found that younger candidates were 1.38 times more likely than older candidates to experience abuse.³⁸ International studies and a study conducted by Siapera et al. (2024) show that while the overall levels of abuse may not differ hugely between male and female actors, the content of abuse directed at female political actors tends to be different, as they experience "substantially higher levels of abuse that is sexual, sexist and/or degrading in nature."³⁹ And there is evidence to suggest that candidates from a migrant background experienced more harassment, intimidation and abuse in the 2024 local election than other candidates.⁴⁰

The survey evidence suggests that experience of HAI would prompt at least some political actors to consider withdrawing from politics. And 45% of 61 parliamentarians who responded to the Siapara et al survey in 2024 indicated that they would hesitate to come forward publicly with a particular opinion because of their experience. Insights from qualitative studies would support these findings. The experience of online abusive behaviour affected how some candidates conducted their campaigns in 2024. It caused some to avoid engaging with specific issues or policy areas and for a small number of candidates, the experience caused them to restrict their inperson campaign to areas where they feel safe (12% of 101 candidates in local elections and 8% of 38 candidates in the general elections).

Regarding the relationship between a fear of HAI and the legislation and practice on the inclusion of an address on the ballot paper, we are cognisant of the many dimensions to an adequate policy response to harassment, abuse and intimidation, and in particular of measures being taken by An Garda Siochána and Coimisiún na Meán (Box 3). Removing a candidate's address from the ballot paper in isolation is unlikely to address HAI or fear of HAI.

In many respects, it is the change in the accessibility of candidates' addresses due to technological developments, as well as an increase in reports of HAI, that has brought this issue to the fore. During a debate on a Private Members' Bill (2024) which proposed to remove the address altogether from the ballot paper, it was argued by the Bill's sponsor that disclosing an address in the 1930s and 1940s was very different to disclosing an address today where "the likes of Google Maps and online search engines makes it far easier for specific locations to be found." 44

A similar point is raised in a report published by the Association of Irish Local Government (AILG) – that in pre-internet days, the information from nomination papers was displayed locally for a limited time, and the ballot paper was seen once in print inside the polling station. Therefore, it was harder for people to access an

address and less likely that an opportunist would come across it easily.⁴⁵ The point is that, while there is no direct evidence that addresses are harvested from ballot papers,⁴⁶ if a home address is on a ballot paper available online, it is easy to access it. Most submissions received by An Coimisiún say that candidates who have safety concerns about running for office would have reservations about displaying their full address on the ballot paper.

In this respect we conclude that the legislative provisions which provide for a candidate's address on the ballot paper should be examined in more detail (Part 3). When evaluating options for change in Part 4 – whether to remove the address, leave the current practice or reform the current practice – consideration is given to the safety concerns, the legislative provisions and the original purposes of including a candidate's address on the ballot paper and their continued relevance, if any, to the integrity of the electoral process.

Box 4: Measures to address HAI

There are many dimensions to an adequate response to HAI directed at electoral candidates and public representatives.

Some respondents to our consultation expressed the view that measures to address harassment, abuse and intimidation, and its threats to representative democracy, are primarily matters for An Garda Síochána. However, surveys suggest that many who experience HAI do not report it to An Garda Síochána.⁴⁷ Consultation with An Garda Síochána⁴⁸ confirmed that the recommendations by the Oireachtas Taskforce on Safety in Public Life (2024)⁴⁹ have been actioned, and attention was drawn in particular to the liaison officers who are directly contactable by candidates or public representatives following their reporting of an incident of HAI to Divisional Crime Prevention Officers. In further efforts to address HAI, An Garda Síochána and Coimisiún na Mean published an Information Pack for politicians on how to respond to online threats, including deepfakes, racist messages and messages intended to spark protests outside their homes. An Garda Síochána also issued safety guidance for candidates out on the campaign trail. See Her Elected and Women for Election issued Safety Guidance for Candidates in Elections in 2024. 50 And security allowance schemes are in place for TDs and Senators and local councillors.51

The Report of the <u>Oireachtas Taskforce</u> recommended actions by An Garda Síochána (Recommendation 9 (i-viii)), social media companies (recommendation 10 (i-vi)), and the Department of Housing, Local Government and Heritage (regarding funding for adequate security measures for councillors) as well as for political parties and policy makers.⁵² In the UK, the Jo Cox Foundation⁵³ has advocated actions to improve public awareness and political literacy through education and campaigns, and to ensure that costs associated with security are outside the scope of election expenses, as well as active roles for social media companies, political parties and the police.⁵⁴ And Collignon and Rudig who have written extensively on the topic of harassment of and violence against candidates and politicians in the UK advocate for "a triage of actors—candidates, law enforcement, social media companies, parties and policymakers—working collaboratively to create a safer electoral environment."⁵⁵

3. Rationale for candidate's address on nomination and ballot papers

A review of the evidence, including the legislation (Part 1 above), legislative and other debates around efforts to reform this practice in the UK (Appendix 2), studies of voter behaviour in Ireland (below), and the consultation process conducted as part of this research, suggests that there are at least three rationales for including a candidate's address on the nomination and ballot papers.

First, as noted above, a candidate's address is used by the electoral administration to verify the identity of the proposed candidate (and because it is replicated on the Notice of Poll and the ballot paper it can be used by the public for the same purpose). ⁵⁶ A returning officer is obliged (under section 52) to rule a nomination paper invalid if it is "not properly made out or signed," and must object to a nomination paper if a nominee's description (of which address is one aspect) is "insufficient to identify the candidate or unnecessarily long....". ⁵⁷ If a returning officer objects to the description, he or she must consult with the nominee and/or his or her proponent, and the description may be amended. If the description is not amended to a returning officer's satisfaction, the nomination paper is declared invalid.

While returning officers may take slightly different approaches, it remains the case that all returning officers must satisfy themselves about the authenticity, validity and veracity of the information on the nomination paper, and the identity of a candidate.⁵⁸

Secondly, a candidate's address serves the very practical purpose of helping voters to distinguish between candidates with similar or identical names. While rare, there was an incidence of two candidates with identical names in a Dublin constituency at the 2024 General Election. As including a photo on the ballot paper is optional under the legislation, and many candidates do not belong to parties, a candidate's address may be an important distinguishing factor for voters. In displaying a candidate's address the legislation ensures against any potential confusion.

Thirdly, a candidate's address gives additional information to voters. In particular, the display of an address on the ballot paper may give voters information about a candidate's connection to the local constituency.

In a candidate-focused electoral system like PR-STV, particularly in how it operates in Ireland, the local credentials of candidates can be a significant consideration for voters. ⁵⁹ Surveys of Irish voters find the personal and local experience and record of candidates to be important, with a greater proportion of respondents valuing "looking after local needs" over "shares my political views" or "performs well in parliament." ⁶⁰ Opinion polls consistently find that for close to half of all voters, "a candidate looks after local constituency needs" is a key reason for their vote. ⁶¹ Summarising the findings of Irish election surveys and opinion polls over many years, Cunningham and Marsh (2024) write that "a very substantial minority of voters would appear to be candidate-centred rather than party-centred, and the main attribute for a candidate is a belief in his or her competence to look after local interests" i.e. constituency service "is a very important factor in that candidate decision." ⁶² That Irish TDs are generally "well-known and accessible and there is close contact with the electorate" ⁶³ is

reflected in the focus TDs place on representing their constituency in parliament once elected.⁶⁴ Gallagher and Komito, who have studied the behaviour of TDs over many years, write that providing a constituency service and maintaining a strong local connection "keep TDs in touch with constituents and helps to avoid the emergence of a political caste who are removed from the lives of their constituents."

