



First Report of the Convention on the Constitution

- (i) Reducing the voting age to 17; and**
- (ii) Reducing the Presidential term of office to five years and aligning it with the local and European elections.**

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Introduction

On the weekend of 26th and 27th January, 2013, the Convention on the Constitution held its first plenary meeting to discuss issues in the terms of reference set out in the Resolution of the Houses of the Oireachtas (Appendix A).

Background

Membership of the Constitutional Convention comprises 66 citizens, 33 parliamentarians and an independent Chairman. The 66 citizens were selected randomly by a polling company using the electoral register and on the basis of groups representative of Irish society and generally balanced in terms of gender, age, region, social class and occupational status.

Political parties and groups in the Dáil and Seanad nominated representatives on the basis of their relative strengths in the Oireachtas. Political parties represented in the Northern Ireland Assembly were invited to nominate one representative each.

The Convention has been asked to complete its work within 12 months of its first plenary meeting.

The Government has committed to responding to the various recommendations of the Constitutional Convention within four months of the publication of its reports and will arrange a full debate in the Houses of the Oireachtas in each case.

In the event that the Government accepts a recommendation that the Constitution be amended, it will include a timeframe for the holding of a referendum.

First plenary meeting

The purpose of this meeting was to consider (i) lowering the voting age to 17 and (ii) reducing the presidential term to 5 years and aligning it with local and European elections.

The week-end began with a reflection on the historical significance of the Convention, in particular the range of its remit, its inclusive approach and its innovative process. At the outset, I laid out the principles by which I would like the Convention to operate:

- *Openness*: the Convention will operate with complete transparency with all plenary meetings being broadcast live at www.constitution.ie and all documentation freely available. The Convention should be open to hearing from all sections of society on any issue, including our Diaspora and young people under 18 years of age, who are not directly represented in the Convention membership;
- *Fairness*: it is important that we allow the full spectrum of views to be heard on every issue and that our briefing material for Convention members is of the highest quality;
- *Equality of voice* amongst all Convention members, including our citizens, Oireachtas members and members of the Northern Ireland Assembly;
- *Efficiency*: the Convention will make best use of our limited time together and ensure that all documentation is circulated in advance so members can properly prepare for meetings; and
- *Collegiality*: we will work together in a spirit of friendship as together we embark on this historic task.

The Convention also appointed a Steering Group and agreed working arrangements and rules and procedures (details at Appendix B).

Over the two days, the Convention considered submissions made by members of the public and heard presentations from a wide range of experienced academics, political scientists, legal experts and advocacy groups. An important feature of the Convention's working arrangements is that members also spent considerable time in small roundtable discussions, teasing out the detail of the two issues. The outcome of these discussions was then reported back to the full Convention so that all members got the benefit of group deliberations at individual tables.

Ballot

The results of the ballots on the two main questions were as follows:

Voting Age: a majority of the Convention members favoured a change to the Constitution to lower the voting age and, if making such a change, a majority opted for a reduction to 16 years of age.

Presidential Term: a majority of the Convention members voted against the reduction of the presidential term to five years and the alignment with the local and European elections.

Main Recommendations:

The Convention therefore recommends that:

- (a) The voting age should be lowered to 16; and
- (b) The Presidential term should not be reduced to 5 years, nor aligned with local and European elections.

A number of related issues arose during the course of their deliberations and the Convention also chose to make a number of other recommendations which they would like the government to consider. Details of the ballot results are set out in Chapter 2 of this report.

This report will be laid in the library in the Houses of the Oireachtas and I look forward to the government response within 4 months.

Acknowledgements:

I would firstly like to congratulate all members of the Convention for their hard work and obvious commitment to the task at hand. The quality of the discussions and the spirit in which they engaged with each other was the foundation for the success of the weekend. I am also grateful to those members of the public who sent submissions to the Convention or who watched the proceedings online.

I would like to thank the Academic and Legal Team, led by Prof. David Farrell, for assembling our advisory panel of experts and for their advice and support in advance of, and during, the meeting. Other members of the team include Dr. Jane Suiter, Dr. Clodagh Harris, Lia O'Hegarty SC and Dr. Eoin O'Malley.

The Convention members were deeply impressed by the presentations of Dr. Theresa Reidy and Prof. Robert Elgie, who willingly shared an impressive depth of knowledge in clear and concise

language. Their wisdom forms an important part of this report. I would also like to thank the National Youth Council of Ireland and the Irish Association of Social Care Workers who took the time to make presentations to the Convention and give us the benefit of their views and experience.

We should also acknowledge the significant contribution made by the facilitators and notetakers at the meeting, each of whom had a difficult job to do in a demanding environment.

I would like to record my gratitude to Matthew Ryan and his team at the Grand Hotel in Malahide for helping to make the event everything we were hoping it would be.

Members of the interim Steering Group also deserve great credit for their contribution to the preparation for the first weekend. The overwhelmingly positive feedback from members is a testament to their judgment and hard work.

Tom Arnold
Chairman

2. Convention Recommendations

After some discussion, it was agreed that the voting should be taken in three parts: first to consider the issue of whether to recommend reform or not, second to consider the detail of the reform in question, and third to consider other prominent themes that had emerged in the discussion.

