

Report of the Referendum Commission
on the Referendum on the
Twenty-sixth Amendment of the Constitution Bill, 2002



Foreword

Pursuant to Section 14(1) of the Referendum Act, 1998 I hereby present to the Minister for the Environment and Local Government the report of the Referendum Commission in relation to the performance of its functions in respect of the referendum on the Twenty-sixth Amendment of the Constitution Bill, 2002.

On 9 July, 2002 the Minister set up the Referendum Commission, by means of an Establishment Order, to carry out the provisions applicable to it under the Referendum Act, 1998, as amended by the Referendum Act, 2001, in respect of the aforementioned referendum.



T. A. Finlay,
Chairman,
Referendum Commission.

March, 2003.

Contents

Part 1	Background
	<i>Establishment and Funding of the Referendum Commission</i>
Part 2	Report on the Referendum Commission's Information Campaign
<i>Chapter 1</i>	<i>Publication and Distribution of Information Material</i>
<i>Chapter 2</i>	<i>Locall Number and Distribution Centre</i>
<i>Chapter 3</i>	<i>Radio and Television Campaigns</i>
<i>Chapter 4</i>	<i>Referendum Commission Website and Other Advertising</i>
<i>Chapter 5</i>	<i>Monitoring of Public Interest and Awareness</i>
<i>Chapter 6</i>	<i>Approval of Bodies for the Purposes of the Referendum</i>
Part 3	Overview, Analysis and Recommendations
<i>Chapter 7</i>	<i>The Commission's General Approach to the Information Campaign</i>
<i>Chapter 8</i>	<i>Maximising Voter Participation</i>
<i>Chapter 9</i>	<i>Pilot Projects</i>
<i>Chapter 10</i>	<i>The Time Allowed for the Information Campaign</i>
<i>Chapter 11</i>	<i>Effectiveness of the Individual Elements of the Campaign</i>
<i>Chapter 12</i>	<i>Recommendations</i>
<i>Chapter 13</i>	<i>Acknowledgements</i>

Appendices

Appendix 1: Establishment Order in Respect of the Referendum
Appendix 2: Bodies Approved for the Purposes of the Referendum
Appendix 3: Schedule of Distribution Networks for Information Booklets
Appendix 4: Expenditure on the Information Campaign
Appendix 5: Summary of Submission to the Referendum Commission on Voter Apathy

Part 1 Background

Establishment and Funding of the Referendum Commission

Under the Referendum Act, 1998 on each occasion that a referendum falls to be held the establishment of a Referendum Commission is at the discretion of the Minister for the Environment and Local Government. A Commission is created by means of an Establishment Order issued by the Minister in respect of the proposed referendum. The Act of 1998 provides that the Chairman of the Commission shall be a former judge of the Supreme Court or the High Court or a judge of the High Court. The other members of the Commission shall be the Clerk of the Dáil, the Clerk of the Seanad, the Ombudsman and the Comptroller and Auditor General. Referendum Commissions have previously been established in connection with the referendums on the Amsterdam Treaty and the Northern Ireland Agreements which were held on 22 May, 1998, the referendum on Constitutional Recognition for Local Government which was held on 11 June, 1999, the referendums on the Abolition of the Death Penalty, the Acceptance of the Jurisdiction of the International Criminal Court and the Treaty of Nice which were held on 7 June, 2001 and the referendum on the Protection of Human Life in Pregnancy Bill, 2001 which was held on 6 March, 2002.

Subsequent to the 2001 referendums the Commission's role was amended in accordance with the terms of the Referendum Act, 2001. This provided that the Commission would no longer have a role in outlining the arguments for and against referendum proposals or of fostering and promoting debate and discussion on referendum proposals. The Commission continued to have the role of explaining the subject matter of the referendum to the electorate. In addition, it was granted a new role of promoting public awareness of the referendum and encouraging the electorate to vote at the poll.

On 9 July, 2002 the Minister made an Establishment Order in respect of the Twenty-sixth Amendment of

the Constitution Bill, 2002. Mr Justice T. A. Finlay, former Chief Justice of the Supreme Court, accepted the nomination of the Chief Justice to act as Chairman of the Referendum Commission established by the Minister.

The Government initially approved the allocation of €3.5 million in respect of the information campaign. A further allocation of €650,000 (see Chapter 1) brought the total allocation to €4.15 million. A breakdown of the expenditure incurred in the referendum campaign is provided in Appendix 4 of this report.

The Secretariat of the Commission was drawn from the Office of the Ombudsman and was based there.

At a press conference held on 31 July, 2002 the Commission committed itself to make good use of the additional time provided by the decision of the Government to establish the Commission earlier than had previously been the practice when a referendum was announced. Details of the information campaign were outlined at a press conference held on 18 September, 2002, by which time the first information booklet, *The EU and how it works* was printed and ready for nation-wide distribution and the text of the second information booklet *The Referendum and the Treaty of Nice* had been approved by the Commission for printing. A comprehensive information campaign encompassing television, radio, cinema, press and outdoor advertising had been planned. A comprehensive web-site had also been put in place to which more information was added in the following weeks and a Locall telephone line service went live on the same day (18 September). In addition, research had been carried out to assess levels of public engagement with and understanding of the issues involved. A full description and analysis of the various elements of the campaign is contained in this report.

Part 2 Report on the Referendum Commission's Information Campaign

Chapter 1 Publication and Distribution of Information Material

In line with its statutory brief to explain the subject matter of the referendum and to make best possible use of the period of time available to it, the Commission decided that two information booklets would be produced and distributed to every household in the country. The first was a leaflet entitled *The EU and how it works*. The second was a booklet entitled *The Referendum on the Treaty of Nice*. The first leaflet consisted of eight fold-out A5 pages. It explained the major EU institutions and outlined, in simple terms, some relevant milestones in the growth of the EU. The final text of the first information leaflet was approved by the Commission at a meeting held on 2 September, 2002.

The second booklet was a twelve page A5 which set out the text of the proposed amendments to the Constitution and outlined the consequences of voting for or against the proposals. It also described the principal changes proposed by the Treaty of Nice and the effect of the proposed constitutional prohibition on joining a common EU defence. The final text of this booklet was approved by the Commission at a meeting held on 18 September, 2002.

The Commission had held a meeting on 30 July, 2002 to agree the broad outline of an information campaign strategy. It was agreed that An Post's unaddressed service should, if possible, be used for the mailing of the information booklets and An Post were subsequently asked to confirm that this service could be used on a nation-wide basis. An Post informed the Commission on 26 August that, due to prior bookings, the unaddressed mailing would not be available to it during the period in question but that the postaim service could be used with a preferential delivery service being agreed to ensure distribution within the time limits required by the Commission. This postal service is however

significantly more expensive than the unaddressed service. However, the Commission attached great importance to nation-wide deliveries, which were vital cogs in its overall campaign, so an additional allocation of €650,000 was sought and received.

Subsequent discussions with An Post and the Government Supplies Agency (GSA) led to the decision to print 1.48 million of the first leaflet and 2.22 million copies of the second booklet for nation-wide distribution. Two local tender processes were organised through the GSA, to select printers for the printing of the booklets. The costs for the printing of the booklets fell under the relevant threshold which would have required a tender process through the EU Journal.

Delivery of the first leaflet by An Post to every household was carried out between 18 and 23 September, 2002. Delivery of the second booklet to everyone on the electoral registers throughout the country was carried out between 7 and 11 October, 2002. The deliveries were completed satisfactorily and in accordance with the agreed schedules. Copies of both booklets were also distributed from the Commission's Distribution Centre to a range of public outlets (see Appendix 3). Copies were also sent to each member of the Houses of the Oireachtas and to members of the Defence Forces, Gardai and Foreign Affairs staff serving abroad.

A separate Irish language version of both booklets was also produced. The printing of 25,000 copies of the first leaflet, *An AE agus mar a oibríonn sé* was completed on 30 September, 2002. Of these, 10,000 were distributed as an insert in the Irish-language newspaper, Foinse, on 5 October, 2002, and the remainder through the Locall centre, libraries, community information centres in Gaeltacht areas, certain third-level institutions and the Referendum Commission office. The printing of 25,000 copies of the second booklet *An Reifrinn ar Chronradh Nice* was distributed through the same outlets from 7 October, 2002, with 10,000 copies being distributed as an insert in Foinse on 12 October, 2002. Copies of both booklets were also distributed to Irish language organisations and selected individuals on a mailing list compiled by the Referendum Commission office.