Evidence from an analysis of Irish voter behaviour by transfer patterns confirms the importance of candidate and of geography to the choices made by voters, the latter referred to by political scientists as the "friends and neighbours" effect. ⁶⁶ Using data from the 2020 General Election, Cunningham and Marsh (2024) show that the average vote share of a candidate declines in accordance with the distance between their address and the polling station. ⁶⁷ Submissions to the consultation undertaken for this research similarly observed that people frequently vote for candidates who live in the locality ⁶⁸ and that this information "is a key benefit to voters" and should be available. ⁶⁹ Political scientists who have extensively studied the effect of HAI on candidates in the UK argue that displaying a candidate's address establishes "a fundamental link between the candidate and the people they seek to represent." ⁷⁰ They caution how the fall off in the number of candidates who include their address on the ballot paper from 75% in 2010 to 25% in 2024 breaks this link.

While many respondents to our consultation see a candidate's address as a way to identify an authentic connection with the local area, and as having a "political validation purpose," ⁷¹ it was argued that there are other ways for candidates to demonstrate a local connection – one submission stating that there is an onus on a candidate to prove their bona fides, value and worth in the area in which they are contesting during the campaign. ⁷² Further, it should be noted that residing in the constituency/local electoral area is not a requirement for candidates under the 1992 Act.

In addition to being of benefit for voters, some submissions perceive the ability to demonstrate local connection as also useful for candidates, including non-incumbents and less well-known candidates and those new to the area or the country, on the basis that it helps candidates to identify themselves to voters. Submissions, including from political parties, 14 noted that an address allowed candidates and parties to demonstrate the accessibility of public representatives to constituents and several noted that it brought transparency to the electoral process. 15

In sum, our analysis in Part 3 identifies a number of clear benefits to the continued inclusion of a candidate's address on the nomination and ballot papers.

The challenge is, therefore, to identify a way to retain these clear benefits – integrity in validating nominations and the provision of information to voters – without creating or exacerbating privacy and safety concerns for candidates.

4. Evaluation of policy options and recommendations

Drawing on the above, and applying the guiding principles set out in the introduction and again below:

- integrity in validating nominations
- preserving transparency and the features of local representation valued by the electorate
- o ensuring the personal safety and sense of security of candidates and
- consistency in application of the address requirement for all candidates in so far as is possible

Possible options for reform are identified and evaluated alongside two benchmarks – the do nothing/no policy change option; and the removal of any nomination and public ballot paper address requirement.

4.1 Remove address from the definition of a candidate's description

The removal of a candidate's address from the description requirements of section 46(3) of the 1992 Act would have the effect that an address would not appear either on the nomination or ballot paper. It would bring consistency and fairness – in that no candidate would be required to give an address – and remove the safety concerns associated with publicly displaying a candidate's address.

However, that solution would not meet two of our four guiding principles. The richness of the information available to returning officers when ruling on the validity of the nomination paper would be reduced, with consequential risks for the integrity of the nomination process (this is discussed in more detail below). It would also deprive voters of important information about a candidate's connection to the local area, which studies of Irish voters, and voting patterns, demonstrate is valued.

4.2 Do nothing – current practice

Concerning current practice and our guiding principles, from a review of the ballot papers for the 2024 General Election and submissions to An Coimisiún, it appears that the practice of providing alternatives to home addresses (such as party headquarters, constituency office or parliamentary or local council offices) on nomination papers (and ballot papers) has become more common. This is very likely to be because of safety concerns.

As noted above, this practice is not precluded under the legislation and has been important in assuaging the concerns of candidates who have safety and privacy fears. Guidance memos issued by the Department prior to electoral events state that a candidate's address "need not necessarily relate to their residence but could, for example, refer to his or her place of business", and that "addresses such as Dáil Éireann (where the candidate is an outgoing TD), Liberty Hall (for a trade union official) or an address of a political party HQ or constituency office have been accepted." The reference to party HQ or a constituency office appeared for the first time in the 2024 Memo.

While the discretion afforded to returning officers is important as a way to deal with safety concerns, it facilitates a practice that may reduce the usefulness of a candidate's address in ruling on the validity of nomination papers and for providing voters with information, thereby undermining key benefits of requiring a candidate's address in the first place. In fact, the current practice of the nomination process appears to lead to a sub-optimal outcome on the four guiding principles. This is further explained below.

(i) Integrity in validating nominations

A returning officer is required to rule on the validity of a nominating paper within an hour of receiving it. Under the current legislative framework, where a candidate is fearful of revealing a home address on the ballot paper, a returning officer may discuss this with them, and agree on a suitable format for the address on the nomination paper which may, if necessary, be filled out anew.⁷⁷

A number of submissions received as part of An Coimisiún's research stressed that the legislation should require that a returning officer receive proof of the candidate's address and be fully satisfied that the address provided is the actual residence of the candidate. One submission highlighted "anecdotal post-election feedback about unfamiliar candidates registering during nomination week with a local address that neighbours were unable to identify" leading to concerns that the current system was "open to abuse." A submission from a political party suggested that if there were to be any changes to the nomination process and ballot paper, the use of the home address for verification purpose should be tightened up. Other parties suggested the full address should be provided, and verified, by the returning officer. The details of a case taken to Limerick Civil Circuit Court by a candidate in the 2024 local elections would seem to support the points made in these submissions.

This suggests that the provisions on the validation of nominations do not fully meet their intended purpose. The validation of nomination papers is central to the integrity of elections. When the removal of a candidate's address from the ballot paper was considered in the UK, the retention of a candidate's home address on the nomination paper for the purpose of verifying identity was considered vital. ⁸³ More recently, the UK Electoral Commission has drawn attention to the importance of identity checks at nomination stage to ensuring the integrity of the process. In its report on the 2024 General Election, it states that a small number of people took advantage of the limited requirements for nominating candidates at the UK General Election. They recommended that "the requirements and checks for nominating candidates should be strengthened to make it harder for candidates to mislead voters about their true identity." ⁸⁴

(ii) Preserving features of local representation valued by the electorate

Concerning the second benefit to having a candidate's address identified above – giving voters information about the local connection – the increasingly common practice of using party HQ, Dáil or Seanad Éireann or other central addresses is not very useful or transparent and, if it became the norm, it could ultimately erode the

role a candidate's address plays in establishing a link between local representative and citizen.

(iii) Ensuring consistency if possible and addressing safety concerns

Further, the current practice is inconsistent and may be unfair to some candidates (who do not have any available alternative address to a home address).

While the absence of a clear definition in the legislation and the discretion given to returning officers may help to address the fears of some candidates around safety, there remains a perception among many aspiring candidates that a home address is required or a belief that providing it is unavoidable in the absence of an alternative option.

The current practice would appear, therefore, to be sub-optimal on all four principles and this stems in a large part from the legislative provisions – namely from the inextricable link between the description of a candidate on the nomination paper and the ballot paper (and other public notices) and from the lack of clarity in the legislation about what constitutes an address for the purposes of a candidate's description (see Part 1).