2.1 Table 1: Voting Age (percentage)

	Yes	No	No opinion
Are you in favour of reducing the voting age for all elections?	52	47	1

	17	16	No opinion
If the Convention favours a change, would you prefer ...	39	48	14

	Yes	No	Don't know
Reduce the age of candidacy	42	51	7
Reduce voting age for some types of elections only (e.g. local elections)	28	68	5

Table 1 reports the results of the votes relating to the voting age. There was a small majority (52 percent) in favour of the proposal that the voting age should be reduced. In the second part of the ballot where the members were asked to consider between whether to reduce to age 17 or age 16, the stronger support was for the latter, which received a plurality (48 percent) of the vote. Neither of the two issues being voted on in the third part of the ballot received majority support, with majorities against (of 51 percent and 68 percent respectively) reducing the age of candidacy from the current age of 21 and reducing the voting age only for certain types of elections such as local elections.

2.2 Table 2: Presidential Term (percentages)

	Yes	No	No opinion
Reduce the presidential term to five years	43	57	0

	Align	Don't align	No opinion
If we reduce the presidential term, should it be aligned with the local and European elections?	14	80	6

	Yes	No	Don't know
Give citizens a say in the nomination process	94	6	0
One-term presidency – seven years	44	44	12
One-term presidency – five years	14	78	8
Reduce the age of candidacy for presidential elections	50	47	3

Table 2 reports the results of the votes relating to the presidential term. On the main question – the first part of the ballot paper – there was a majority (of 57 percent) against the proposal of reducing the presidential term. On the second question (of the detail of any change that might be recommended) there was a clear majority (80 percent) against the proposal that a reduced presidential term might be aligned with European and local elections. In short, the principle of reducing the presidential term was not supported by the Convention.

On the supplementary issues that were voted on (the third part of the ballot paper) there was virtual unanimity (94 percent support) for the proposal that the citizens should be given a say in the presidential nomination process. There was the narrowest of support (50 percent in favour, 47 percent against) for reducing the age of candidacy for presidential elections. Finally, one-term presidencies were not favoured

3. Reducing the Voting Age to 17

3.1 Presentation by Dr. Theresa Reidy , UCC.

Background

Elections have become a defining feature of modern democracy. Elections will vary across countries depending on:

- Whether they are free and fair,
- The type and number of political offices which they are used to fill,
- How the votes are cast and,
- Who can vote?

Suffrage is the word used to describe a person's right to vote at an election.

Over the centuries, the rules which set out who is allowed to vote have changed. In the past, voting rights were often restricted on the basis of gender, wealth, race and status but suffrage campaigns sought to dismantle these discriminations. Most prominently, the suffragette movement campaigned to achieve voting rights for women. New Zealand became the first country to give full voting rights to women in 1893. In 1922, the Irish Free State extended the suffrage rights of women giving them equal voting rights with men. At that point, all men and women over the age of 21 were eligible to vote in elections.

During the 1970s there was a further wave of suffrage reform and many countries reduced their voting age from 21 to 18. The British parliament reduced the voting age to 18 in 1969 while the voting age in the USA was lowered in 1970. Ireland passed a referendum in 1972 to reduce the voting age to 18. The voting age is 18 in a majority of countries in 2013.

In the last decade campaigns have emerged in a number of countries wanting to reduce the voting age even further. Campaigners have been motivated by a number of concerns which include declining turnout at elections, fewer young people voting and broadening interpretations of democracy. Austria became the first EU country to reduce the voting age to 16 in 2007. It was followed by the Isle of Man, Jersey, Guernsey and Argentina. Ireland is not alone in considering proposals to reduce the voting age. Denmark, Finland and the UK have all started discussions on the voting age and a decision on reducing the voting age at the Scottish Independence referendum is expected in the coming weeks.

Arguments in Favour of Reducing the Voting Age

Legal Rights

Young people gain legal rights at different points. 17 year olds already have important responsibilities and legal rights. 17 year olds can drive cars, engage in sexual activity, leave school, get married (with a court exemption) and pay tax. However, they do not have any influence on when and how they gain these rights because they cannot vote.

Increasing Turnout

Turnout at elections is declining among young people in many countries. There is a lot of evidence to suggest that voting may be habit based. People who begin voting at an early stage are more likely to continue this pattern for the rest of their lives. Allowing young people to vote at 17 would engage them with the political process at an earlier stage, give them greater political influence and could encourage a lifelong habit of voting. Keeping 17 year olds outside the electoral process leaves them disconnected from the political process and may reduce their motivation to become involved in future years.

Citizenship Education

In many countries, including Ireland, citizenship education has become part of the school curriculum. Young people are more informed about the political system and their rights and responsibilities as citizens. This prepares them for earlier engagement with the political process. Lowering the voting age would allow young adults to put their academic experience into practice. They would move from learning about elections in their Civic Social and Political Education (CSPE) course to registering and become voters once they reach age 17.