Both information booklets were produced in Braille and in audio tape for persons with a sight disability and were distributed through the National Council for the Blind. In addition, the Commission produced a special sign language video of the information material for distribution to Deaf Clubs throughout the country.

Chapter 2

Locall Number and Distribution Centre

The Commission decided at an early stage in the information campaign to use a Locall Number service which would provide three services: first, it supplied recorded information explaining the procedures involved in applying for inclusion on the supplement to the electoral register, second, it allowed callers to record questions and third, it allowed callers to request information booklets which were then sent out by the Locall service company. A competitive selection process was carried out on behalf of the Commission to select a company to provide a Locall Number service and a distribution service, following which a company called Abtran was awarded the contract.

The primary purpose of the Locall Number was to enable members of the public to record questions relating to the issues raised in the referendum debate. In the past, the Commission had concentrated on giving people all the information they required to make a decision. Given the complexity of the Treaty of Nice and the evident confusion among voters (which was confirmed by research), the Commission decided to introduce a new element involving tracking issues through ongoing research and by inviting questions through the use of the Locall Number. Using this information, the Commission sought to answer frequently asked questions through a series of special television and radio broadcasts, newspaper advertisements and web-based material. An Irish language answering service was also provided with Irish language copies of the Commission's booklet being made available through the Locall service centre. The Locall service operated from 18 September to 18 October, 2002.

Abtran also arranged the distribution in bulk of copies of the information booklets to a wide range of public outlets, in consultation with the Commission. The main distribution networks are listed in Appendix 3.

Chapter 3

Radio and Television Campaigns

In line with previous practice the Commission decided to recruit a specialist to assist and advise on the best strategic approach to the information campaign. Following a competitive selection process, Mr Tim Collins of Drury Communications was appointed as Communications Consultant to the Commission.

Following a further competitive selection process, McConnells Advertising was chosen as the advertising agency to plan and implement all elements of the Commission's information campaign. This selection process was completed on 2 August, 2002.

During the campaign the Commission produced a series of short television advertisements of 40 seconds duration and a series of Referendum Commission Broadcasts of one minute duration which dealt with frequently asked questions and the implications of a Yes/No vote. The radio advertisements were also of 40 seconds duration and the radio broadcasts were of one minute duration.

The advertisements sought to encourage registration, highlight the date of the referendum and the importance of voting and to draw attention to other elements of the Commission's campaign such as the Locall Number, the website, further television and radio broadcasts and the Commission's press advertisements and nation-wide deliveries of information booklets. There were three separate radio and television broadcasts dealing with frequently asked questions. In addition, there was an advertisement of 40 seconds duration, aimed specifically at young people, which was produced for cinemas but was also shown on television due to its impact (see Chapter 11).

The television advertisements were filmed against various outdoor backdrops e.g. a beach scene, a wooded area etc. This was to enable the viewer to be conscious of the fact that different advertisements were providing different information. It was designed to prevent a "wear" factor among viewers. By contrast the longer broadcasts dealing with the

frequently asked questions were filmed in studio against a type of newsroom backdrop. Ms. Cliona Ni Bhuachalla was chosen as the face of the campaign presenting both the English and Irish language versions.

The radio and television campaign went to air on 18 September, 2002 and ran up to and including the day of the referendum, 19 October, 2002. The radio campaign ran on national, local and community radio. The television campaign ran on RTE1, RTE2, TV3, TG4 and Sky 1. The cinema campaign ran from 4 October to 19 October, 2002.

The Commission received an excellent response from the independent radio and television outlets in relation to the provision of free airtime for the Commission's broadcasts. Difficulties did however arise in relation to the provision of broadcast slots on RTE television (see Chapter 12).

Chapter 4

Referendum Commission Website and Other Advertising

The Commission had previously established its own permanent website, in both Irish and English versions, and an email address to act as a conduit for information. This was adapted to include sections relating to the referendum on the twenty-sixth amendment of the Constitution. The texts of the Commission's information booklets were made available on the website from 18 September, 2002. In addition, the text of the Twenty-sixth Amendment of the Constitution Bill, 2002, the text of the Treaty of Nice and other relevant information were also posted on the website. In the early stages of the campaign, when it was still possible to make an application to be included on the supplement to the Register of Electors, information on how to make an application was included on the website. Registration information was replaced with information on voting procedures on 1 October, 2002. All the Commission's press releases were published on the website. Answers to "Frequently Asked Questions" were also made available through the website as the campaign progressed. The questions emailed to the website were answered by Commission staff on a daily basis.

The Commission held three press conferences, on 31 July, 18 September and 14 October, 2002 all of which received widespread coverage on local radio, television and newspapers as well as interest from the international media.

The Commission published a basic information/promotional leaflet, aimed at encouraging young people in particular to vote. A total of 40,000 were printed and distributed in the final week of the campaign throughout the country on third-level campuses, at cinemas, bus-stations and on some busy shopping streets. The leaflet sought to heighten awareness of the date of the referendum and to advertise the Commission's website address.

The Commission ran an extensive outdoor poster campaign. Three different size posters were produced, 6 sheet size for bus shelters etc., much larger

48 sheet size posters for prominent poster locations and "T-side" posters for buses. The posters were placed at urban and rural locations throughout the country. They were designed to heighten awareness of the referendum date and to encourage people to vote.

A widespread newspaper advertising campaign, in English and Irish, was carried in the national and local press from 21 September, 2002 up to and including 18 October, 2002 which was the day before the referendum. The advertisements dealt with some of the substantive issues arising in the referendum, drawing from the questions recorded on the Locall service telephone line as well as drawing attention to the date of the referendum, the Commission's Locall Number and its website. Some of the Commission's radio and television advertisements were used to alert the public in advance about the newspaper advertisements.

Chapter 5

Monitoring of Public Interest and Awareness

The Referendum Commission decided at the outset of its information campaign that detailed evaluation of public knowledge of the referendum on the Treaty of Nice was necessary. The dual functions of the Commission to inform the public of the subject matter of the referendum while encouraging the electorate to vote combined with the fact that there had been a low turn-out for the referendum on the Treaty of Nice in 2001 (34.79%) required research into the reasons for the low poll. The initial work in this area served therefore to provide a starting point for the campaign and to establish the base levels of public interest and awareness. It also helped to identify the scale of the challenges faced by the Commission in seeking to fulfil its statutory functions.

The research and analysis carried out during the campaign allowed the Commission to identify the key areas of public interest and concern in relation to the Treaty of Nice and to tailor its messages to various audiences. It helped direct media planning and provided a measurement mechanism to establish key criteria for the campaign. The positive impact of various initiatives and mechanisms, indicated by post-referendum research, will be useful in informing future referendum campaigns.

Qualitative and quantitative research was carried out involving Group Discussions and Public Surveys. These were carried out in three waves. The first Public Survey was carried out between 2 September and 5 September, 2002 prior to the public launch of the Referendum Commission's campaign on 18 September, 2002. A mid-way Public Survey and further Group Discussions were carried out between 30 September and 3 October, 2002. The third and final wave involved a post-referendum Public Survey and more Group Discussions carried out between 21 October and 24 October 2002.

The First Wave

A special questionnaire was designed for each

Public Survey which avoided areas which were not within the Commission's remit i.e. intention to vote yes or no in the referendum. The survey was designed to be representative of region and of social class. The interviewers carried out computer-assisted telephone interviewing in order to achieve the speed of turnaround required. The first Public Survey of 300 adults, which was carried out in early September, sought to measure awareness and understanding of the referendum on the Treaty of Nice and of the Referendum Commission.

The findings from the entire sample indicated that 89% of those interviewed claimed to be registered to vote. This dropped to just over 50% for 18-24 year olds. When asked if they were aware of the upcoming referendum, 78% indicated that they were. Awareness was higher among older voters with just over half of 18-24 year olds aware of the referendum. In relation to intention to vote, 73% claimed they were likely to vote. There was a marked age pattern regarding intention to vote, with definite voters rising from a low of 28% among under 24 year-olds to a high of 78% among those over 55. When asked to explain what the referendum was about, only 16% claimed to understand it.