4.3 Reform the legislative provisions to break the link between nomination and ballot paper and bring clarity to what is meant by a candidate's address

The analysis in this Research Report therefore suggests that reform of the legislative provisions is required in order to address the safety and privacy concerns of candidates while retaining the benefits of requiring a candidate's address. Towards this end, some possible reforms are set out below:

- 1. The *Electoral Act 1992* should be amended to de-couple the address component of a candidate's description on the nomination paper from that of a candidate's description which is publicly displayed outside the place of nomination (section 53), on the notice of poll (section 87 (b)) and on the ballot paper (section 88(2)(a)) and Schedule 4 of the Act.
- **2.** To facilitate this separation, the nomination paper should require two addresses *address* (1) exclusively for the electoral administration and *address* (2) the address to appear on public notices and on the ballot paper.
- 3. As address (1) will be used by the electoral administration for the purpose of ruling on the validity of the candidate's nomination (under section 52 of the Electoral Act 1992), it must be adequate for these purposes and candidates should be required to provide a full home address which can be verified by the electoral administration for address (1).85 Address (1) will not be automatically transferred to other stages of the process (unlike the current position described fully in Parts 1 and 3 of the Report).

Once the candidate's address on the nomination paper has been de-coupled from the candidate's address that is publicly disclosed, it becomes possible to use a different form of address on the ballot paper (and other public notices) - address (2). It is therefore further suggested that:

4. Clarity is also brought to the definition of candidate's *address* (2) to ensure that it provides useful information for the electorate without creating or exacerbating the safety or privacy fears for candidates.

To bring this clarity, the legislation should set out clear, acceptable options for the format of a candidate's address to appear on the ballot paper (and on public notices). The options, from which it is proposed a candidate can chose, are:

- **a.** The address as on the nomination paper (which is full home address)
- **b.** A partial version of the address on the nomination paper which is acceptable to the returning officer, and which will still help the voter to identify the candidate (e.g., street name, village or town name, townland) and
- **c.** A third address option which discloses neither a full, nor a partial address, but instead indicates the "area" in which the candidate's address is located, with "area" meaning the name of the local electoral area or the name of the electoral division [see Figures 4 (map) below for information].

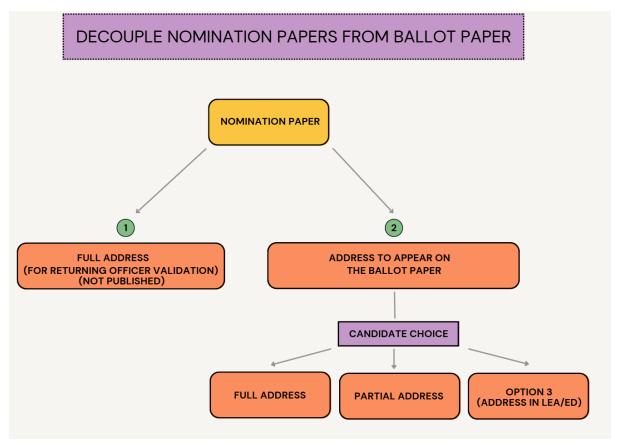
The reason for proposing option c, and three options in total for the address to appear publicly and on the ballot paper, is explained more fully below Figure 2. 86

5. Finally, it must be ensured that the continued display of a candidate's address on the ballot paper, as is proposed by these reforms, does not raise safety concerns or in any way act as a deterrent to aspiring candidates. All relevant actors, political parties, returning officers and An Coimisiún should be tasked with raising awareness about the proposed changes to the process illustrated in Figure 3 which give candidates choice on how the address is displayed publicly on the ballot paper.

To further enhance the integrity of the process and for fairness in light of the changes proposed above:

- **6.** A photo of the candidate should be compulsory for the nomination papers.
- **7.** Provision should be made to facilitate aspiring candidates who are experiencing homelessness during the nomination process, similar to the provisions set out in s.84 of the *Electoral Reform Act 2022*.
- **8.** Where a returning officer needs more time to seek proof of a candidate's address, this time is excluded from the one-hour period allowed under section 52 for ruling on the validity of the nomination papers.

Figure 2: Possible reforms to candidate's address on the nomination and ballot paper



In considering the format of the third address option (c) that should be acceptable for the ballot paper, and guided by our principles, it was noted that:

- Using party headquarters, or other central locations, or constituency offices as an address is ineffective as a signal to voters of local connection.
- Using a public representative's work address, whether in parliament or a local council, is not available to new candidates and this information can be signalled in the 'occupation' descriptor on the ballot paper if a candidate wishes to do so.

On the other hand, the proposed third address option – address in the [name of local electoral area/electoral division] – is a consistent alternative address option which does not bring advantage or disadvantage to any candidates; it is available to all and still conveys some useful information to voters about a candidate. This option is sufficient to give information to voters about a local connection, without requiring a candidate to make a full or even a partial address public.

It is proposed that there be a choice to indicate whether an address is in the 'local electoral area' or in an 'electoral division' as each may be more useful depending on where a candidate is running for election, and in which type of election. Further, in some rural constituencies the local electoral area is very geographically large, and an electoral division may be a better indicator of location, whereas in other

situations, the name of an electoral division may be less meaningful to voters than that of a local electoral area.⁸⁷

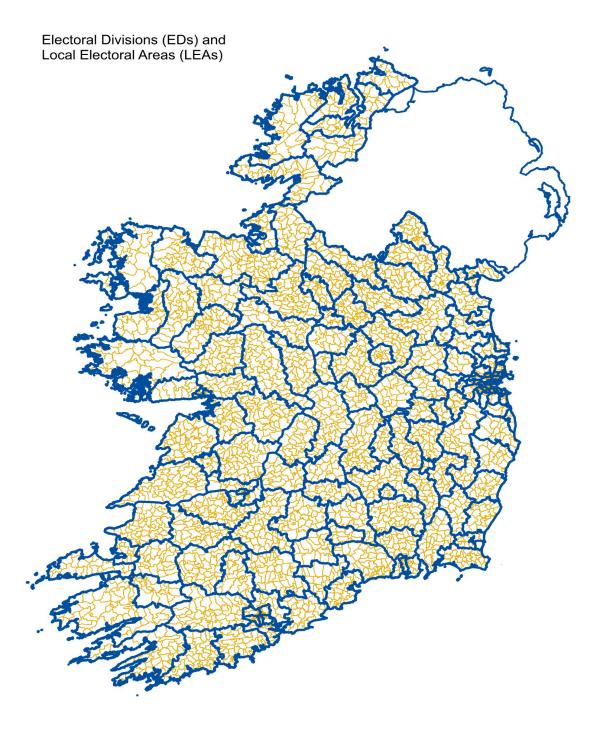
In proposing three options for the address format, rather than two, this Research Report is mindful of developments in the UK where the contents of the nomination paper were de-coupled from the subsequent stages by way of a *home address form* in 2009. A fall-off in the number of candidates displaying an address on the ballot paper in the UK General Election (from 75% in 2010 to 25% in 2024), which is clearly a response to legitimate safety concerns, is in part because the legislation sets out only two options – to disclose a "full home address" or to indicate the constituency (or district or county for local elections) in which the candidate resides. As noted above, the fall-off in provision of addresses has been highlighted as suboptimal for the link between candidates and the citizen.⁸⁸

Figure 3: Effect of proposals on the nomination and subsequent process (effect is in green)

Nomination of candidates (s46(3)) Nomination paper states name, address, occupation (if any) and gender [=description]	Ruling on validity of nomination paper (s.52) Returning officer shall object to description (address) if incorrect, insufficient to identify a candidate or unnecessarily long"	Publication of nominees (s.53) Name, and description (chosen address option) of candidates published outside place where nominations are received	Notice of Poll (s.87) Lists name and description (chosen address option) of all candidates	Ballot Paper (s.88(2)) Shall contain the names and descriptions (chosen address option) of the candidates as shown in their respective nomination papers.