School

Lowering the voting age to 17 would mean that many young people would engage in the political process while still in formal education. Registration and voter education could be organised within, or in parallel, to the formal education system, providing a supportive environment for young people to acquire voting information. Second level students usually still live at home and this would add to the supportive and structured environment which encourages voting participation among young people. Evidence to support this argument has been provided by Mark Franklin (2004) for many established democracies. He has also argued that at age 18, young people are finishing school, may be moving onto further education or finding work and that this is a time of great change in their lives and may make the steps towards first engagement with voting more unlikely.

Representation

The representativeness of those elected to public office is increased by broadening the electoral base. Including 17 year olds is a small step but it will increase the number of young people who can have their voice heard through the electoral process. This argument is also related to changes in the population. European populations are getting older. As a result; older age groups will increase as a percentage of the total electorate. Voting research tells us that older people are more likely to cast their votes and this may have an effect on the types of candidates which are successful at elections and on the public policies which are given priority by our political institutions. Reducing the voting age would be one small way of trying to maintain the age balance in the voting public.

Arguments against Reducing the Voting Age

Public Support

Only small amounts of data are available on the public's position on the voting age. One recent Irish opinion poll showed that just 30% were in favour of reducing the voting age while 56% were against and 14% had no opinion. The National Youth Council of Ireland and the youth wings of all of the major political parties have advocated reducing the voting age at various times but the picture is more mixed among wider civil society groups. The Irish Association of Care Workers argues that reducing the voting age could increase the 'adulthood' of children.

Incorrect Diagnosis and Prescription for the Political System

Surveys of young people indicate that they are less interested and at times, disaffected by politics. Levels of trust in political institutions and politicians have declined. Young people are also less likely to vote. Interest in the reasons why young people are not becoming involved in politics, is common in established democracies. However, there are many reasons why young people can be dis-engaged from politics. The international research tells us that the difference in turnout rates in some countries (including Ireland) between young people and the rest of the voting population has only become pronounced in the last 20 years. Reducing the voting age to 17 will not be a cure-all solution to concerns about young people and politics.

Favouring Specific Political Parties

Concerns have been expressed in other countries where the voting age has been lowered that the decision was taken to favour particular political parties. As the transition to lower voting ages is a relatively recent one, there is insufficient evidence to say whether this does happen in practice.

Maturity

There is no agreement on whether young people acquire political maturity at age 16, 17 or 18. Indeed picking one of these ages does seem somewhat arbitrary. Young people mature at different paces and early adult life can be a challenge. The Youth Citizenship Commission in the UK described maturity as a process rather than an event. Minimum age limits are usually imposed to protect young people and asking young adults to engage in voting is adding another task to their already busy lives.

Why Not 16?

Many countries are discussing the voting age but most are looking at a reduction to age 16. Austria has already lowered the voting age to 16 and the debate in the UK is also based on votes at 16. The option of votes at 17 could be seen as a conservative proposal which does not go far enough. If the international campaign for votes at 16 is successful, Ireland could find itself having to re-visit this issue because its first reform was not ambitious enough.

Possible Administrative and Political Issues

Lowering the Voting Age to 17 would require a constitutional referendum.

Registration changes would have to be made to ensure that 17 year olds would be recorded on the voting register. There is already considerable concern about the process of voter registration and calls for its reform have been avoided by the political establishment for some time.

Citizenship education in school is only available up to the junior certificate. Politics and Society has not been launched as a subject on the leaving cert curriculum and perhaps the decision on the voting age should wait until the development of a comprehensive citizenship education programme is complete.

Decision

The major question is whether the voting age should be reduced to 17?

Arising from this, there are a number of further options which could also be considered. Some of these have been suggested by the Council of Europe in 2012 in its report on lowering the voting age.

1. Should the voting age be reduced for all elections (as in the case of Austria) or just some elections (as in the case of Germany, Switzerland and Israel)?
2. Should the act of voting be linked to employment or marital status for those under 18?
3. Should candidacy and voting age be set at the same age or should candidacy be fixed at 18 but the voting age reduced?

3.2 Convention discussion on the reduction of the Voting Age

Having heard the views of experts and of representatives from advocacy groups, the Convention members had detailed small-group discussions about the matters raised. At the end of their deliberations, the main points were noted and gathered together to inform the open plenary discussions that followed.

Among the main arguments expressed in support of reducing the voting age were: that it could help to increase electoral turnout; that reducing the voting age would be consistent with other legal

rights that 17 year olds already have; and that it could help to facilitate voter registration (through schools). At the majority of the tables the view was expressed that it would be good to consider citizenship education (including at primary level) in conjunction with any proposed changes to voting age. There were also calls for broadening the motion to consider the possibility of reducing the voting age for other types of elections, such as local elections: indeed, a number of members were of the view that it might make sense to start with voting age reductions for local (or even European Parliament elections) first, so as to assess over time the success of such a move. There was also reference to the possibility of having a trial period to see the potential for such a move before committing to a permanent change.

The main arguments against reducing the voting age included: that it would be a mistake to 'adultify' children; that there is little public support for the proposal; that to simply reduce the voting age wouldn't solve anything; that 18 is the normally accepted age of legal maturity. As one member argued, we should let children be children. Other members argued that there would be a danger of 'creep', of using a change to voting age as a precedent for other age-related issues (such as, for instance, child benefit).