When prompted about the issues involved in the upcoming referendum, 80% were aware of enlargement as an issue, 57% were aware that changes were proposed to the way decisions are made and 55% were aware of the constitutional prohibition on Ireland joining an EU defence.

In relation to awareness of the Referendum Commission, 57% of the sample had heard of it but over one third of those who said they were aware of the Commission had no knowledge of the role of the Commission in relation to the referendum.

The overall results of the initial Public Survey indicated that the Commission faced a considerable task in informing the electorate about the subject matter of the referendum on the Treaty of Nice and the role of the Commission. It also demonstrated a need to pursue vigorously the aim of encouraging the electorate to vote. Understanding of the issues was clearly a significant factor in this regard and the

backbone of the campaign subsequently developed was to disseminate information on the subject-matter of the referendum as widely as possible and using a range of media.

Other initiatives to increase turnout included a parallel campaign to encourage voter registration and in the latter part of the campaign a separate campaign encouraging people to vote. A number of elements of the campaign were focused on younger voters.

The Second Wave

Between 30 September and 3 October 2002, the second wave of research was carried out which comprised a second Public Survey and further Group Discussions. The repeat Public Survey consisted of interviews with 300 adults. Whereas in the first survey respondents were selected by reference to the demographic make-up of the Irish adult population, in stages two and three only registered voters were included as they were the target group for the information campaign.

All of the research results were found to have moved in a positive direction since the commencement of the campaign. Awareness of the fact that a referendum was to take place rose from 78% to 94%. Those who claimed to understand the subject-matter of the referendum rose from 16% to 25%. The numbers of people who said they would definitely vote moved from 59% to 70%, with an encouraging change in attitude in the under 25 year-olds, with 55% claiming they would definitely vote in comparison to 28% at the time of the first wave of research. The second wave of research also measured the relative levels of knowledge and interest in relation to particular issues, with enlargement and neutrality being perceived as the most important.

With regard to awareness of the Referendum Commission, 71% claimed to be aware, compared to 57% in the first wave. Those who did claim to know something were less confused about the Commission's role in the second wave with 58% stating it was to provide unbiased or independent information.

In conjunction with the second Public Survey, some qualitative research was carried out involving a number of discussion groups. Two groups of potential voters proven to have a particularly low propensity to vote are students and people living in deprived urban areas. Four groups of the public drawn from these categories were convened on 10 September and 13 September. Two groups were conducted in Dolphin's Barn, Dublin and two (student) groups in Galway. Half of the groups were registered to vote, the remainder were not registered.

The findings from the Dublin discussion groups in relation to propensity to vote found that many felt removed from the process and had little interest in it. From the point of view of the campaign to encourage voting, it was clear that the message to be conveyed should be highly motivating and stress the relevance of voting to the individual. The group were shown a test video of a television broadcast and scripts for television on registration and the information campaign. The outcome of discussion of these indicated that a higher level of comprehension and interest would be obtained by using television and radio rather than written material.

The student group involved in the research represented a mix of people, half of whom were registered to vote and half who were not registered. The outcome of discussions revealed that all of those who were registered were on the electoral roll in their own area. Only a small number had ever voted. From the point of view of the Commission's duty to encourage the electorate to vote, there was a clearly perceived need to encourage both registration and voting and in encouraging voting, to design a message which would impact on young voters. The awareness and understanding of the subject-matter of the referendum by the students was limited. When presented with written material they acknowledged it was balanced but felt it might not be read as it could be overlooked in student accommodation and was essentially about something which did not affect them.

In general, the second wave of research indicated an increased awareness of the Referendum

Commission and the subject-matter of the referendum. The television and radio campaigns seemed to be more effective than the newspaper advertisements. There was a general acceptance that the Commission's campaign was balanced and fair and that it was a good idea to have an independent body to run information campaigns.

The Third Wave

After the referendum a survey of 300 adults was completed between 21 October and 24 October, 2002. Again, the respondents were chosen by reference to the demographic make-up of the adult population of Ireland. On 21 October, 2002, qualitative group discussions were convened with four groups, two in Mullingar and two in Dublin.

The objective of the research was to explore the role the various elements of the campaign played in the voter's decision making, if any, and to assess various elements of the campaign itself. A further objective was to learn lessons which could form the basis for an approach to similar campaigns in the future.

Turnout in the referendum was 49.47%, a substantial increase on the poor turnout of 34.79% for the referendum on the Treaty of Nice in 2001 and a reasonable increase on the turnout of 42.89% for the referendum held in March 2002 on the Protection of Human Life in Pregnancy Bill, 2001.

The research results showed an increase in public awareness of the referendum and the issues involved since the time of the second wave of research. Those who claimed to understand the subject-matter of the referendum rose from 25% to 37%. This relatively low level of understanding must be viewed against the improved turnout figure and the fact that when asked about the main issues (without prompting) only 9% of respondents were unable to name an issue, 70% mentioned enlargement, 37% mentioned neutrality, 8% mentioned immigration and 6% mentioned other EU procedural changes.

The research carried out post-referendum included questions relating to whether the respondents had voted or not and established the age-patterns of vot-

ers. Non-voters were asked if they knew which way they would have voted had they done so. Of respondents aged 55 years and over, 94% claimed to have voted, 79% of 18 to 24 year-olds claimed to have voted with the lowest number of voters in the 25 to 34 year age bracket at 76%. The numbers of young people claiming to have voted was encouraging. In relation to the voting patterns of non-voters, only 20% said they did not know how they would have voted. Again, this is encouraging from the point of view of the information campaign, although it is clear that much work remains to be done to encourage people to exercise their franchise. Another interesting finding from the third wave of research is that while 78% of respondents claimed that they had always intended to vote, 19% of those aged under 25 decided on the day before the referendum or the day itself.

With regard to awareness of the Referendum Commission, 77% claimed to be aware, compared to 71% in the second wave. However, knowledge of the Commission's role remained static from the time of the second wave with 58% stating it was to provide unbiased or independent information. Awareness of receiving information on the Treaty of Nice from the Commission rose from 86% at the time of the second wave of research to 95% post-referendum. The material was said by 50% of respondents in late September to have helped their understanding of the issues. Post-referendum this figure had risen to 77%. The third wave of research also examined the relative impact of the various elements of the media campaign, finding that the information booklets (if read) were recalled by 85% of respondents and were said to have helped understanding in 85% of cases. Television broadcasts/advertisements were recalled by 78% of respondents and were said to have aided understanding in 72% of cases. Press inserts, however, were recalled by only 35% of respondents, although of those, 78% claimed they aided understanding. The outdoor advertising (posters and bus advertising) and television/cinema advertisements which encouraged the electorate to vote were recalled by 59% (outdoor) and 56% (television/cinema) of respondents with 63% and 62% of respondents respectively claiming to be motivated by them.

Interestingly, these figures were much higher among the 18 to 24 year-old respondents, with a high proportion of respondents in that age group claiming that they were motivated by the outdoor (73%) and television/cinema advertising (89%).

In conjunction with the third Public Survey, some qualitative research was carried out involving four discussion groups in Mullingar and Dublin. All the respondents were registered to vote. In each group there was a mix of voters and non-voters. It was clear, at this final stage, that there had been a marked increase in the level of knowledge of the issues involved in the referendum. While the majority of respondents had voted, those who had not claimed their main reason for not doing so was lack of understanding of the issues. However, when discussing the referendum they were, in fact, fairly knowledgeable.

Overall the research found that the campaign created widespread awareness and was positively received. Television, radio and outdoor worked better than press and the brochures, although not read in detail, were said to be a reassuring presence for most respondents throughout the campaign. The respondents agreed that the main referendum issues were best explained in the Question and Answer format, rather than a single presenter putting forward both sides of a question.

The *Get out and Vote* message was regarded as the strongest message of the campaign.

Another important conclusion from all the research is that it is difficult to engage people's attention at the early stages. The final two week stage seems for many to be a watershed date, when interest starts to mount. At earlier stages it is only those who are politically aware and interested who take notice. The researchers also found that many of the messages required repeated exposure as they were regarded as too complicated to be absorbed from a single viewing/hearing.