Figure 4: Map of Local electoral areas (LEAs) and Electoral Divisions (EDs)

LEA Boundary
ED Boundary



Appendix 1: Electoral Act 1992

Ballot papers. 88.

Electoral (Amendment) Act, 2001, Section 21 (1) The ballot of a voter at a Dáil election shall consist of a paper (in this Act referred to as a "ballot paper") in the form specified in the Fourth Schedule subject to any modifications which may be provided for in regulations under paragraph (cc) of subsection (2).

- (2) Ballot papers shall be prepared in accordance with the following directions
 - a ballot paper shall contain the names (a) and descriptions of the candidates standing nominated at the election, as shown in their respective nomination papers. The names shall be arranged alphabetically in the order of the surnames or, if there are 2 or more candidates bearing the same surname, in the alphabetical order of their other names or, if their surnames and other names are the same, in such order as shall be determined by lot by the returning officer,
 - (b) the surname of each candidate and the name of his political party if any, or, if appropriate, the expression "Non-Party" shall be printed in large capitals, his name shall be printed in small capitals and his address and occupation, if any, as appearing in his nomination paper shall be printed in ordinary characters,
 - (c) the list of candidates shall be arranged either in one continuous column or in 2 or more columns in such manner (without departing from the

alphabetical order) as, in the opinion of the returning officer, is best for marking and counting, but subject to the restriction that the spaces on the ballot paper within which the candidates' names and descriptions appear shall be the same for each of the candidates

Electoral (Amendment) Act, 2001, Section 21 (cc) a ballot paper may include a photograph of each candidate and the emblem of the candidate's political party registered in the Register of Political Parties in accordance with the requirements prescribed in regulations which may be made by the Minister (and such regulations may provide for the modification of the form of the ballot paper for that purpose and the purposes of Part 3 of the Electoral (Amendment) Act 2001

Electoral (Amendment) Act 2004, Section 31

Appendix 2: The law and practice on ballot paper address in other relevant jurisdictions

Candidates' addresses have not been a feature of ballot papers in most European democracies with the exception of the **UK** (including ballot papers in England, Scotland, Wales and Northern Ireland) and Malta. They do feature on ballot papers in several of the UK's current and former overseas territories, including Anguilla, Antigua and Barbuda, Belize, Dominica, the Falkland Islands, Saint Vincent and the Grenadines, and the Virgin Islands. Of the original thirteen colonies of the USA, Massachusetts remains the only State to require address disclosure on ballot papers for Congressional, State Legislature, and Municipal elections.

United Kingdom

The *Representation of the People Act 1983*, ⁸⁹ Schedule 1 sets out the rules for UK parliamentary elections and sets the framework for all elections across England, Wales, Scotland, and Northern Ireland. Within this framework, each jurisdiction has its own set of rules governing the conduct of the poll, set out either in primary or secondary legislation, and there is variation (see below).

Parliamentary Elections – UK House of Commons

Until 2009, Schedule 1, Rule 6 of the 1983 Act set out that a candidate provides a "home address in full" on the nomination papers and ballot paper. Following an extensive review process, the UK Political Parties and Elections Act 2009 amended Rule 6 to allow candidates the option to withhold their full address from nomination papers. This is facilitated through the submission of a separate home address form which accompanies the nomination papers. This home address is used by returning officers for administration and verification purposes, but it is not transferred to the nomination papers or to the ballot paper unless the candidate wishes so. If the candidate decides to withhold his or her address by using the home address form, the address entered on the ballot paper is "an address in the [name of the relevant constituency]" (i.e. the constituency in which the candidate resides).

Election of the Member of Parliament for the [insert name of constituency constituency Vote for **only one candidate** by putting a cross in the box next to your choice BASWRA, Paresh 2 The Cottages, Anytown XY8 9JG CRANLEY, Alana 4 The Walk, Anytown XY9 5JJ Green Party (address in the Birmingham Northfield Constituency) GUNNIL-WALKER, Roge 變 33 The Lane, Anytown XY6 3GD The Labour Party Candidat SMITH, Catherine Angelina 21 The Grove, Anytown XY2 5JP SMITH, Keith James 3 The Road, Anytown XY3 4JN The Conservative Party Candidate ZANUCK, George Henry UKIP 17 The Parade Anytown XY9 5KP The United Kingdom Independence Party Candidate

Figure 5: UK Parliamentary Election Ballot Paper Sample

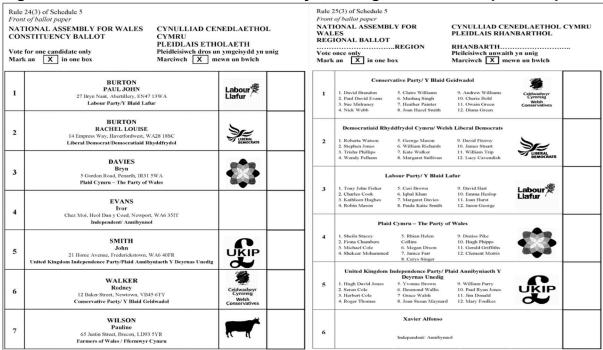
Source: Representation of the People (Ballot Paper) Regulations 2015

Devolved parliaments - Northern Ireland, Wales and Scotland

Elections to the **Northern Ireland Assembly** (which use PR-STV) applies the optional disclosure model described above; candidates either display their home address or opt instead to display address in 'constituency in which they reside'. This is provided in *the Northern Ireland Assembly (Elections) Order 2001* (as amended).

In elections to the **Senedd Cymru (Welsh Parliament)** a mixed-member system is used whereby 40 members are elected to single-seat constituencies using a First-Past-The-Post system and 20 are elected to represent one of five regions using the additional member system (whereby voters cast a vote for a party which has provided an ordered list of candidates). 90 The information on the ballot paper varies, depending on whether the candidate is running as a constituency or a list candidate; constituency elections use the model described above - the optional disclosure model by means of the home address form – while regional ballots use party lists, where candidate addresses are not included. Like the Welsh, the Scottish Parliament is elected using a mixed member system whereby 73 members are elected to represent a constituency and 56 are elected to represent eight regions by a party list system (using the additional member system). Unlike Wales, there is no address on the ballot paper for either constituency or regional candidates; the home address is provided for the nomination paper but there is restricted public access to nomination papers under The Scottish Parliament (Elections etc.) Order 2015, Rule 13 (1), Sch. 2.