At some tables, and echoing the comments of the National Youth Council of Ireland, the point was made that rather than reduce the voting age to 17 it would be more appropriate to reduce it to 16. One other issue that was raised quite prominently in the discussions was whether consideration should be given at the same time to reducing the age of candidacy, not least to avoid a 'disconnect' between voters and politicians. There were also calls for simplifying and facilitating the voter registration system and/or the process of voting (e.g. to simplify the vote process).

4. Reducing the Presidential term of office to five years and aligning it with the local and European elections

4.1 Presentation by Prof. Robert Elgie, DCU

4.1.1 Should the President's term of office be reduced to five years?

Background

Since 1937, the President of Ireland has been elected by the people. The President serves for a seven-year term. A serving President can stand for re-election once. So, the President of Ireland can be in office for a maximum of 14 years.

In 1937, not many European countries had a president. Where there was a president, many served for a seven-year term. So, when it was decided that Ireland should have a president, a seven-year term was not unusual.

Now, though, across the world most presidents serve for a shorter time. There are only three other democracies where the president's term is seven years. A small number of democracies have a president with a six-year term. In some democracies, including the United States, the president serves for just four years. However, in most democracies the president now serves for a five-year term.

If the President's term was reduced from seven years to five years, the constitution would need to be amended.

The role of the President and the rules about presidential elections have often been debated. However, the idea of reducing the President's term of office is relatively new. The first time the issue was properly discussed was in 1996 when the Constitution Review Group concluded that the term should remain at seven years. In 1998, the All-Party Oireachtas Committee on the Constitution reached the same conclusion.

However, in 2011 a proposal to reduce the President's term to five years was included in the Fine Gael/Labour programme for government. In December 2011 Catherine Murphy, an Independent TD representing Kildare North, introduced a Bill to the Dáil that included the same proposal. Deputies from Fianna Fáil, Labour, Sinn Féin, and the Technical Group either spoke in favour of the reduction or indicated that they were open to the change.

The Convention has received around 18 submissions from the public on this question. Four were in favour of reducing the term to five years. The others were opposed.

Arguments for reducing the President's term to five years

- Increased public engagement

A five-year term would give people the opportunity to choose their President more often. This may make people feel more engaged with the Presidency and with politics more generally.

- Increased accountability

The shorter term would increase the accountability of Presidents who wish to stand for re-election. The public would have to wait only five years rather than seven years to express their approval or disapproval of the serving President. This might encourage public confidence in Presidents.

- A different type of President

A five-year term might encourage different types of presidential candidates, ones who at the moment might be put off from standing because of the length of the term. For example, it might encourage younger candidates and candidates with business interests. Some people believe that politics would benefit from elected representatives with a different profile than we have currently.

- The re-election of popular Presidents

A shorter term might encourage popular Presidents to stand for re-election rather than stepping down after just one term if they think that 14 years is too long to be in office.

- The cost of presidential elections would not have to increase

Currently, presidential candidates can receive up to €200,000 of public money for the reimbursement of their election expenses. In 2011, three candidates received enough votes to be reimbursed. Even though presidential elections would be more frequent if the President's term was reduced to five years, the amount that candidates are reimbursed could be reduced to ensure that the cost of presidential elections would not increase. The amount was already reduced from €260,000 to €200,000 for the 2011 presidential election.

Arguments against reducing the President's term to five years

- Less public engagement

More frequent elections may mean that some people would become fed up with voting and turnout at elections may go down. So, people would be less engaged with politics and democracy.

- There will still be the same type of candidates

Reducing the length of the President's term to five years is unlikely to encourage different types of candidates to stand for election. Only a change in the rules for nominating candidates is likely to do so and this issue is not being discussed here. At the same time, the current seven-year term has often encouraged candidates who are less involved in day-to-day party politics to stand for election. This is the sort of candidate many people believe should serve as President.

- The Presidency will become more party political

Dáil elections usually take place every four or five years. So, currently the President is always in office for more than the length of one Dáil term. This increases the sense that the President is above the cut-and-thrust of everyday party politics. If the President's term is reduced, then people may see the presidential election as 'just another election'. This may reduce the prestige of the office and make it seem more party political.

- Increased costs

If the amount that candidates are reimbursed is not reduced, then increasing the frequency of presidential elections will cost the public more money.

4.1.2 If the President's term is reduced to five years, should presidential elections be held at the same time as local and European elections?

Background

Elections to the European Parliament are held on a fixed date every five years. The last election took place on 5 June 2009. Local elections are now held at the same time as European elections. At the moment, the presidential election takes place separately from all other elections. However, if the President's term was reduced to five years, then there would be the opportunity to hold the presidential election at the same time as local and European elections.

One of the four submissions in favour of reducing the president's term to five years was also in favour of holding the three elections at the same time. The other three were opposed.

Arguments for holding the presidential election at the same time as local and European elections

- More people would turn out to vote

In Ireland, there has been a decline in the number of people turning out to vote at elections. This is a sign that people are less engaged with politics and democracy. If three elections were held on the same day, this might encourage more people to vote. Also, if there is a worry that more frequent presidential elections means that people would become fed up with voting, then holding local, European and presidential elections on the same day might reduce this worry.