Chapter 6

Approval of Bodies for the Purposes of the Referendum

Section 7 of the Referendum Act, 1998 makes provision for a body to apply to the Referendum Commission to seek a declaration that it is an approved body for the purposes of a referendum. Approved bodies are entitled to appoint agents to attend at the issue and opening of postal voters ballot papers, at polling stations and at the counting of votes. Members of both Houses of the Oireachtas, who currently have the right to appoint such agents, would continue to have this right.

In order to become an approved body, an applicant must fulfil conditions and follow procedures set out in the Referendum Act, 1998.

These conditions and procedures are:

- the body must be a body corporate or unincorporated body which, or a branch of which, is established in the State, governed by a constitution, a memorandum of association or other such document or other written rules and having a membership of not less than 300;
- the body must have an interest in the referendum and have a name which is not identical to, or does not closely resemble, the name of a political party registered in the Register of Political Parties. A political party for the time being registered in the Register of Political Parties is deemed to be a body for the purposes of the Act and need not establish compliance with the above conditions;
- applications must be made on the official form, which is available from the Commission and must be submitted within such time as the Commission may specify.

The Referendum Commission may refuse to make a declaration if a body does not fulfil the relevant conditions, or fails to provide the Commission with reasonable information or documentation which

the Commission considers necessary to determine the application.

The Commission may also revoke a declaration made by it in relation to a body where it is satisfied that false information has been furnished to it. The Act also provides, under section 9, that it will be an offence knowingly to provide false information in relation to an application.

On 25 September, 2002 advertisements were placed in the national press seeking applications from bodies seeking approval for the purposes of the referendum. The specified closing date was 4 October, 2002. Following the application process the Commission approved 11 bodies. These bodies are listed in Appendix 2.

PART 3 Overview, Analysis and Recommendations

Chapter 7 *The Commission's General Approach to the Information Campaign*

The Commission has two core functions, firstly to inform the electorate about the referendum proposals and secondly to encourage the electorate to vote at the poll. The Commission viewed both of these as separate tasks and decided at the outset to run parallel but quite different campaigns.

The task of informing the electorate was the main campaign and most of the budget was concentrated on this. Because of the necessity to reach all voters a multi media approach was adopted. While broadcast media, especially television, were the main vehicle used to inform people about the proposal, a range of other media was also used. This facilitated a layered approach to the presentation of information. Where the campaign was at its most simple and "stripped down" was on television in 30 second format advertisements. This approach was balanced by more comprehensive material in print advertisements, booklets and on the Commission's website.

One of the major problems faced by the Commission and indeed other agencies/groups in reaching younger audiences and people living in disadvantaged areas is the failure of more traditional communication approaches to have an impact on such groups.

The additional time available on this occasion allowed for some initial work to be carried out in this area. Two pilot projects were conceived. The first focused on tactics to encourage greater turnout among third level students and the second was aimed at an inner city area with a history of poor voter participation (see Chapter 9).

The Commission also had more time to plan a structured and integrated campaign. In addition to the layering of information, more time was spent ensuring material was as user friendly as possible.

For example, rather than just producing television advertisements in studio, it was possible to shoot in a range of attractive locations.

It was apparent from a wide range of research sources that a key barrier among the public to better understanding of the main points of the Treaty of Nice was a general lack of understanding of the existing EU institutions and how they worked. The Commission felt that unless it made an effort to address this gap it could be accused of talking over people's heads. In addition, a key factor in the low turnout at the last Treaty of Nice referendum was a "stay at home" protest by people who felt that they were not sufficiently informed. It was important that people could not justifiably use this excuse on this occasion.

In order to address the gap in understanding of the EU institutions a special booklet was produced. This booklet, aimed at providing some basic facts about the EU, was distributed in advance of the "traditional booklet" which dealt with the proposal itself (see Chapter 1). Another innovation on this occasion was the idea of asking the public what areas they would like to see addressed in the Commission's broadcasts and newspaper advertisements.

The broadcasts and press advertisements used a "frequently asked questions" format which proved to be quite successful. The questions were compiled from calls to the Commission's telephone line, emails to the Commission's web site as well as from research groups conducted throughout the campaign.

The core part of the main campaign consisted of three television advertisements that were replicated on radio. The first of these introduced the Commission and signalled the arrival and the relevance of the first booklet. The second and third dealt with the proposed changes to the institutions and the implications of voting yes or no.

During the final ten days of the campaign, the core television and radio campaign was replaced by the FAQ broadcasts and the "get out and vote" campaign. The FAQ broadcasts dealt with the topics of the use of the veto, enlargement and immigration and neutrality.

Chapter 8 *Maximising Voter Participation*

While the concern in this campaign was to ensure that turnout as a whole was greater than the previous referendum, a particular area of concern was the participation of younger voters. Research has shown that voter apathy tends to be higher among younger people. To overcome this, particular attention was paid to devising an approach which would attract their interest. The choice of media and a greater emphasis on registration were considered to be key elements in the strategy. Two pilots projects were also carried out (see Chapter 9).

The general campaign began with a call to register before the closing date. This was executed through a short radio campaign. An advertisement was produced for cinema and television aimed at jolting people out of their complacency regarding the usefulness of voting. This was further supported by an outdoor campaign with a simple message phrased in a colloquial style.

The turnout on this occasion was 49.47%. This was an increase on the turnout of 42.89% for the abortion referendum in March 2002 and a substantial increase on the turnout of 34.79% for the referendum on the Treaty of Nice in June 2001, which was held in conjunction with two other referendums. When viewed in isolation and compared with turnout in recent referendums the turnout was not too disappointing. However, there is clearly room for improvement in this area. The Commission would be of the view that a turnout of anything less than 50% in a referendum is not satisfactory.

The Commission has commented in previous reports on the matter of voter apathy in general and the need for effective long term research, followed up by effective actions to tackle the problem. There is an abundance of evidence to show that this is a deep seated and growing problem. Due to its temporary nature the Commission itself cannot tackle this problem in any meaningful way under its present statutory framework. The extent of voter apathy is underlined by the rather stark results from the Commission's two pilot projects. Arising from these

experiences the Commission received a submission on the question of voter apathy prepared by McConnells and Mr Tim Collins and a summary of their proposals is attached as Appendix 5 to this report. The Commission has included a recommendation on this matter in Chapter 12 of this report.

Chapter 9

Pilot Projects

As part of its remit to encourage people to vote the Commission undertook two pilot projects focusing on groups that traditionally have noticeably low turnout – students and lower income inner city dwellers. These small information projects were carried out as an initial, explorative look into an area of serious concern. In advance of developing these information initiatives the campaign team undertook research to gain insights into overall attitudes to voting and explore factors that discouraged voting. These focus groups revealed a serious and alarming lack of interest, lack of knowledge and lack of motivation as regards politics and voting in general.

The first pilot project was centred on a third level institution, IT Carlow, which has over six thousand students. The Marketing Department in IT Carlow together with the Commission's campaign team undertook an on-campus campaign to encourage students to vote in the referendum. Due to the fact that the referendum was held on a Saturday the campaign did not address the usually difficult matter of registration for students. However, this is something that deserves serious consideration.

The on-campus campaign involved posterage, leaflet distribution and TV advertising. A4 posters bearing a "Get Out and Vote" message were displayed on the campus in the week running up to the vote. In the same vein, the Commission's TV/cinema advertisement designed to encourage voting was shown regularly on TV screens in the campus – for example in the student canteen. Two different leaflets were also distributed in the week running up to the referendum. The first leaflet acknowledged the fact, revealed in focus groups, that many students were first time voters and were put off voting by the fact that they didn't know what to expect when they got to their polling station. This leaflet provided a simple step-by-step guide on how to vote once they have arrived at their polling station. The second leaflet was the promotional leaflet distributed in busy shopping areas. It summarised the main issues of the campaign and carried a strong "Get Out and Vote" message.

The Marketing Department in IT Carlow carried out quantitative research among the student population to evaluate the impact the information campaign had – both in terms of understanding what the referendum was about and the actual incidence of voting. In both areas there were positive findings – voting increased by 15% from intention to vote to actual voting and perceived understanding, although still relatively low, grew by 175%.