Figure 6: Welsh Parliament Constituency and Regional Ballot Paper Samples



Source: The National Assembly for Wales (Representation of the People) Order 2007

Schedule 2 Rule 28 (Front of Form of Constituency Ballot Paper) (Front of Form of Regional Ballot Paper Election of the Member of the Scottish Parliament for the finsert Election of Members of the Scottish Parliament for the finsert name name of constituency] Constituency of region] Region Vote for only one candidate by putting a cross Vote only once by putting a cross in the box next box next to your choice to your choice BASWRA, Paresh CONSERVATIVE PARTY Scottish Liberal Democrats Scottish Conservative and Unionist CRANLEY, Alana LABOUR PARTY Scottish Green Party Scottish Labour Party EDGBASTON, Richard LIBERAL DEMOCRATS **Scottish Conservative and Unionist** Scottish Liberal Democrats FALKIRK, James SCOTTISH GREEN PARTY Common Sense Party Second Vote Green GUNNIL-WALKER, Roger SCOTTISH NATIONAL PARTY Scottish Labour Party Scottish National Party (Scotland's Party) SMITH, Catherine Angelina BROWN, Fiona Anne Scottish National Party Independent SMITH, Keith James SMITH, James Keith Independent (Back of Form of Constituency Ballot Paper)

Figure 7: Scottish Parliament Constituency and Regional Ballot Paper Samples

Source: The Scottish Parliament (Elections etc.) Order 2015

Local and mayoral elections - England, Wales and Scotland

In English Mayoral, Combined Authority Mayoral and local elections, and in Welsh local elections, the procedures in the *Representation of the People Act 1983* apply whereby candidates include either a full home address on the ballot paper or they opt to display an 'address in the relevant district/county/borough/local government area.' Scottish local government elections, which use the PR-STV system, adopt the same format with 'address in the local electoral area' being the second address option.

Malta (provided by the Electoral Commission of Malta, February 2025)

In Malta, candidates are required to disclose a personal address on registration (residential or non-residential) both for transparency/representation purposes as well as for verification intentions. Maltese legislation does not specify whether an address has to be a residential address.

On the nomination form, the candidate is required to include the address of registration in the top section, and the address to be shown on the ballot paper in the bottom section. From experience, candidates who also exercise a profession – notably doctors, architects, and accountants – generally prefer to opt for their non-residential address as the address to be shown on the ballot paper.

The displaying of candidates' addresses on the ballot paper demonstrates a signal of connection to the local constituency, especially in the context of local council elections, and enables voters to more easily distinguish and identify the particular individual, given the Maltese context, where candidates might often share some of the more relatively common names and surnames.

In Malta, the disclosure of candidates' residential addresses is undoubtedly seen as a signal of connection to the local constituency, especially in the context of local council elections.

The inclusion or otherwise of the candidate's full residential address has not raised any issues of personal safety or privacy so far, in the case of Maltese elections. Given the small size of Malta, addresses are included to emphasise the connection and attachment of a candidate with a particular locality.

The ballot paper's formatting follows a fixed structure to ensure that candidates' details are displayed in the same manner, so as not to prejudice fairness of electoral competition.

The current electoral system in Malta is considered to be functioning satisfactorily and does not appear to currently require urgent reform. However, an issue may arise in the near future in relation to the size (length) of the ballot paper, particularly in the case of elections to the European Parliament. Even though the address of a candidate is one of the identifiers of a candidate, depending on the situation and considering the number of candidates/political parties contesting the election, the omission of the address may need to be considered accordingly. This is to ensure that complications do not arise in the process of the scanning of ballot papers during the electronic counting of the votes.

Appendix 3: Studies consulted on harassment, abuse and intimidation (HAI) of election candidates and public representatives

Survey data

While any level or threat of abuse is a cause for great concern, the comparatively low response rates to the surveys discussed below (Table 1) risk that the findings over-estimate the prevalence of violence and abuse (i.e. that those who experience harassment, abuse and intimidation may be more likely to respond to a survey which is concerned with it or those who do not experience it, do not respond). 91

Table 1: Surveys cited and their response rates

Survey	Response rate	Source
Candidate Survey 2019 Local Election and 2020 General Election	17%	Buckley, Keenan, Mariani (2023) ⁹²
Candidate Survey 2024 Local Election	c25%	Keenan Lisa (2025)**
Local Councillors Survey 1 in 2021 Survey 2 in 2023	23% (2021) 23% (2023)	AILG and CMG (2021, 2023) ⁹³
Members of Houses of the Oireachtas (TDs and Senators)	28%	Siapera et al (2024) ⁹⁴
Candidate survey local elections (candidates from a minority background)	32%	Immigrant Council of Ireland (2024) ⁹⁵
Candidate Survey Local (2024) General (2024)	10% 10%	Coimisiún na Meán (2025)

^{**} shared with An Coimisiún Toghcháin (April 2025)

Prevalence of HAI (from the above surveys)

Provisional findings from the 2024 local election candidate survey (Keenan, 2025) report that 15.6% of respondents said that violence and intimidation are part of politics compared to 32.7% who stated that they are not and 51.7% that they are not, but happen sometimes. And when responding candidates were asked to place themselves on a scale of 1-10 of 'very safe' to 'very unsafe,' the mean score was 2.5. The response rate was c.25% of candidates.

Drawing on its surveys of councillors, AILG and CLG find that 71.7% of local councillors in 2021 and 63% in 2023 had experienced harassment, threats, and intimidation over the course of their recent council term (response rate was 23% for both surveys).

A survey of local (2019) and general (2020) election candidates (Buckley, Keenan, Mariani) found that 75% of respondents experienced at least one form of abuse over the course of the election campaign (response rate was 17%).

A survey of members of the Houses of the Oireachtas found that 94% reported an experience of abusive behaviour in their career (and 75% had this experience was in the previous 12 months). The response rate was 28%.

48% of local election candidates, and 59% of general election candidates who responded to Comisiún na Meán's survey had negative online experiences, defined as 'offensive, abusive or hateful behaviour online, violent or intimidating behaviour online or behaviour that involved impersonating a candidate online). The response rate for both local and general election surveys was 10%.

Nature of HAI

Below findings of the surveys on the type of HAI experienced by candidates (Table 2, Table 3, Table 4 and Figure 8) and by elected politicians (Figure 9 and Table 5) are displayed.

Table 2: Candidate Survey 2019 Local and 2020 General Election

Type of abuse	% of those experiencing (a few or several times)
Degrading talk/false rumours	68%
Threats	36%
Physical violence	10.2%
Destruction of property	27%
Intimidation of associates	33%

Source: Buckley, Keenan and Mariani

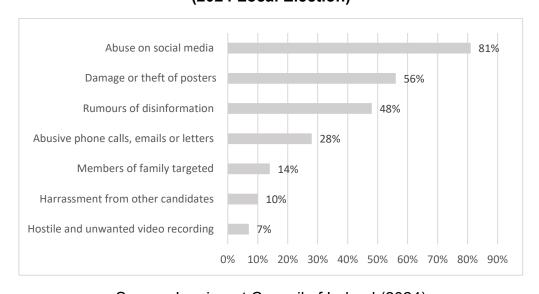
(2020). Response rate 17%.

Table 3: Candidate survey 2024 Local Election

Type of abuse	Experienced (once, a few times, several times)	Did not experience
Social media trolling	37%	63%
Physical violence	5%	95%
Threats, intimidation or harassment	38%	62%
Damage to property (personal or party)	47%	53%
False or malicious rumours spread	40%	60%
Sexual harassment/violence	13%	87%

Source: Keenan (2024). Response rate 25%.