- The cost of more frequent elections could be reduced

Parties receive public money for expenses they incur at local and European elections. If local, European and presidential elections were held on the same day, then parties would incur only one set of expenses for all three elections. So, if there is a worry that more frequent presidential elections would cost the public more money, then holding local, European and presidential elections on the same day could help to reduce any extra cost.

Arguments against holding the presidential election at the same time as local and European elections

- Presidential elections should focus on the qualities of candidates

Because the presidential election takes place separately from all other elections, people have the opportunity to focus on the qualities of the candidates and choose the candidate that they think best fits the office. However, if the three elections were held on the same day, then local and European issues would be debated at the same time as the presidential campaign. This means that people might be less likely to vote for a President on the basis of who is best suited to the office and more on the basis of local and European issues.

- What would happen if the serving President resigned or died in office?

The date of the European election is fixed in advance and cannot be changed. If presidential and European elections were held at the same time, then the date of the presidential election would also be fixed in advance. This means that if a serving President resigned or died in office, then the new President would serve for fewer than five years and might be seen as a 'second-class' President. Also, if a President resigned or died in office, then there might have to be a new presidential election. This might lead to more than one presidential election in a single five-year period, increasing the problem of voter fatigue.

4.2 Convention discussion on the reduction and alignment of the Presidential Term

Having heard the views of the expert for this session, Professor Robert Elgie of DCU, the Convention members had detailed small-group discussions about the matters raised. At the end of their deliberations, the main points were noted and gathered together to inform the open plenary discussions that followed.

Among the main arguments expressed in support of reducing the presidential term were: that more regular elections could help to increase the engagement of voters, encouraging more to vote; it would make the office more accountable; and it might encourage the emergence of new types of candidates for the role.

The main arguments against included: that the reform was pretty pointless and wouldn't make any change of significance; and that more regular elections might actually turn off the voters. One table expressed the view that reducing the term would be a deleterious move because it was preferable that presidential terms should out last that of a government.

It was clear from the number of tables discussing this point, that there was little sympathy for the argument that a reduced presidential term might be aligned with European and local elections. Among the points made against this were: that it would make the office more party political; that the other elections would distract attention from the presidential campaign; and that there could be serious problems in the event of needing to replace a president mid-term.

A very prominent theme to emerge from the small group deliberations was whether the nomination rules should be amended to give a greater role to citizens in nominating candidates for the presidency, and thus help to increase public engagement. As one member argued, the Presidency should not be a gift controlled by the political parties; voters should have a greater role in deciding on who runs. Another observed that the nomination process is the biggest single obstacle to opening up the Presidency.

Other themes that were raised included: whether to consider imposing one-term limits (with differing views over whether that should be a 7-year, 5-year or even a 4-year term); whether there should be changes to the funding rules (relating to state financial support, and also to the question of expenditure limits on campaigns - as one member put it you shouldn't have to be wealthy to run for the Presidency); and like in the previous session, whether to reduce the age of candidacy. Finally, one table expressed the view that the President's Oath of Office should be amended to accommodate the election of non-religious candidates.

