

Sinn Féin Submission to Constituency Boundary Review 2023

Introduction

Sinn Féin welcomes the opportunity to make this submission to the review of Dáil constituencies, the first undertaken by the new Coimisiún Toghcháin. We look forward to working with An Coimisiún on an ongoing basis on the its whole range of responsibilities, with a view to enhancing voter participation through better registration; more accessible voting by broadening access to postal votes and other modern methods used in other jurisdictions and; enhanced engagement with groups of voters who have traditionally been less inclined to participate on our electoral process.

We recognise the significant challenge that An Coimisiún have in redrawing the constituency boundaries. Having carried out a detailed examination of the census figures available to us, we recognise that there are a number of areas where An Coimisiún will have big calls to make. We believe that An Coimisiún will make these calls in a politically neutral and transparent way.

We therefore do not intend to make specific recommendations on constituencies to An Coimisiún, rather we wish to emphasise a number broad principles we believe An Coimisiún should adhere to as far as is practicable. These include;

- Equality and fairness of representation;
- Providing continuity and certainty to candidates and the electorate, and;
- Respecting administrative boundaries.

Seats per Constituency

We believe that An Coimisiún should seek to minimise the number of three seat constituencies. We believe this reduces the diversity of representation that our PR-STV electoral system is designed to deliver.

The 25% quota that prevails is a very high bar for any candidate to strive towards, and while many TDs are elected short of a quota, it disproportionately benefits incumbents and large parties.

This point was tacitly accepted in the 2017 review of local government boundaries whereby the terms of reference “a local electoral area shall be not less than 5 and not more than 7 provided that in particular compelling circumstances 3 or 4 seat local electoral areas may be recommended, where otherwise the geographic size of the area would be disproportionately large.”

We acknowledge the legislative constraints placed on An Coimisiún in this regard, and recognise that there will likely have to be a number of such constituencies, but believe that where there is a viable alternative choice, then An Coimisiún should choose that alternative.

Sinn Féin supported amendments in the Oireachtas to provide An Coimisiún with the option of creating six seat constituencies. We believe such a provision would help minimise the need for three seat constituencies in the short term, and ultimately allow for their phasing out.

The failure of the Government to support these amendments now greatly restricts An Coimisiún’s ability to deliver this goal, and as such we believe it would be appropriate for An Coimisiún to signal to Government that the terms of reference are too restrictive to meet the constitutional requirement of ensuring equality of representation across the state in a fair way.

Variance and Future Proofing of Boundaries

Previous Constituency Commissions sought to maintain a variance (percentage difference between the population per TD in each constituency compared to the state-wide population per TD figure) to less than +/-5%.

This is a prudent and transparent approach to seek to achieve equality of representation overall, and is one An Coimisiún should continue. However, given the rapid population growth since the previous census, and the predicted continuation of this growth, we believe that An Coimisiún should be willing to exceed this variance in circumstances where it can otherwise adhere to county and other administrative boundaries (discussed further below).

In particular, An Coimisiún should give additional scope whereby a constituency will be over-represented, provided the under representation can be dissipated across a number of other constituencies, effectively nullifying it.

Doing so will future proof any changes required, providing continuity of constituency boundaries going forward. All constituencies are likely to see continued population growth and any over-representation problems are likely to be resolved by the time of the next review.

While An Coimisiún is required to make its determinations on the basis of the population recorded in the 2022 census, significant increases have already happened since. According to the Irish Refugee Council, as of 20 February 2023 there are 73,002 Ukrainian refugees alone in the state, very few of which would have been captured in the census. Were they to be a constituency of their own, they would be entitled to more than 2 seats alone.

It is therefore prudent for An Coimisiún to allow a degree of excess variance in areas where this will lead to over-representation, whereby the alternative would involve the breaching of administrative boundaries.

County and other Administrative Boundaries

Sinn Féin supports the avoidance of breaching county boundaries as much as is practicable, as outlined in the terms of reference for the review. While an explicit exemption is made for the four council areas in Dublin (as well as other city councils), we believe this principle should also be adhered to here as much as is possible.