Figure 8: % of candidates (migrant background)
experiencing the following
(2024 Local Election)



Source: Immigrant Council of Ireland (2024)

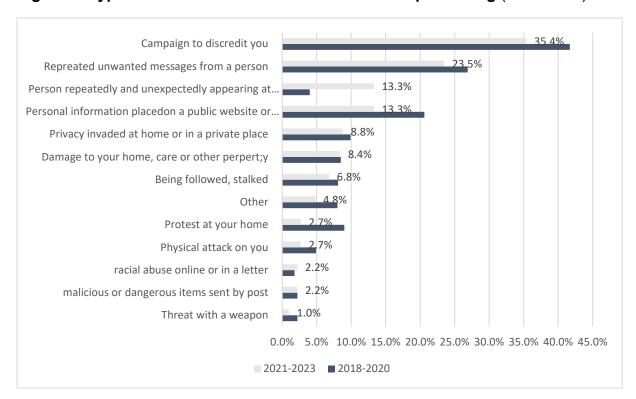


Figure 9: Type of incidences and % of councillors experiencing (2021/2023)

Source: AILG and CMG (2021 and 2023)

Table 4: Experience of abusive behaviour <u>online</u> by local and general election candidates

Type of abuse	% experiencing all types of online abuse	False info intended to damage reputation	Hurtful or degrading comments	Gender- based slur**	Racial slur	Threats to kill or harm	Response rate to survey
		% of respo the followi	onding cand ng	idates wh	o exper	ienced	
General election candidates	59%	21%	21%	14%	9%	12%	10% N=66
Local election candidates	48%	21%	21%	8%	8%	11%	10% N=226

^{**} Other categories included sexual orientation-based slurs (7% in local and 8% in general), ethnic slurs (6% and 8%), age-based slurs (4% and 6%), religious slurs (4% and 6%) p.58 Coimisiún na Meán (2025) p.58.

Source: Coimisiún na Meán (2025, 58).

Table 5: % of parliamentarians experiencing by type of abuse (2024)

Type of abuse	% of TDs/Senators experiencing this 'frequently' or 'occasionally'
Used abusive language towards you	88%
Used prejudicial slurs towards you (gendered, racist, homophobic)	74%
Published false information about you	70%
Spread malicious and false rumours about you	69%
Comment on physical appearance (including 'compliments')	61%
Made persistent unwanted phone calls or text messages to you	59%
Threatened to harm you	53%
Called for you to come to serious harm, including self-harm	47%
Made unwanted approaches or attempts at contact (at home, in work, in a public place)	33%
Loitered around your home or workplace	26%
Made death threats towards you	24%
Threatened to harm family/loved one	23%
Caused damage to property or items belonging to you	17%
Sent sexually explicit messages	16%
Made unwanted sexual approaches	15%
Death threats towards family	14%
Threatened sexual violence towards you	13%
Threatened to harm staff	13%
Subject you to sexual harassment	12%
Physically attacked / tried to attack you	11%
Death threats towards staff	5%
Source: data from Siapera et al, 2024	p.19.

Source: data from Siapera et al, 2024 p.19.

Response rate: 28%

Appendix 4: Details of An Coimisiún's consultation

Having undertaken some initial research on the issue, An Coimisiún published a consultation document on 13 January 2025 seeking submissions from candidates, political parties, those involved in electoral administration, An Garda Síochána, advocacy or representative groups with experience and knowledge of the electoral process and with candidates, and the general public. The consultation document included specific questions on which An Coimisiún requested insights.

An Coimisiún's research team followed up with some stakeholders, in particular political parties and the electoral administration, by way of phone call as their insights were deemed critical to the research process. Table 6 below sets out the list of submissions received (including where a submission was by way of a phone conversation guided by the consultation document).

Table 6: Submissions and Input

	Submission or input received
1 - 7	From Returning Officers
8	Sinn Féin
9	The Labour Party
10	Independents4Change
11	Glór – Voice of the People
12	Social Democrats (individual councillor
	submission)
13	An Garda Síochána
14	Irish Council for Civil Liberties
15	See Her Elected
16	National Women's Council of Ireland
17	AILG – Association of Irish Local Government
18	Immigrant Council of Ireland

Additionally, three submissions were received from members of the public. An Coimisiún separately consulted the Franchise Unit of the Department of Housing, Local Government and Heritage and the Standards in Public Office Commission to further understanding of some of the issues raised in this research.

ENDNOTES

<u>life en.pdf&opts=www.oireachtas.ie#langidsrc=en-ie&locale=en-ie&dom=www.oireachtas.ie</u>

¹ Minister Darragh O'Brien at <u>Select Committee on Housing, Local Government and Heritage,</u> Committee Stage of *Electoral (Amendment) Bill 2023*, 23 November 2023.

² An Coimisiún Toghcháin, *Draft Research Programme 2024-2026* (2023), https://www.electoralcommission.ie/what-we-do/research/.

³ Oireachtas Task Force on Safe Participation in Political Life, *Report* (2024), https://pdf.browsealoud.com/PDFViewer/ Desktop/viewer.aspx?file=https://pdf.browsealoud.com/StreamingProxy.ashx?url=https://data.oireachtas.ie/ie/oireachtas/parliamentaryBusiness/other/202 4-05-15 task-force-on-safe-participation-in-political-

⁴ Electoral (Home Addresses of Candidates) Bill 2024. Sponsored by Deputy Jennifer Whitmore in the 33rd Dáil. The Bill was introduced at first stage on 28 February 2024. Second stage was not taken. See https://www.oireachtas.ie/en/bills/bill/2024/11/.

⁵ The amendment was proposed to the *Electoral Reform Bill 2022* by the Labour Party. It was debated at committee stage in the Dáil on 23 November 2023. See <u>Select Committee on Housing, Local Government and Heritage</u>.

⁶ Section 64 of the *Electoral Reform Act 2022* empowers An Coimisiún Toghcháin 'to commission or conduct research on electoral policy and procedures... and may arising from that research, make such recommendations to the Minister and the Government as it considers appropriate. See https://www.irishstatutebook.ie/eli/2022/act/30.

⁷ Schedule 2, Rule 7 of the 1949 Act and Schedule 1, Rule 6 (2) of the 1983 Act.

⁸ The Chairman of the UK Parliament *Joint Committee on Consolidation of Bills* in 1983 interpreted the change as for the purpose of removing ambiguity. See White, I. (2009). "Candidates' Addresses on the Ballot Paper", *House of Commons Library: Parliament and Constitution Section*, https://researchbriefings.files.parliament.uk/documents/SN05004/SN05004.pdf

⁹ Electoral Act 1923, https://www.irishstatutebook.ie/eli/1923/act/12/enacted/en/print#sched5.

¹⁰ And Seanad elections until 1937 when the new Seanad was established.

¹¹ Electoral Act 1923 Schedule V (Part 1 parag.4 and 20). Paragraph 4 is identical to Rule 6 of Schedule 1 of the UK 1872 Act.

¹² Electoral Act 1923 Schedule V (Part 1 parag.4 and parag.20) and Schedule V (Part III parag.4).

¹³ Gallagher, Michael (2005) 'Ireland: The Discreet Charm of PR-STV', in: Gallagher, M. & Mitchell, P. (eds.) *The Politics of Electoral Systems,* New York: Oxford University Press pp.511-534.