Appendix A – Convention on the Constitution Terms of Reference

<p>“Go gceadaíonn Dáil Éireann:</p> <p>Coinbhinsiún ar an mBunreacht a ghairm chun breithniú a dhéanamh ar na nithe seo a leanas agus chun cibé moltaí a dhéanamh is cuí leis agus chun tuairisciú do Thithe an Oireachtais:</p> <p>(i) téarma oifige na hUachtaránachta a laghdú go cúig bliana agus é a chur ar comhfhad leis na toghcháin áitiúla agus leis na toghcháin don Eoraip;</p> <p>(ii) an aois vótála a laghdú go 17 mbliana;</p> <p>(iii) an córas toghcháin don Dáil a athbhreithniú;</p> <p>(iv) an ceart a thabhairt do shaoránaigh a bhfuil cónaí orthu lasmuigh den Stát chun vótáil i dtoghcháin Uachtaráin in ambasáidí de chuid na hÉireann, nó ar shlí eile;</p> <p>(v) foráil maidir le pósadh comhghnéis;</p> <p>(vi) leasú a dhéanamh ar an gclásal i dtaobh ról na mban sa teaghlach agus rannpháirteachas níos mó ag mná sa saol poiblí a spreagadh;</p> <p>(vii) rannpháirteachas na mban sa pholaitíocht a mhéadú;</p> <p>(viii) an cion arb é diamhaslú é a bhaint as an mBunreacht; agus</p> <p>(ix) tar éis na tuarascálacha thuas a chríochnú, cibé leasuithe iomchuí eile ar an mBunreacht a bheidh molta aige; agus</p> <p>go dtugann sí dá haire:</p> <p>— gur 100 duine mar a leanas a bheidh i gcomhaltas an Choinbhinsiúin:</p> <p>— Cathaoirleach a bheidh le ceapadh ag an Rialtas;</p> <p>— 66 shaoránach atá i dteideal vótáil i reifreann, arna roghnú go hamasach sa chaoi go mbeidh siad ionadaitheach do shochaí na hÉireann i gcoitinne;</p> <p>— comhalta de Thionól Thuaisceart Éireann as gach páirtí de na páirtithe polaitíochta sa Tionól a ghlacfaidh le cuireadh ón Rialtas; agus</p> <p>— comhaltaí de thithe an Oireachtais, chun ionadaíocht neamhchlaonta a dhéanamh ar na Tithe;</p>	<p>That Dáil Éireann:</p> <p>approves the calling of a Convention on the Constitution to consider the following matters and to make such recommendations as it sees fit and report to the Houses of the Oireachtas:</p> <p>(i) reducing the Presidential term of office to five years and aligning it with the local and European elections;</p> <p>(ii) reducing the voting age to 17;</p> <p>(iii) review of the Dáil electoral system;</p> <p>(iv) giving citizens resident outside the State the right to vote in Presidential elections at Irish embassies, or otherwise;</p> <p>(v) provision for same-sex marriage;</p> <p>(vi) amending the clause on the role of women in the home and encouraging greater participation of women in public life;</p> <p>(vii) increasing the participation of women in politics;</p> <p>(viii) removal of the offence of blasphemy from the Constitution; and</p> <p>(ix) following completion of the above reports, such other relevant constitutional amendments that may be recommended by it; and</p> <p>notes that:</p> <p>— membership of the Convention will consist of 100 persons as follows:</p> <p>— a Chairperson to be appointed by the Government;</p> <p>— 66 citizens entitled to vote at a referendum, randomly selected so as to be broadly representative of Irish society;</p> <p>— a member of the Northern Ireland Assembly from each of the political parties in the Assembly which accepts an invitation from the Government; and</p> <p>— members of the Houses of the Oireachtas, so as to be impartially representative of the Houses;</p>
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<p>— féadfar ionadaithe a cheapadh faoi réir na gcritéar roghnóireachta thuas, agus beidh na hionadaithe sin in ann páirt a ghlacadh sna himeachtaí agus vótáil faoina n-ainm féin;</p> <p>— comhaontóidh an Coinbhinsiún a rialacha nóis imeachta féin d’fhonn a ghnó a sheoladh go héifeachtach ar shlí a bheidh chomh heacnamúil agus is féidir;</p> <p>— beidh aird chuí ag an gCoinbhinsiún ar Chomhaontú Aoine an Chéasta agus ar Chomhaontú Chill Rímhinn;</p> <p>— tráth nach déanaí ná dhá mhí tar éis dháta na chéad éisteachta poiblí a thionólfadh an Coinbhinsiún tabharfaidh an Coinbhinsiún tuarascáil do Thithe an Oireachtais agus déanfaidh sé moltaí dóibh ar gach ceann de na nithe atá leagtha amach ag (i) agus (ii) thuas;</p> <p>- tuairisceoidh an Coinbhinsiún do Thithe an Oireachtais agus déanfaidh sé moltaí dóibh ar gach ní eile a luaithe a bheidh a phléití críochnaithe aige agus, in aon chás, tráth nach déanaí ná bliain amháin ó dháta na chéad éisteachta poiblí;</p> <p>— féadfaidh an Coinbhinsiún aighneachtaí a iarraidh agus glacadh leo ó chomhlachtaí leasmhara agus lorgóidh sé cibé comhairle shaineolaíoch is dóigh leis is inmhianaithe;</p> <p>— déanfar gach ní a bheidh os comhair an Choinbhinsiúin a chinneadh trí thromlach de vótaí na gcomhaltaí a bheidh i láthair agus a vótálfadh, seachas an Cathaoirleach a mbeidh vóta cinniúna aige nó aici i gcás comhionannas vótaí; agus</p> <p>— tabharfaidh an Rialtas freagra san Oireachtas laistigh de cheithre mhí ar gach moladh a dhéanfaidh an Coinbhinsiún agus, má tá sé chun glacadh leis an moladh, cuirfidh sé an creat ama in iúl ar lena linn atá sé ag brath aon reifreann gaolmhar a sheoladh.</p>	<p>— substitutes may be appointed subject to the selection criteria above, who will be entitled to contribute to the proceedings and vote in their own name;</p> <p>— the Convention will agree its own rules of procedure for the effective conduct of its business in as economical manner as possible;</p> <p>— the Convention will have appropriate regard to the Good Friday Agreement and the St. Andrews Agreement;</p> <p>— not later than two months from the date of the first public hearing held by the Convention, the Convention will make a report and recommendation to the Houses of the Oireachtas on each of the matters set out at (i) and (ii) above;</p> <p>— the Convention will report and make recommendations to the Houses of the Oireachtas on each remaining matter as soon as it has completed its deliberations, but in any event not later than one year from the date of the first public hearing;</p> <p>— the Convention may invite and accept submissions from interested bodies and will seek such expert advice as it considers desirable;</p> <p>— all matters before the Convention will be determined by a majority of the votes of members present and voting, other than the Chairperson who will have a casting vote in the case of an equality of votes; and</p> <p>— the Government will provide in the Oireachtas a response to each recommendation of the Convention within four months and, if accepting the recommendation, will indicate the timeframe it envisages for the holding of any related referendum.”</p>
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Appendix B – Convention Rules and Procedures

1. Timing, Frequency and Openness of meetings

Meetings of the Convention will generally take place in a hotel at weekends (Saturdays and Sundays) during 2013. At least one meeting will be held outside Dublin. It is proposed to hold one meeting per month, with the exception of July and August. Members of the public will not have access to the meetings but the plenary sessions will be streamed live at www.constitution.ie.

