IE – Country information

Indicators on political participation

of persons with disabilities

2014

DISCLAIMER: The background country information reports contain background material for the comparative report on *The right to political participation for persons with disabilities: human rights indicators* by the European Union Agency for Fundamental Rights (FRA). The bulk of the information in the background country information reports comes from ad hoc information reports prepared under contract by the FRA’s research network FRANET. The views expressed in the background country information reports do not necessarily reflect the views or the official position of the FRA. These reports are made publicly available for information purposes only and do not constitute legal advice or legal opinion.

FRANET contractor: Milieu

1. **STRUCTURE INDICATORS**

|  |  |
| --- | --- |
| **Structure indicators** | **Source and supporting information** |
| Has [country] ratified the CRPD without a reservation to Article 29? Please give details of any reservation. | No (CRPD has been neither signed nor ratified)[[1]](#footnote-1) |
| Has [country] ratified the CRPD without a reservation to Article 12? Please give details of any reservation. | No[[2]](#footnote-2) |
| Has [country] ratified the CRPD without a reservation to Article 9? Please give details of any reservation. | No[[3]](#footnote-3) |
| Please indicate the legislation which applies to European Parliament and municipal elections in your country. Please highlight possible amendments in view of the 2014 European Parliament elections.  Does the same law apply for national, federal, local and regional elections, and referendums? | **European, national and municipal elections**  - The Electoral Act 1992[[4]](#footnote-4)  -The European Parliament Elections (Voting and Candidature) Regulations 1994[[5]](#footnote-5)  -Local Elections Regulations 1995 (as amended)[[6]](#footnote-6)  -The Electoral (Amendment) Act 1996[[7]](#footnote-7)  -The Electoral Act 1997[[8]](#footnote-8)  -The European Parliament Elections Act 1997[[9]](#footnote-9)  -The Electoral (Amendment) Act 1998[[10]](#footnote-10)  -The Electoral (Amendment) Act 2001[[11]](#footnote-11)  -The Electoral (Amendment) Act 2002[[12]](#footnote-12)  -The Electoral (Amendment) Act 2004[[13]](#footnote-13)  -The Electoral (Amendment) Act 2006[[14]](#footnote-14)  -The Electoral (Amendment) Act 2009[[15]](#footnote-15)  -The Electoral (Amendment) (No.2) Act 2009[[16]](#footnote-16)  These laws comprise both primary and secondary legislation, and make provision for national, European and local elections.  **Referenda**  The Referendum Acts 1992-2001 apply to voting referendums.  The government has indicated its intention to publish an Electoral (Amendment) Bill to amend the European Parliament Elections Act 1997 for the purpose of transposing directive 2013/1/EU which amends the provision in directive 93/109/EC on arrangements for EU citizens exercising their right to stand as a candidate in European Parliament elections in a Member State of which they are not nationals but in which they are residing, and to provide for other amendments to the Electoral Acts relating to (i) the date for additions to the postal voters register supplement list (ii) the circulation of Referendum Bills to post offices (iii) the register of electors in Limerick, Tipperary and Waterford and (iv) the review of European Parliament constituencies.[[17]](#footnote-17) |
| Is there a requirement under law to register to vote? If so, please specify the relevant legislation. | There is no requirement under Irish law to register to vote. |
| Is there any limitation foreseen by law which could affect the right of persons with disabilities to vote in European Parliament and municipal elections? Please give details of any restrictions on the right to vote of persons with disabilities, including any link between a particular type of impairment (e.g. psychosocial/intellectual disability) or substituted decision making (e.g. loss of legal capacity, placement under guardianship)and the right to vote in elections.  Does the same law regarding voting rights apply for national, local/regional elections and referendums? | The right to vote is regulated by general provisions. There are no circumstances in which the rights of people with disabilities are restricted.  Regarding the exclusion, the Lunacy Regulation (Ireland) Act 1871 and Order 67 of the Rules of the Superior Courts 1986 apply.  Regarding the participation, article 7(1) of the Electoral Act of Ireland 1992 applies. |
| Is there legislation in place regulating how people living in long-term institutions may vote? | Section 17 of the Electoral Act 1992 (as amended)[[18]](#footnote-18) makes provision for voting by persons with disabilities, by providing for the creation of a “special voters list” for persons who are unable to vote in person at a polling place in his or her polling district by reason of physical illness or physical disability. This allows such persons to vote at an alternative polling station if the local station is inaccessible; assistance in voting at the polling station by a companion or the presiding officer; postal vote; or voting at a hospital, nursing home or similar institution if the voter lives there [provision Section 17 of the Electoral Act 1992].  The procedure for voting by special voters is governed by Part XIV of the Electoral Act 1992 (as amended).[[19]](#footnote-19) Section 81 of the Electoral Act 1992 provides for the issue of a ballot paper to special voters.[[20]](#footnote-20) Section 82 of the Electoral Act 1992 provides for the method of voting by special voters.[[21]](#footnote-21) Section 11 of the Electoral Act 1992 provides for authorisation of a physically ill or physically disabled person to vote at another polling station where that is more convenient for the voter.[[22]](#footnote-22) Section 103 of the Electoral Act 1992 provides for voting with assistance by blind, incapacitated and illiterate electors.[[23]](#footnote-23) |