¹⁴ First quote is Buckley, F., Collins, N., & Reidy, T. (2007). "Ballot Paper Photographs and Low-Information Elections in Ireland", *Politics*, 27(3) pp. 174–181 p. 180, , second quote is Gallagher (2005) ibid. p.517.

¹⁵ Gender was inserted by the *Electoral Amendment (Political Funding) Act 2012* as part of provision of gender quotas.

¹⁶ Under Section 46(5)-(8) of the *Electoral Act 1992* as amended, where a candidate is not running for a party, the candidate must either pay a deposit or have signatures from 30 people on the electoral register for the constituency (section 46(5)) and in either case 'non-party' is entered on the nomination papers.

¹⁷ In some cases, this is implemented by publishing the notice online.

¹⁸ Note that gender, added in 2012 to enable the application of gender quotas, is not considered to be part of the candidate's description for the ballot paper.

¹⁹The most recent procedure for the nomination process is set out in <u>Statutory Instrument 372 of 2024 - Electoral Amendment No.2 Regulations 2024 (372 of 2024)</u>, the First Schedule setting out the Nomination Paper for the 2024 general election.

- ²⁴ Bjarnegard (2023) cited in Buckley, Keenan and Mariani 'The cost of doing politics in Ireland' *Chr. Michelsen Institute (CMI Brief no. 2023:6)* p.4. <u>8986-the-cost-of-doing-politics-in-ireland.pdf</u>
- ²⁵ The Irish studies consulted cover (1) candidates surveys at local (2019 and 2024) and general (2020) elections; (2) surveys of councillors conducted to cover the 2018-2021 and 2021-2023 periods in office and (3) a survey of members of the Houses of the Oireachtas (and political staff) in 2024 and (4) A candidates survey conducted by Coimisiún na Meán following the local and general elections in 2024.Full references can be found in Appendix 3.
- ²⁶ Response rates to all surveys we explored are relatively low (between 17% and 32% of the full population, the 32% being a study of candidates from a migrant background). Also, amongst the 25% of local election candidates who responded to the most recent candidate survey of local elections, 32.7% agreed that "violence and intimidation are not part of politics" and 51.7% that "violence and intimidation are not part of politics but happen sometimes." 15.6% of respondents agreed that "violence and intimidation are part of politics."
- ²⁷ Noted in submission 14 see 'Residents terrified by Youth Defence protest', *Irish Independent*, 5 December 1997. See also 'IRA surveillance of politicians 'serious" Ahern, *The Irish Times*, 1 December 2004.
- ²⁸ See Krook Mona Lena and J Sanin Juliana Restrepo (2020) *American Political Science Review* Vol.18(3) and Buckley, Keenan and Mariani (2023) cited above at 22. See also Collignon and Rudig (2020) 'Harassment and intimidation of parliamentary candidates in the United Kingdom' *Political Quarterly* Vol.91, 2.
- ²⁹ In <u>Written Evidence submitted to Committee (UK Speakers Conference on the security of candidates, MPs and elections</u>, Dr Diana Maynard and Prof Kalina Bontcheva call for the link between online and offline abuse to be more closely studied and warn about toxic build-up.

 ³⁰A number of high-profile incidents, including of protest outside politicians' homes, damage to politicians' property and assault, are highlighted by Little C (February 2024) 'The cost of doing politics: a survey of politicians' experiences of political violence' Political Reform.ie February 2024. The Institute for Strategic Dialogue and the Hope and Courage Collective, Investigation: Political violence, harassment, intimidation & threats during Ireland's 2024 general election campaign drawing drew on social and news media reports, recorded 55 incidents of violence, abuse and harassment in the five week period running up to the Irish general election in 2024, 90% of which featured social media in some way.

²⁰ The perception that it is a requirement is clear from the Oireachtas Taskforce on Safety in Public Life, *Report* (2024).

²¹ For example, Submission 9 and Submission 15.

²² Houses of the Oireachtas Taskforce on Safety in Public Life (2024). Buckley, Keenan and Mariani (December 2024), 'Violence against politicians in Ireland: what does it look like and how is it gendered?' *Irish Political Studies* 1–31. https://doi.org/10.1080/07907184.2024.2442949

²³ Siapera, E., Bastos, M., Farries, E., Kerrigan, P, & Coleman, M. (2024). *Report on the Abuse and Harassment of Members of the Houses of the Oireachtas and Political Staff* p.10.

³¹ Destruction of property was experienced by 27% of respondents to candidate survey in 2019/2020 (see Table 2 Appendix 3) and damage to property (personal or party) by 47% of respondents to 2024 local election candidate survey (see Table 3 Appendix 3) and by 56% of respondents to survey of candidates from a migrant background (Figure 8 Appendix 3)). 17%, 25% and 32% respectively of relevant candidates responded to the surveys.

³² See Table 4 Appendix 3.

³³ See Figure 9 Appendix 3

³⁴ See Table 4 Appendix 3

³⁵ Coimisiún na Meán (2025) *On the digital campaign trail: election candidates' online experiences in the 2024 elections*. P.41

- ³⁷ Buckley, Keenan and Mariani (December 2024) cited above at 22.
- 38 Ibid.
- ³⁹ Oireachtas Taskforce on Safety in Public Life, *Report* (2024), p.20.
- ⁴⁰ See Figure 8 Appendix 3 and Coimisiún na Meán (2025) p.56. cited above at 35.
- ⁴¹ Siapera et al (2024) cited above at 23.
- ⁴² For example, Felle Tom, McAuley E. and A. Blaney (2023) Submission to the Taskforce on Safety in Political Life. The authors conducted semi-structured interviews with 78 former or current local and national female politicians in 2020 and 2021. Research presentation also shared with the Electoral Commission's research team. Coimisiún na Meán has gathered insights from candidates in the general election in a study yet-to-be published.
- ⁴³ Coimisiún na Meán (2025) p.73. cited above at 35. Of those respondents who use social media and experienced online abuse in the local elections (c101 candidates), 33% felt less confident continuing to campaign and 21% avoided engaging with specific issues or policy areas.
- ⁴⁴ See debate on <u>Electoral (Home Addresses of Candidates) Bill 2024: First Stage Dáil Éireann (33rd Dáil) Wednesday, 28 Feb 2024 Houses of the Oireachtas</u>
- ⁴⁵ AILG and Crime Management Group (2023) *Threats, harassment and intimidation in public office A survey report on councillors' perspective.* p. 17.
- ⁴⁶ Consultation with An Garda Síochána in February 2025.
- ⁴⁷ See for example, Coimisiún na Meán's Survey (2025) cited above at 35.
- ⁴⁸ Consultation with An Garda Síochána for the purposes of this research. February 2025.
- ⁴⁹ Oireachtas Task Force on Safe Participation in Political Life, *Report* (2024).
- ⁵⁰ See Her Elected and Women for Election (2024) Safety Guidelines for Candidates in Elections
- ⁵¹ Statutory Instrument No. 449/2023 Local Government Act 2001 (Section 142) Security Allowance for Local Authority Members Regulations 2023. Provides a dedicated, once-off allowance, to allow councillors to claim eligible personal security measures on foot of a report by a Crime Prevention Officer to a maximum value of €2,500 or 50%, whichever is the lesser. The Oireachtas Taskforce on Safety in Public Life recommended a review of the security service available to members of the Houses of the Oireachtas. A review of the scheme in 2024 increased the cap on payments to €25,000 per recipient.
- ⁵² Oireachtas Taskforce on Safety in Public Life, *Report* (2024).
- ⁵³ Jo Cox MP was murdered outside her constituency office in Birstall in the UK in June 2016. The Jo Cox Foundation is a charity established to make policy change on issues important to the former MP Jo Cox.
- ⁵⁴ Jo Cox Foundation (2024) <u>Written Evidence submitted to Committee (UK Speakers Conference on the security of candidates, MPs and elections.</u>
- ⁵⁵ Collignon and Rudig (2025) Evidence to the Speaker's Conference on security of candidates, MPs and elections. committees.parliament.uk/writtenevidence/137289/pdf/
- ⁵⁶ Returning officers do receive *queries on the accuracy of the address and what steps they have taken to satisfy him/herself that it is accurate.*
- ⁵⁷ See Section 52, in particular Section 52(4) of the 1992 Act.
- ⁵⁸ See submission 17 in particular. It was asserted by a number of other submissions including submissions 1-7 and Submission 17.
- ⁵⁹ For the candidate-focused nature of PR-STV, see Carey and Shugart (1995) 'Incentives to cultivate a personal vote: a rank ordering of electoral formulas' *Electoral Studies* 14 pp. 417-439. Research in the UK, which uses a First-Past-The-Post electoral system with single-seat constituencies), also finds that the local credentials of candidates are very important for voters. This is noted in submission 14.