We support the continuance of the long-standing precedent that Dublin and Cork county boundaries should not be breached.

Continuity of representation across administrative boundaries is important as public representatives seek to advocate for their constituents, as well as providing clarity to citizens seeking services and assistance.

We recognise that in some cases this may not be possible if An Coimisiún is to also deliver equality of representation. However, there have been scenarios where there have been very minor breaches of county boundaries due to an over-zealous effort to reduce variance, as discussed above.

This has led to areas of very small geography or population from one county falling inside a constituency dominated by another. This can lead to these areas falling between the cracks and not having adequate representation. Examples of this include the portion of Tipperary currently included in the Limerick City constituency, and the small area of Meath currently included in the Cavan-Monaghan constituency.

These anomalies should be rectified in the current review, and no new such anomalies should be created just to deliver a slightly better variance.

In the event that a breach of county boundaries is necessary for the delivery of equality of representation, it should be done in a way that ensures that the portion of a county that finds itself in a constituency with a neighbouring county is sufficient enough in population size that the electorate of that area feel that their votes can deliver effective representation for their area in the Dáil.

As a rule-of-thumb, should an area of a county be transferred into a constituency that is largely composed of another county, the population should be of a size that its electorate could reasonably expect to make up at least a significant proportion of a quota for one of the seats available.

A past example whereby this was not observed, and caused a lot of opposition, was the splitting of Leitrim. While the geographic split was significant, the portion of the population of Leitrim in the then Sligo-North Leitrim and Roscommon-South Leitrim constituencies was so low that the electorate of Leitrim felt they had little possibility of electing a representative that could adequately represent the county.

A positive example is the inclusion of Ballinasloe and the surrounding area in the Roscommon-Galway constituency. It was not practicable to create a standalone Roscommon constituency, but the inclusion of a large town such as Ballinasloe, along with its hinterland, was of a sufficient scale that the people of the Galway portion could reasonably expect to have a significant say in electing its representatives and that aspiring TDs could not afford to ignore the area.

We also believe that, where possible, An Coimisiún should seek to have regards to Local Electoral Areas (LEAs). This would provide better representative coherence to voters in electoral terms, and many of the same benefits arising from avoiding breaches of county boundaries as many LEAs also act as municipal districts or area committees and have additional administrative functions that could be more effectively exercised in contained within a single Dáil constituency.

Again, for similar reasons, An Coimisiún should avoid splitting large towns that exist within county boundaries. For example, a previous Constituency Commission had split the town of Swords in Fingal County Council across two constituencies – an arrangement that had a negative effect on having the town adequately represented.

Finally, a number of electoral divisions (EDs) are generally split in the drawing of constituencies. While previous Commissions have avoided this in general, in some cases such splits make sense in keeping with the terms of reference that “there shall be regard to geographic considerations including significant physical features.”

A common sense example of this is the areas of Fingal County Council that fall within the M50, a significant physical barrier, that are currently within the Dublin North West constituency. There are a number of other similar examples.

While An Coimisiún should continue to avoid the division of EDs in normal circumstances, where such examples exist, An Coimisiún should recommend to government that these EDs should be permanently redrawn through subdivision under section 89 of the Electoral Act 1963.

European Parliament

An Coimisiún is also required to report on changes to European Parliamentary constituencies. Based on the current seat allocations, we believe that the current seat allocation is consistent with equality of representation.

We note that the European institutions are currently considering the allocation of a number of additional seats, and that the state is reported to likely receive one extra seat, though it is also possible there may be no change to the number of seats allocated, or that the state be allocated two additional seats.

The final decision is not expected until after the closure of the public consultation. Given that the elections to the European parliament are next year, we believe that An Coimisiún should ensure that any changes to seat allocation be captured within the current review and that they endeavour to report, as planned, in August in order to give certainty.

Given the more straightforward nature of a review of European parliamentary boundaries, we believe a short reopening of the consultation on this aspect could be accommodated within this timeframe.