However, it would appear that there is a "glass ceiling" where students are concerned with regard to how much information is noticed and absorbed. It would appear that students were more interested in information that required less effort on their own part. Television, radio and word of mouth in general were important sources while the Referendum Commission's television advertising and posters seem to have had more impact than the leaflets. It should however be noted that even though the leaflets were only read by a minority – once read they had more impact than other elements of the campaign.

The Commission are of the view that undertaking this project on a nation-wide basis would bring a relatively small return when measured against the additional resources required. In fact the weighting of mainstream elements of the "Get Out and Vote" campaign towards younger audiences proved to be almost as effective as the special on-campus campaign in influencing understanding and turnout.

The second pilot project was undertaken in School St. Flats and Thomas Court Bawn – two small Dublin City Council flat complexes located near St. James' Gate in the South Inner City. The complexes were chosen because of their manageable size and due to the fact that they had a joint community partnership group. The area had previously been the focus for a voter participation study undertaken on behalf of the South West Inner City Network (SWICN) and Ms Paula Brudell of SWICN provided invaluable advice and support for the pilot project.

The aim of this project was to encourage residents of both flat complexes to vote in the referendum. Working through the School St. Community

Partnership office the campaign team supplied basic voting information to all residents – this was done by distributing a voting information flyer. The flyer carried a map clearly showing how to get to the polling station from the flat complexes, indicating the times that the polling station was open and informing residents that the community partnership's mini-bus would be available to bring them to and from the polling station. Another short information leaflet recapping on the main referendum issues was also distributed in both complexes.

All information was distributed by members of the community partnership who were resident in the flats and well-known to other residents. However, conscious of the fact that verbal communication might be more effective for this audience, the campaign team organised for two local TDs to hold a discussion on the referendum in the flat complex on the Thursday before the referendum was held. Aengus Ó Snodaigh (Sinn Féin) and Sean Ardagh (Fianna Fáil) agreed to take part in a discussion entitled "Why Should I Vote on the Nice Treaty?". Simple, clear flyers informing residents of this debate were distributed throughout the complexes on the day of the discussion.

The results of this pilot project were disappointing and highlighted a complete detachment both from voting and the political system among residents. While the referendum discussion with the TDs was heavily promoted by the partnership in the area not one resident attended. As regards voting, the actual turnout in the respective flat complexes were: Thomas Court Bawn – 22.7%; and School St. Flats – 20%. This compares unfavourably with previous figures for the last general election (Thomas Court Bawn – 31.5%; and School St. Flats – 31.5%) and local elections (Thomas Court Bawn – 22.2%; and School St. Flats – 25.6%). Even when taking into account the fact that turnout is generally much lower for referendums, it would appear that the information initiative had very little effect – the turnout in the Ushers C district, that includes both flat complexes, in the previous Nice referendum was 21.52%.

It is clear from this experience that what is required for areas such as this is a long term and sustained campaign conducted on a number of levels to encourage people to register, to vote and to engage with the political process in general. Despite the fact that an effort was made to tailor information to appeal directly to residents and use local platforms to deliver it, the pilot project appears to have made no difference to voter participation in the project area.

The message from the experience itself and from community workers in the area is that innovative methods of reaching people in marginalized areas must be deployed. It is clear from the focus groups undertaken among residents of marginalized areas in inner-city Dublin that traditional ways of communicating with voters – often legally framed and text based – are inadequate. Unless information relates directly to the immediate concerns of the residents it will not motivate them to vote. Residents feel so marginalized at a micro level that they are unconcerned with anything at national or global level which they feel will not have any direct impact on their lives. The issue of registration also poses a problem. The majority of residents in the focus groups had been registered on their own doorstep. The recent changes in the procedure for registration have made this impossible and therefore decreased the likelihood that people in these areas will register and vote. The seriousness of alienation of large groups in society from voting and the political process is one that has to be dealt with in a sustained way.

Chapter 10

The Time Allowed for the Information Campaign

The present Commission was established on 9 July, 2002 and the referendum was held on 19 October, 2002 which was a period of over three months. This is the fifth report produced by a Referendum Commission on the carrying out of its functions and in each previous report the Commission has highlighted the lack of time it has been allowed to carry out its functions. This was not the case on this occasion and the Commission is glad to report that the additional time made available to it on this occasion enabled it to carry out a much more wide-ranging and comprehensive information campaign than in the past.

The additional time allowed, in particular, for work to be done on the monitoring of public interest in and awareness of the issues raised by the referendum (see Chapter 5). The research which was carried out allowed the information campaign to focus on areas of concern to the electorate. The additional time also allowed the Commission to introduce special measures to encourage the public at large to vote and to target groups such as young voters, an element of its remit which was somewhat neglected in the past due to time constraints.

Special pilot projects were also conducted which yielded valuable information on the extent and depth of voter apathy among certain groups. In the area of television production the Commission was not faced with impossible deadlines and outdoor production at a variety of locations was possible. Two nation-wide deliveries were also conducted during the campaign and in general the amount of information material made available to the public far exceeded what was possible during previous campaigns. Detailed qualitative and quantitative research was carried out which helped to inform all aspects of the campaign.

The Commission hopes that the time allowed for this campaign will serve as a model for the time allowed for future campaigns.

Chapter 11

Effectiveness of the Individual Elements of the Campaign

The Commission's Information Booklets

The Commission produced two booklets for nation-wide delivery during the campaign. Using An Post's direct mail system 1.4 million copies of the first booklet were distributed (to every home in the country) and 2.05 million of the second (to everyone on the electoral register). Further copies of each booklet were also available from the campaign's Locall number and a number of other outlets (see Appendix 3).

The booklet design featured a higher level of illustration than in previous publications. The idea of using illustrations was to ensure that the publications were as attractive as possible and to communicate some concepts visually in place of the usual text-heavy versions. This is clearly an area which in the light of experience could be further developed.

The timing of delivery of the booklet is very important. It was clear from research that most people did not engage with the campaign until the final two weeks before the vote. By that date most people had received the first of the two booklets. It is therefore important to arrive at a balance between what is necessary from a logistical point of view and what is preferable in terms of the ideal timing of delivery. By mailing the booklet too far in advance of voting day the Commission ran the risk that it would be thrown away before the recipients began to take an interest in the campaign issues. While the research indicated that many people had put their booklet aside to read at a later date, experience suggests that it was important that people were reminded throughout the campaign to read their booklet; a visual reminder usually works best. It is likely that visually referencing the booklet in broadcasts contributed to the high recall of having received the booklet.

By its nature, advertising can effectively communicate only the most simple messages. Booklets provide what is probably the most effective and democratic means of getting detailed information on pro-

posals to the public. It was indicated in research that people felt it was important that they received a booklet. Even if they did not always read or understand it, it served as a reassurance. In the final quantitative survey undertaken on behalf of the Referendum Commission only 16% (Booklet 1) and 15% (Booklet 2) did not recall having received the booklet.

The question constantly arises as to whether the use of booklets is cost effective. On the most basic level in terms of their effectiveness in actually transmitting information to those who require it, booklets are probably not cost effective. Only 35% said that they read the booklet in detail and many of these people could have just as easily secured the same information from the web site or newspaper advertisements.

However, on balance and considering not only the views expressed by the subjects of the research but also in the interests of accessibility and democracy, the Commission believes that the tactic of sending a booklet to each home is one which should remain a key part of referendum campaigns in the future.

It is unlikely that the circumstances will arise again where it will be necessary to send two separate booklets. While this was justified in the Treaty of Nice campaign by the low levels of understanding of how the EU works, it added significantly to the overall cost.

The task of producing two booklets and distributing them nation-wide was a huge logistical challenge and required close liaison with An Post to ensure that delivery deadlines were met. This was all the more important in that other radio and television advertising was used to remind the public that deliveries were taking place at a certain point in time. The support and co-operation of An Post officials was particularly important in ensuring that all deliveries were completed within the agreed schedules.

The Commission's Radio and Television Campaigns

Television was the key medium used in both the

main campaign and the get out and vote campaign. It consumed 45% of the media budget and most of the production budget. The approach to the development of the television advertising was very much based on the perceived success of the abortion referendum campaign where the television advertisements presented by Ms. Keelin Shanley were credited with dispelling much of the confusion and misinformation in the run up to the vote.