³⁶ Coimisiún na Meán (2025) p.60 cited above at 35. Interviews were conducted with 44 candidates who reported experiencing online abusive behaviour (22 local and 22 general election candidates) and this was experienced by a number of these candidates.

⁶⁰ Marsh, M., Sinnott, R., Garry, J., & Kennedy, F. (2008). The Irish Voter: the nature of electoral competition in the Republic of Ireland. Manchester University Press. And Marsh, Michael, David M. Farrell, and Gail McElroy (eds), *A Conservative Revolution? Electoral Change in Twenty-First Century Ireland* (Oxford, 2017; online edn, Oxford Academic, 20 Apr. 2017).

⁶¹ Cunningham and Marsh (2024) in Coakley, Gallagher, O'Malley and Reidy edrs., (2024) *Politics in the Republic of Ireland Abingdon & New York, Routledge*, p. 175, Marsh et al The Irish Voter (2008). ⁶²Ibid. 2024.

 $^{^{63}}$ Gallagher and Komito (2018) 'The constituency role of the TD' in Coakley and Gallagher, edrs. Politics in the republic of Ireland 6^{th} Edition

⁶⁴ A survey of TDs for the Joint Oireacthas Committee on the Constitution in 2010 found that more time was devoted to constituency (primarily representing constituency in parliament) (53%) than to other parliamentary duties (39%) cited in Lynch and MacCarthaigh (2024) in Coakley, Gallagher, O'Malley and Reidy, edrs. Farrell David and Shane Martin (2023) repeated this survey and while response rate was low the result was not very different in terms of time spent. Survey shared by authors.

⁶⁵ Gallagher, Michael in Coakley, Gallagher, O'Malley, Reidy (2024) cited above at 61.

⁶⁶ Gorecki Maciej A and Marsh, 2012 "Not just friends and neighbours; canvassing, geographic proximity and voter choice *European Journal of Political Research* 51; 5 pp. 653-82.

⁶⁷ Cunningham and Marsh, 2024 p.177., cited above at 61.

⁶⁸ Submissions 1-7.

⁶⁹ Submission 14.

⁷⁰ Collignon Sarah and Wolfgang Rudic (2024), Who runs for office: understanding candidate diversity, safety and localism in the UK 2024 General Election, The Political Quarterly 2024

⁷¹ Submissions 14 and 17.

⁷² Submission 8.

⁷³ Submission 15 and discussion with Immigrant Council of Ireland (March 2025).

⁷⁴ Submissions 9, 10, 11.

⁷⁵ In spite of the significance to the electorate of the local connection, the Electoral Act 1992 does not require a candidate to reside at an address in the constituency in which they run for election.

⁷⁶ Department of Housing, Local Government and Heritage (2024), Memorandum for the guidance of Returning Officers - General Election 2024. The last sentence was added to the 2024 Guidance Notes. According to the Department, it was added to show examples of what has been accepted by returning officers.

⁷⁷ If it is filled out anew, the nominee needs to produce a new certificate of party affiliation as the address on it must match the address on the nomination paper. Consultation with returning officer (February 2025).

⁷⁸ Submissions 8, 9, 10, 11, 15.

⁷⁹ Submission 15.

⁸⁰ Submission 10.

⁸¹ Submission 8.

⁸² See Limerick Post '<u>Invalid votes to be examined in phantom-candidate case.</u>', <u>25 July 2024</u> [accessed 23 April 2025]. The case was taken by a candidate - Richie Cehan - against Limerick City and County Council and the DPP. The latter agreed to allow the plaintiff to inspect invalid ballot papers, a considerable portion of which were votes for a candidate who was described by the plaintiff's barrister as a "phantom candidate." Following inspection of the ballot papers, the case was not pursued.

⁸³ White (House of Commons Library, 2009) cited above at 7 cites several House of Commons debates from the 1970s and 1980s. SN05004.pdf (parliament.uk) – I

⁸⁴ UK Electoral Commission, Report on the 2024 General Election (2024), p.41.

- ⁸⁷ Collignon and Rudic (2025) cited above at 55.
- ⁸⁸ Collignon Sarah and Wolfgang Rudic (2024) <u>Who runs for office: understanding candidate diversity, safety and localism in the UK 2024 General Election</u> *The Political Quarterly 2024*
- ⁸⁹ Representation of the People Act 1983 Legislation.gov.uk (updated till May 2025) [accessed 22 May 2025]
- ⁹⁰ See Seneed Cymru <u>How are members elected?</u> [accessed 02 May 2025]. Relevant legislation is the National Assembly for Wales (Representation of the People) Order 2007, as amended by The Senedd Cymru (Representation of the People) (Amendment) Order 2020.
- ⁹¹ This concern is raised by Collignon and Rudig (2020) cited above at 28.
- ⁹² Buckley, Keenan and Mariani 'The cost of doing politics in Ireland' *Chr. Michelsen Institute (CMI Brief no. 2023:6)* 8986-the-cost-of-doing-politics-in-ireland.pdf
- ⁹³ AILG and Crime Management Group (2021 and 2023) *Threats, harassment and intimidation in public office A survey report on councillors' perspective*
- ⁹⁴ Siapera, E., Bastos, M., Farries, E., Kerrigan, P, & Coleman, M. (2024). *Report on the Abuse and Harassment of Members of the Houses of the Oireachtas and Political Staff*
- ⁹⁵ Immigrant Council of Ireland (2024) *Strength in Diversity* II, Available at <u>Strength in Diversity</u> II <u>Final.pdf</u> [accessed March 2025].

⁸⁵ It should be noted that any changes to the rules surrounding the provision by candidates of their addresses as part of the nomination process must be made to account for the situation of people experiencing homelessness to facilitate their candidacy. For example, Section 84 of the Electoral Reform Act 2022 already facilitates registration on the electoral register where a person is not ordinarily resident at any premises.

⁸⁶ An Coimisiún wishes to acknowledge submissions received as part of the research process which included the suggestion that a more general indicator of residence replace the address on the ballot paper.















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