2. Role and duties of the Chairperson

The Chairperson shall be the sole judge of order and shall be responsible for the smooth running of the Convention in accordance with these rules and the terms of the Resolution of the Houses of the Oireachtas of 10 July, 2012. He shall engage such support services as are necessary for the effective administration of the forum and, from time to time, make such recommendations to the Convention on the management of business as he sees fit.

3. Work Programme

The work programme shall be agreed by the Convention on foot of a proposal by the Chairman. The programme shall be reviewed regularly but any subsequent changes shall only take effect with the agreement of the Convention.

4. Steering Group

A Steering Group shall be established to support the Convention in the efficient and effective discharge of its role and functions. In practice, the Group shall assist with planning and operational issues associated with the work programme. The Steering Group shall consist of the Chairperson and representatives from the political parties, the public members and such other representatives as the Convention sees fit.

5. Debates/speaking arrangements

The format and structure of speaking arrangements shall be agreed in advance and as a general principle, all contributions by members should be brief, respectful and non-repetitive. Any member wishing to speak should indicate and will be called upon by the Chairperson, who will endeavour to ensure fairness in the allocation of speaking time to all members. In an effort to make most efficient use of time in plenary session, members are encouraged to use the opportunity of roundtable discussions to express their views, ask further question of the experts and deliberate with one another. These discussions can be reflected in a brief report to the plenary session.

6. Tabling and Circulation of Papers

All documents received by the Convention secretariat shall be made available to all members of the Convention via the www.constitution.ie website. Alternative arrangements will be made for those members who are not in a position to access the site. Deadlines for receipt of submissions and circulation of documents in advance of plenary meetings should be agreed by the Convention.

7. Presentations to the Convention

Following receipt of submissions on any matter, the Convention may choose to hear oral presentations from any representative group or individual to assist in its deliberations. For the efficient administration of the process, the Steering Group may wish to make recommendations in relation to the selection of interested bodies to present to the Convention. Invitations shall be issued by the Chairperson on behalf of the Convention.

8. Voting

Votes, if required, shall be by secret ballot of the members present and voting. Votes shall be overseen by the Chair with the support of at least 2 members of the Convention.

9. Advisory Panel

The Convention shall establish an advisory panel of academics, constitutional lawyers and others with demonstrated expertise, for access to such expert advice as it considers desirable. The process for selection and appointment of any such advisers shall be agreed by the Convention, on the advice of the Steering Committee.

10. Irish language facilities

A simultaneous translation service from Irish into English will be available for all plenary sessions of the forum.

11. Press and Communications

Authorised members of the media shall be permitted to attend plenary sessions of the Convention, subject to such terms and conditions as may be laid down by the Convention. As a general principle, the Chairperson shall act as spokesperson in relation to administrative or procedural matters.

12. Reports

Reports of the Convention shall be published as soon as practicable after a decision has been reached at each meeting. It shall be possible to finalise the detail of the content of each report other than in plenary session, subject to the agreement of the Convention.

13. Review of Procedures

The Chairperson shall consult with members of the Convention and other interested parties and conduct such reviews of the procedures and administration of the Convention as he sees fit.

14. Convention secretariat

The Chairperson shall have direction and control over the staff of the secretariat and other supports and resources available, subject to the wishes of the Convention.

Appendix C - Reference material: Voting Age

Links to further information on the voting age

Franchise Information for the Republic of Ireland

<http://www.environ.ie/en/LocalGovernment/Voting/>

Joint Houses of the Oireachtas Committee on the Constitution

Hearing on the Voting Age (13 – Jan – 10)

<http://debates.oireachtas.ie/CNJ/2010/01/13/printall.asp>

Taskforce on Active Citizenship

Final Report (2007)

<http://www.wheel.ie/sites/default/files/Report%20of%20the%20Taskforce%20on%20Active%20Citizenship.pdf>

Council of Europe Parliamentary Assembly

Report - Expansion of Democracy by Lowering the Voting Age to 16 (2011)

<http://assembly.coe.int/ASP/Doc/XrefViewHTML.asp?FileID=13110&Language=EN>

Youth Citizenship Commission

Consultation Paper – Old Enough to Make a Mark? Should the voting age be lowered to 16?

<http://www.youth.cwunortheast.org/downloads/ycc.pdf>

Final Report – Making the Connection, Building Youth Citizenship in the UK (2009)

http://voteat16.eu/files/YCC_Main_Final_Report.pdf

House of Commons Library

Parliament and Constitution Centre Standard Note – Voting Age (2012)

www.parliament.uk/briefing-papers/sn01747.pdf

Institute for Democracy and Electoral Assistance

Report - Youth Voter Participation: Involving Today's Young in Tomorrow's Democracy (1999)

http://www.idea.int/publications/youth_participation/index.cfm

Votes at 16

UK campaign launched in 2003 to lower the voting age to 16

<http://www.votesat16.org/>

European Youth Forum

Brussels based youth platform representing groups from across Europe

<http://www.youthforum.org/>

Selected Books and Journals

Mark N Franklin (2004) *Voter Turnout and the Dynamics of Electoral Competition in Established Democracies since 1945*. UK: Cambridge University Press.