As Ms Shanley was unavailable on this occasion screen tests were carried out and Cliona Ni Bhuachalla was chosen as the presenter. Apart from her skill as a presenter and her open style, her command of Irish was a significant advantage, removing the need for a separate Irish language presenter.

Early research indicated that Cliona's presentations were working well. It also underlined the need to keep the messages and the presentation simple and the background/setting of the advertisements neutral. This clear call for simplicity from the groups conducted at the beginning and throughout the campaign informed the drafting of scripts for the television advertisements and the broadcasts.

While the three television advertisements were 30 seconds in length, the broadcasts were filmed in a longer 60 second format. This was however a significant reduction from the two minute format previously used. The decision to move to one minute was taken in order to make the broadcasts more flexible in terms of the ease with which broadcasters could insert them within their programme schedules and also to make them more user friendly.

The only major difficulty encountered with the television campaign was securing enough slots for the broadcasts on RTE One. While the station did offer the usual slot after the Nine O'Clock News (which was previously two minutes and this time only one minute) the only other slots offered were on Network Two.

An important objective of the television campaign was to secure slots in the advertisement breaks of popular programmes on RTE One which is where audience ratings are generally highest. The slots offered on Network Two were useful in that they

were bracketed around programmes with an appeal to younger audiences but had very little broad appeal.

Given the importance of the FAQ broadcast format in addressing key issues in the last week of the campaign the Commission was quite disappointed that RTE was unable to provide a better service on RTE One. By contrast TV3 and other broadcasters such as ToDay FM were very co-operative and offered to transmit the broadcasts several times a day at peak hours.

It was clear from the final wave of research that the TV campaign was high profile and effective with 78% recall and 72% of the sample saying it helped understanding. It was also of significant assistance in highlighting sources of more detailed information such as the booklets or the Commission's web site.

Radio media spending amounted to 24% of the total media spend. While the main campaign largely utilised the same scripts as were used in the television campaign, radio was also used on a tactical basis to highlight specific issues. For example, the campaign began with a registration campaign on radio. Local radio was used in parallel with national radio allowing the Commission to reach a very high proportion of listeners.

The Commission's Press Campaign

The nature and cost of press advertising meant that its main role in this campaign was to support the messages pushed out in other media. This was the first time that the Referendum Commission seriously addressed its remit of encouraging people to vote. At an early stage in the campaign a press advertisement was placed in national papers to inform people of the options as regards registering. In the final week of the campaign local press was used to promote the "Get Out and Vote" message and the same advertisement was placed in national newspapers on the day before the referendum.

As part of the main campaign a series of advertisements, addressing frequently asked questions, was run in national and Sunday newspapers. In general

television and radio advertising was used to create awareness and impart a certain level of information, while the newspaper advertising provided additional detail that was not easily digestible through broadcast formats. Press enables detailed information to be imparted, as does the website. However, it goes further than the web in bringing information to people as people must actively search for web-based information. This role was quite clearly demonstrated in relation to the FAQ on neutrality. While the precise legal wording could not be communicated in the television broadcast, it was possible to provide more exact detail in the press advertisement. While the press advertisement was probably seen by fewer people than the television broadcast it brought the message to people more proactively than, for example, having the full detail on the website only.

The recall by people of the press advertising and therefore its impact was by far the lowest of any of the media used. However, in research people were very positive about the newspaper FAQs, even if they were unaware of the existence of the phone-line. They felt that the Commission was engaging in the debate and it was addressing the most important questions in relation to the vote. A decision was made to favour Sunday newspapers over dailies as Sunday newspapers are often kept for the following week. This allows for reference which is important in relation to the detailed information provided in the advertisements. Press also offers the possibility to address complex issues that may arise at a later stage in the campaign – at a stage where it is too late to alter or commission television advertising or booklets. Although it was not necessary to use press advertising for this purpose in this campaign it may be necessary to do so in future campaigns.

Local Number and Distribution Centre

The call centre, which was accessed through a Local number, served a variety of purposes over the course of the campaign (see Chapter 2).

The number of calls to the phone-line was quite low. In total there were over 3,600 calls. Of these, 40% were seeking further information on registering to vote, 31.5% were requesting a brochure and

28.5% recorded a question (however almost one in seven questions related to registration). The most significant jump in the number of calls took place around the 30th of September and the number increased steadily from then. This jump was due to the high number of people looking for information on registration and coincided with the deadline for registering to vote and the airing of the Referendum Commission's "urgent" register radio campaign. This clearly demonstrates a need for further information on registering – information can, and probably should, be disseminated on an ongoing basis, irrespective of whether a vote is approaching.

As regards dealing with booklet requests, the call centre system worked smoothly and was particularly important in the distribution of Irish booklets, which were not sent to every home. In addition to dealing with individual requests for Irish booklets the call centre operator also facilitated bulk mailings of Irish booklets to distribution points in Gaeltacht areas. Due to the more limited mailing of the first booklet the call centre also organised bulk distribution of this booklet to the list of outlets provided by the Referendum Commission (see Appendix 3).

It is particularly important in a short campaign that a commitment is given to dealing promptly with all booklet requests – the time lag between the placing of a call and receiving a booklet must be minimal. In this case the aim was delivery within three days. This was made possible by the joint operation of the call centre and the distribution centre.

Some level of frustration was expected from callers as a result of using a fully recorded system rather than a live answering service and for this reason the phone-line was not promoted as much as the website in advertising. Television and radio, the media that featured the number most strongly were quoted as prompting the majority of calls to the line – at 42% and 33% respectively. It emerged that the reaction to the fully recorded system was not as negative as expected – there was no very public focus on it. In addition, the use of the recorded system served to eliminate the problem where operators need intensive and in-depth training if they are to respond to queries – it is difficult to attain an acceptable standard in the short time frame within which the Referendum Commission works.

The "record a question" facility was used by relatively few people. In addition many of the most frequent questions were not actually directly relevant to its purpose e.g. people questioning why a second referendum on the Treaty of Nice was being held. This illustrates the importance of regular monitoring of the pattern of calls to the line and the use of research and media monitoring as well to aid in identification of questions. Research has indicated that people did feel that the questions addressed in broadcasts and press were the most relevant ones. The FAQ system also allowed for a new element to be introduced mid campaign which prevented the "wear out" that has been evident in the past.

Cinema, Outdoor Advertising and Website

A key part of the get out and vote campaign was the use of a cinema advertisement. The advertisement was created for use initially in cinemas over the entire campaign period and was transferred on to television in the later stages. The nature of the message allowed the creative team to produce quite a striking and emotive advertisement that worked equally well in cinemas and on television. Recall of this advertisement among 18-24 year olds from both cinema and TV was 73% with 89% saying it was effective.

Given the complexity of the subject matter, a decision was made to confine the use of outdoor advertising to the get out and vote campaign only. This allowed the use of more colloquial language in a call to action. Feedback from the last wave of research was very positive about the impact of the outdoor advertising. It also gave the Commission a very high profile presence for the duration of the campaign. The outdoor campaign utilised 48 and 6 sheet posters as well as T-sides.

In order to promote the Referendum Commission's website the address was referred to in all advertising and publications. The overall look and feel of the site was designed to mirror that of the broader campaign – in particular publications and advertising. The website provided substantial detail on the consequences of Ireland's vote on the Treaty and on the workings and institutions of the EU. The site contained a downloadable version of the text of the actual Treaty of Nice (which was too unwieldy to be

distributed cost-effectively any other way) and downloadable versions of the Commission's two information booklets. It also provided information on voting, registering (at the appropriate time) and answers to frequently asked questions which could not be addressed in broadcasts. The website was fully integrated with other elements of the campaign – questions that were emailed to the site were automatically included in the daily reports from the call centre and then used to help identify FAQs for broadcasts, and orders for booklets were fed directly to the distribution centre.

Over the course of five weeks the website was accessed by over 10,000 people. Almost 4,000 of these logged on in the final week of the campaign – again demonstrating that people did not engage with the campaign until shortly before the vote. The high number of users probably resulted from the continuous promotion of the website as a source of further information in the other forms of communication from the Referendum Commission. It appears that people took this message on board.

The website provided an important information source for the campaign and was particularly important in providing a high level of detail for those who are interested in it. The real benefit of web-based information was the ability to layer information and therefore cater for all levels of understanding. This was particularly important when delving into some of the more technical changes that would come about as a result of the vote on the Treaty and providing access to the legal texts on which the Treaty was based. It also provided a facility for the campaign to address more complex and technical questions which would not lend themselves to any other format but which the Commission are nonetheless obliged to address.

The usage figures would seem to suggest that people will access a website more readily than call a phone line. While the website was advertised more than the call centre and undoubtedly was more useful as an information resource the disparity in numbers may actually reflect an increasing ability and interest among Irish people in seeking information over the web. The Commission are satisfied that a website is a necessary part of any comprehensive information campaign. Despite this it must be acknowledged that websites impact more on more highly literate and motivated audiences – it is a passive medium and as such can only serve as a secondary information source in any public information campaign.

Chapter 12 Recommendations

The Commission requests the Minister for the Environment and Local Government (who has overall responsibility for franchise and electoral issues) to give consideration to the following issues which in the Commission's view are necessary to enable a Commission to fulfil its statutory functions. Some of these recommendations were also set out in the previous Commission reports.

- (1) The necessity to provide a mechanism by which research and information on possible developments in the area of the holding of referendums and in increasing voter participation can to be undertaken in the periods between referendums. Voter apathy and the associated lack of knowledge about the issues in a referendum will not disappear without a lengthy study of its causes and the steps required for their cure. Such a study and the finding of appropriate remedial action can never be achieved by any body merely established even a fairly long time before the holding of a referendum. This is obviously true in particular of referendums concerning the European Union which always will raise issues of the utmost complexity. If it is reasonable to anticipate such a referendum within say the next four years there would appear to be a present need to establish a body or bodies to carry out these tasks. The Commission expresses broad agreement with the thrust of the recommendations made by Drury and McConnells contained in Appendix 5;
- (2) The desirability of amending section 2 of the Referendum Act, 1998 so as to enable the Commission to be set up at a stage earlier in relation to the polling date of a referendum than is possible at present;
- (3) The extension of the minimum period which must elapse between the passing of the referendum Bill or the making of an order under section 12 of the Act of 1994 and the polling date for a referendum;
- (4) That the necessity or otherwise for the Commission to advertise contracts, which exceed the relevant threshold, in the Official Journal of the European Union be clearly established. The Commission's report of December 2001 (pages 9-11) sets out the conflicting legal advice received to date on this point.

Chapter 13

Acknowledgements

The Commission wishes to express its gratitude for the assistance of all its service providers. The Commission wishes to thank in particular Mr Tim Collins of Drury Communications who acted as Communications Consultant to the Commission and whose advice and expertise proved invaluable. The Commission also wishes to record its appreciation to Ms Ita Mangan for her excellent work on the drafting of the Commission's information material.

The Commission would also wish to express its thanks for the commitment of its Secretariat which comprised Mr Tom Morgan, Secretary, Ms Patricia Doyle and Mr Ciaran Maguire.



Mr Justice T. A. Finlay, Chairman



Mr Kevin Murphy, Ombudsman



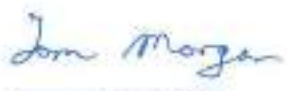
Mr John Purcell, Comptroller & Auditor General



Mr Kieran Coughlan, Clerk of the Dáil



Ms Deirdre Lane, Clerk of the Seanad



Mr Tom Morgan, Secretary to the Referendum Commission

Appendix 1

Establishment Order in Respect of the Referendum on the 26th Amendment of the Constitution, Bill 2002

S.I. No. 346 of 2002

Referendum Act, 1998.

Referendum Commission (Establishment) (No.2) Order, 2002

The Minister for the Environment and Local Government, in exercise of the powers conferred on him by section 2 of the Referendum Act, 1998 (No. 1 of 1998), hereby orders as follows :

1. This order may be cited as the Referendum Commission (Establishment) (No.2) Order, 2002.
2. A Referendum Commission is hereby established to undertake the functions assigned to it by the Referendum Act, 1998, as amended by the Referendum Act, 2001 in relation to the proposal for an amendment of the Constitution contained in the Twenty-sixth Amendment of the Constitution Bill, 2002.

GIVEN under the Official Seal of the Minister for the Environment and Local Government, this 9th day of July, 2002.

MARTIN CULLEN

Minister for the Environment and Local Government

Appendix 4

Expenditure on the Information Campaign

	€
Braille & Audio Tapes	325
Communications Consultants	148,625
Legal Fees	16,655
Locall Number and Distribution Centre	66,513
Other Advertising Costs	286,723
Postal	1,028,955
Press Advertising	313,517
Printing & Design of Publications	347,216
Radio & Television Advertising and Broadcasts	1,767,713
Research	66,526
Translation	461
Website	16,497
Miscellaneous (Office supplies etc.)	1,526
<hr/>	
*Total	€4,061,252

*Subject to Final Accounts

Appendix 5

Summary of Submission to the Referendum Commission on Voter Apathy

Introduction

Ireland in common with other western democracies has suffered from a slow but steady decline in voter participation. While the decline is at its most dramatic in European elections or referendums, it is also a source of concern in general elections.

Up to now little has been done to address this decline in any meaningful way. While the Government has experimented with weekend polling and longer opening hours for polling stations, it would seem that no effort was made to evaluate the effectiveness or impact of such moves. The Referendum Commission, in response to its remit to specifically address the objective of maximising voter turnout, has broken new ground in terms of mass media campaigns to encourage voter participation. Research carried out at the end of the Treaty of Nice referendum campaign in November 2002 indicated that the Commission's campaign had a significant impact.

There is no Government agency charged with taking a long view on how to arrest the decline in turnout. We believe that unless measures are identified and action is taken, this decline will continue. The end result will be increased alienation from national and local government, an undermining of the democratic mandate of national and local government and the spectre of an ever-shrinking minority of citizens deciding on serious and far reaching changes in our constitution and the make up of future governments.

The most obvious agency in terms of taking on the task of tackling these issues is the Referendum Commission. Ideally, the Commission should be re-established as the Electoral Commission with the present Commission acting as board to a full time staff.

In the meantime, however, there is much that can be done to begin to identify areas where there are easy wins.

How big is the problem?

Attached are a number of charts provided by the research company Behaviour and Attitudes. The first three come from work carried out by Behaviour and Attitudes before the second Nice Referendum. They show that the problem areas, in terms of voting, are among younger people and the working class, or C2DE socio-economic groups. They also show that people are much less committed to voting in referendums, which they don't always see as personally relevant to themselves, than in general elections.

The fourth chart, which comes from a survey carried out immediately after the second Nice referendum confirms this finding and also shows the level of over-claiming about voting behaviour which is interesting in itself.

The final chart shows the percentage number of people voting in general election since 1948. The results show a slow decline, but perhaps not as much as one might have expected. Des Byrne of B&A also points out that the extent of the decline may be exaggerated because of inaccuracies in the number of people now on the electoral register. He believes that since the 1992 election the electoral roll has probably been overstated by between 8% and 10%. This has happened because as the population has become more mobile there are many more duplications in the electoral roll. The alternative possibility is that census data may be becoming less accurate over time.

Actions on three levels:

We believe that action needs to be taken at three levels:

Making democracy more relevant: This is where the root of the problem lies and where it is most difficult to create change that will impact in a meaningful way on voter participation. It ranges from efforts to bring the EU closer to its citizens to the reform of local government (Special Policy Committees etc).

Change in this area has to be led by politicians and we believe in this regard a permanent forum or an Oireachtas Committee should be established and charged with the task.

Structural barriers to participation: There are many obvious barriers including the system of registration of voters, the location and signposting and accessibility of polling stations, polling days, opening hours etc. There is a range of practical and focused interventions that can increase participation in areas of low turnout such as improved or incentivised registration canvassing etc. The Electoral Commission should identify and objectively evaluate the impact of each of these barriers to participation and make recommendations to the Forum/Oireachtas Committee.