Pippa Norris (2002) *Democratic Phoenix, Reinventing Political Activism*. UK: Cambridge University Press.

Andrew Mycock and Jonathan Tonge (2012) 'The Party Politics of Youth Citizenship and Democratic Engagement', *Parliamentary Affairs*, 2012, 65.1, 138-61.

Further Examples of Countries with Voting Ages below 18

	Voting Age - 16	Voting Age – 17
Country	Argentina	East Timor
	Austria	Indonesia
	Brazil	North Korea
	Cuba	Nauru
	Ecuador	Seychelles
	Guernsey	Sudan
	Isle of Man	Taiwan
	Jersey	Tunisia
	Nicaragua	

Israel, Germany, Norway and Switzerland have voting rules which allow participation in some local and state elections. Slovenia and Hungary have conditional rules which allow participation based on elements which include marital status and employment.

There are also countries which have the voting set above age 18 and some countries in this group include Fiji, Gabon, Monaco, Morocco, Pakistan and Samoa.

Candidate Minimum Age Requirements at Elections in the Republic of Ireland

	Candidate Minimum Age Requirement
Election to a Local Council	18
Election to Dáil Éireann	21
Election to Seanad Éireann	21
Election as President of Ireland	35
Election to the European Parliament	21

Appendix D – reference material: Presidential Term

Links to further information about the Presidency

The website of the President of Ireland <http://www.president.ie> - This site provides general information about the Presidency

How The President Is Elected. Brochure produced by the Department of the Environment, Community and Local Government for the 2011 election
<http://www.environ.ie/en/LocalGovernment/Voting/PublicationsDocuments/FileDownload,1866,en.pdf> - This document provides general information about the last presidential election

Report of the Constitution Review Group, 1996
<https://www.constitution.ie/Documents/Constitutional%20Review%20Group%201996.pdf>
- This document rejects a reduction in the President's term

All-Party Oireachtas Committee Third Progress Report: The President, 1998
<https://www.constitution.ie/Documents/Oireachtas%203rd-Report-President%201998.pdf>
- This document confirms the rejection of a reduction in the President's term

Full text of the 2011 Fine Gael and Labour programme for government entitled Government for National Recovery 2011-2016 <http://www.irishtimes.com/focus/2011/coalition-pact/agreement.pdf>
- This document includes the proposal to reduce the President's term to five years and to hold elections at the same time as local and European elections

Dáil Debate on Reforming The Presidency, 2 December 2011
<http://oireachtasdebates.oireachtas.ie/debates%20authoring/debateswebpack.nsf/takes/dail2011120200003?opendocument> - This debate includes mention of a reduction in the President's term with most speakers being generally in favour

Democracies that have changed the term of office of their president without adopting a completely new constitution

- Countries that have increased the term of their president
 - Bolivia (1994) – 4 years to 5years
 - Latvia (1999) - 3 years to 4years
 - Romania (2004) - 4 years to 5years
 - Russia (2008) - 4 years to 6years
- Countries that have decreased the term of their president
 - Argentina (1996) - 6 years to 4years
 - Chile (1993) - 8 years to 6years (at democratisation)
 - Chile (2005) - 6 years to 4years
 - Brazil (1994) - 5 years to 4years
 - France (2000) - 7 years to 5years
 - Guatemala (1993) - 5 years to 4years
 - Nicaragua (1994) - 6 years to 5years (at democratisation)
 - Turkey (2007) - 7 years to 5years (still to be applied)

The length of presidential terms in European countries prior to 1937 with the date of the Constitution

Seven years	Six years	Five years	Four years	Three years
Czechoslovakia 1920 France 1875 Germany 1919 Lithuania 1928 Poland 1935 Portugal 1933	Austria 1929 Estonia 1937 Finland 1919 Spain 1931	Greece 1927	Austria 1920 Portugal 1911 Turkey 1924	Latvia 1922 Lithuania 1922

The current length of presidential terms in world democracies

Seven years	Six years	Five years	Four years
Ireland Israel Italy Senegal	Austria Finland Liberia Mexico Philippines Russia Venezuela	Albania Armenia Bangladesh Benin Bolivia Bulgaria Cape Verde Croatia Czech Republic Cyprus Dominica East Timor El Salvador Estonia France Georgia Germany Greece Hungary India Indonesia Lithuania Macedonia Malta Mauritius Montenegro Namibia Nicaragua Panama Paraguay Peru Poland Portugal Romania Samoa São Tomé and Príncipe Serbia Seychelles Slovakia Slovenia South Korea Turkey Ukraine Uruguay	Argentina Brazil Chile Colombia Costa Rica Dominican Republic Ecuador Ghana Guatemala Honduras Iceland Latvia Moldova Mongolia Nigeria Palau Taiwan United States