Public awareness/education: Here the Commission should have a direct mandate to research, devise and implement national and local/focused campaigns both in the context of elections/referendums and on an ongoing basis. The objective should be to address information gaps and the more emotional issues relating to the importance of exercising your vote.

Proposals:

The Electoral Commission of Ireland:

The task here is to scope out and advise on the structure, functions, staffing and budgets for a new agency to be called the Electoral Commission.

Measures that can be taken by the Referendum Commission:

The task here is to identify areas where easy wins are possible including structural issues and awareness/education on a national and local level. The steps set out below could be taken by the Commission, as it is presently constituted, acting informally.

Steps

Desk research:

International experience in addressing voter apathy.

Trends in voter participation in Ireland including demographic and geographic information.

Identify and evaluating previous/existing voter participation initiatives in Ireland.

Qualitative research:

Including group and structured interviews aimed at identifying key structural issues and key information gaps and emotional triggers. As well as carrying out independent research we envisage working with community groups who are active in encouraging greater voter participation.

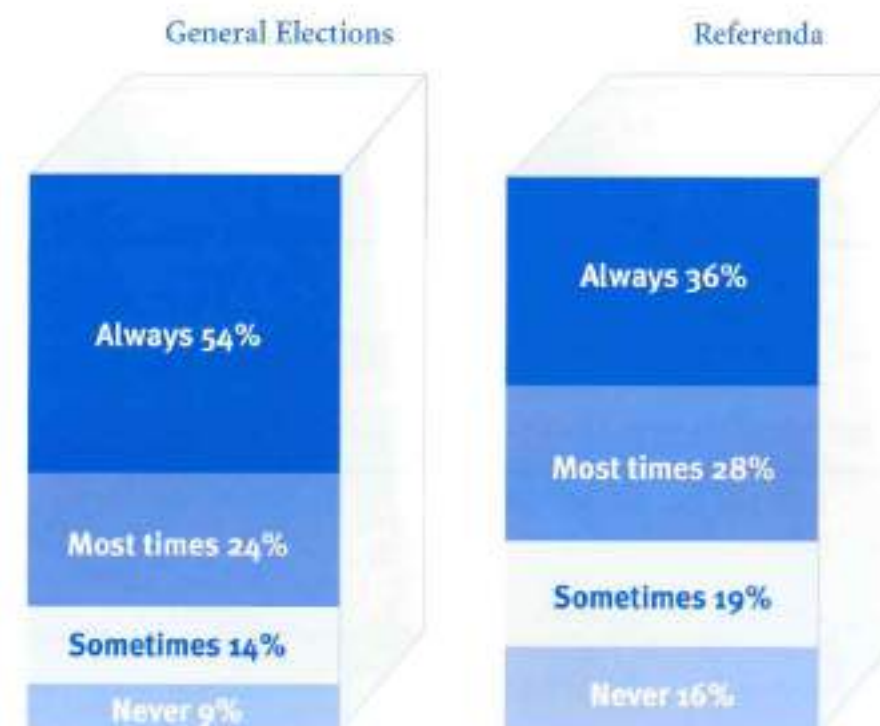
Report setting out:

Structural barriers including a range of recommendations.

New approaches to maximising voter participation through mass public awareness campaigns based on social marketing principles and focused local initiatives aimed at areas/groups of low turnout.

Submitted by McConnell's Advertising and Mr Tim Collins, Communications Consultant, Drury Communications.

Chart 1 - Voting history



Source: Behaviour and Attitudes Marketing Research

**Chart 2 - Consistent voters (1)
(Claim to always vote)**

	General Elections	Referenda
All Adults	53%	36%
Male	52%	36%
Female	54%	35%
Age		
-24	31%	18%
25-34	41%	30%
35-49	54%	36%
50-64	70%	51%
65+	70%	41%
Class		
White Collar	60%	43%
Blue Collar	45%	29%
Farming	65%	38%

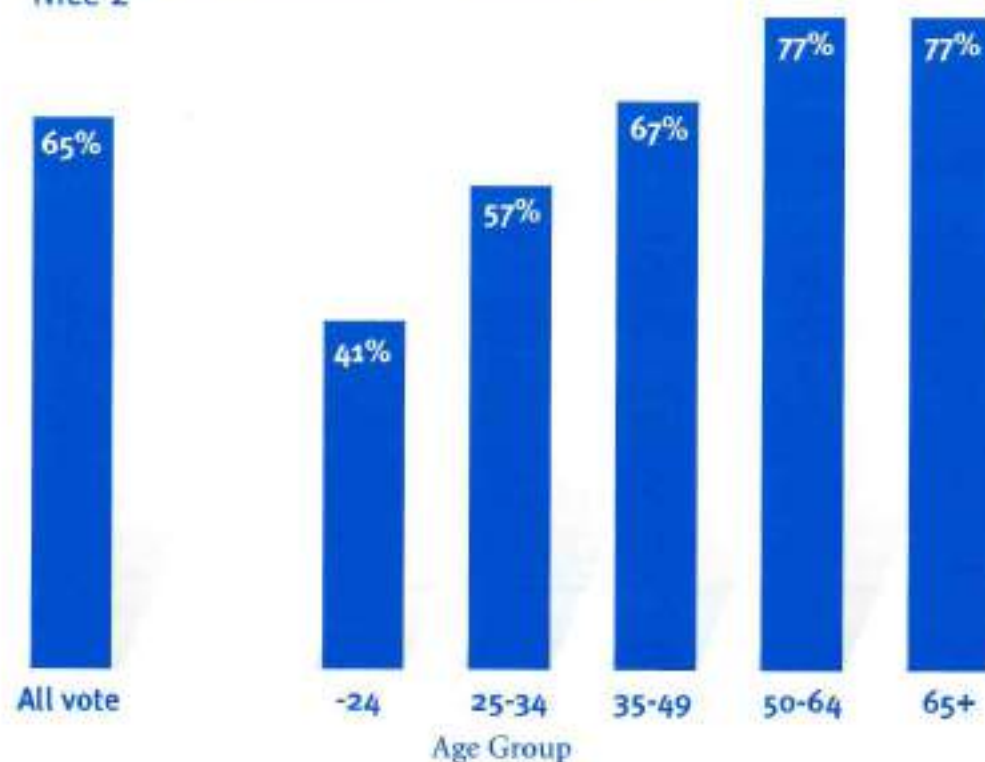
Source: Behaviour and Attitudes Marketing Research

Chart 3 - Consistent voters (2)
(Claim to always vote)

	General Elections	Referenda
Household Income Earners		
1	54%	36%
2+	49%	34%
Region		
Dublin	45%	33%
Rest of Leinster	56%	40%
Munster	49%	30%
Connacht/Ulster	67%	43%
Area		
Urban	52%	34%
Rural	55%	38%

Source: Behaviour and Attitudes Marketing Research

Chart 4 - Claimed voting in Referendum
Nice 2



Source: Behaviour and Attitudes Marketing Research

Chart 5 - Votes Recorded at Dáil Elections

Date of Election	Numbers Entitled to Vote	Votes Recorded	Votes Recorded as % of Numbers Entitled to Vote
February 1948	1,800,210	1,336,628	74.2
May 1951	1,785,144	1,343,616	75.3
May 1954	1,763,828	1,347,932	76.4
March 1957	1,738,278	1,238,559	71.3
October 1961	1,670,860	1,179,738	70.6
April 1965	1,638,019	1,264,415	75.1
June 1969	1,735,388	1,334,963	76.9
February 1973	1,783,604	1,366,474	76.6
June 1977	2,118,606	1,616,770	76.3
June 1981	2,275,450	1,734,379	76.2
February 1982	2,275,450	1,679,500	73.8
November 1982	2,335,153	1,701,385	72.9
February 1987	2,445,515	1,793,506	73.3
June 1989	2,448,810	1,677,592	68.5
November 1992	2,557,036	1,751,351	68.5
June 1997	2,741,262	1,806,932	65.9
May 2002	3,002,173	1,878,609	62.6

Source: Department of the Environment and Local Government, Franchise Section

The Referendum Commission,
18 Lower Leeson Street,
Dublin 2.
Tel: (01) 6395695
Fax: (01) 6395674
Email: refcom@ombudsman.gov.ie
Website: www.refcom.ie
PN.12936