| Is there a duty under law to provide reasonable accommodation for persons with disabilities in voting procedures? For example, is there a duty to provide assistance at the polling station (e.g. braille or large print ballot papers, independent support person to assist with voting chosen by the person with a disability) or to allow for alternative means of voting (e.g. postal ballots, voting in advance, home-based voting, voting at institutions, mobile voting)? | According to the Franchise Section, postal voting is provided for approximately 17,000 voters in six categories: civil servants abroad, defence forces, police (optional), certified disabled, students, prisoners, and those employed elsewhere. No general mechanism for voting abroad is provided for the significant number of Irish citizens living and working elsewhere.  Following the election monitoring report of the OSCE/ODIHR regarding the Parliamentary elections of the 24th of May 2007, “*Consideration could be given to extending the pre-election period also to ensure greater electoral access for those eligible for postal voting.”[[24]](#footnote-24)*  The National Disability Authority has recently produced a discussion paper on accessible voting for persons with disabilities in Ireland.[[25]](#footnote-25) |
| Is there a duty under law for public and private providers of internet and web-based information to ensure that public information is subject to accessibility requirements (e.g. equivalent to Web Content Accessibility Guidelines (WCAG) 2.0 AA standard) | There does not appear to be a duty under Irish law for public and/or private providers of internet and web-based information to ensure that public information is subject to accessibility requirements.  Section 28 of the Disability Act 2005[[26]](#footnote-26) provides that insofar as possible, communications by  public bodies to the public shall be communicated in a form that is accessible.  The statutory Code of Practice on Accessibility of Public Services and Information provided by Public Bodies[[27]](#footnote-27) recommends that public bodies should review existing practices for electronic communications in terms of accessibility against relevant guidelines and standards, including Double A level conformance with the Web Accessibility Initiative's (WAI) Web Content Accessibility Guidelines (WCAG). This obligation applies to most public bodies, but does not apply to private organisations, including political parties and NGOs.  There is a general obligation under the Equal Status Acts (2000-2011)[[28]](#footnote-28) that all service providers, including public and private organisations will not discriminate against a person on grounds of a disability in provision of services. There is at least one legal precedent where this anti-discrimination obligation related to the provision of an online service (see Martin O’Sullivan vs Siemens).[[29]](#footnote-29) |
| Is there a duty under law for public and private providers of media (including newspapers, TV, radio and internet) to ensure that their information and communications are subject to accessibility requirements? | Under section 38 of the Broadcasting Act 2009[[30]](#footnote-30), the Broadcasting Authority of Ireland must produce an annual report, which is to include a specific report on progress made towards increasing accessibility of broadcasting services to people with disabilities, and in particular, on progress made to achieve the targets set out in any broadcasting rules.  Section 43 of the Broadcasting Act 2009[[31]](#footnote-31) requires the Broadcasting Authority of Ireland to prepare rules for broadcasters in respect of access to broadcasting services by persons with hearing or sight impairments.  The BAI Access Rules 2012[[32]](#footnote-32) are prepared under section 43; they determine the levels of subtitling, sign language and audio description that broadcasters in Ireland will be required to provide in accordance with their statutory obligations.  The Broadcasting Authority of Ireland has established a broadcasting funding scheme (Sound & Vision II) under section 154 of the Broadcasting Act 2009.[[33]](#footnote-33) In order to facilitate the understanding and enjoyment of television programmes by people who are deaf or with hearing difficulties, all funded programmes must make provisions for subtitling. Funding is available to applicants who wish to provide open sign language and open audio description as an additional access service for funded television programmes.[[34]](#footnote-34)  Furthermore, under the Referendum Acts 1992 to 2001[[35]](#footnote-35) a Referendum Commission is obliged:  (*a*) to prepare one or more statements containing a general explanation of the subject matter of the proposal and of the text thereof in the relevant Bill and any other information relating to those matters that the Commission considers appropriate;  (*b*) to publish and distribute those statements in such manner and by such means including the use of television, radio and other electronic media as the Commission considers most likely to bring them to the attention of the electorate and to ensure as far as practicable that the means employed enable those with a sight or hearing disability to read or hear the statements concerned |
| Does the law foresee training for election authorities and election officials on non-discrimination on the grounds of disability, accessibility and reasonable accommodation? | There is no provision in the Electoral Acts 1992-2009 (as amended) for training of election authorities and officials on non-discrimination on grounds of disability, accessibility and reasonable accommodation.  The Franchise Section of the Department of the Environment, Community and Local Government prepares a manual for Presiding Officers for each election. This manual includes guidance on dealing with voters with disabilities, within the current legislative framework. The National Disability Authority has produced an ‘Accessible Voting Checklist’ to assist Returning Officers in choosing suitable polling stations and maintaining accessibility of polling stations. This guidance has been incorporated into existing Memoranda and manuals issued by the Department to returning officers in advance of each election. |
| Does the national strategy/action plan on disability cover the right to political participation of persons with disabilities? | The *Irish National Disability Strategy*,[[36]](#footnote-36) which was launched in September 2004, has the overall aim of supporting equal participation of people with disabilities in society. It is backed up by a National Disability Strategy Implementation Group which has produced an Implementation Plan.[[37]](#footnote-37) Neither the Strategy nor the related Implementation Plan refer to political participation specifically, but their overall goal is to ensure that people with disabilities are treated as equal citizens and can participate in public life. |
| Are all persons with disabilities, including those who have been deprived of their legal capacity, able to access redress and complaint mechanisms in cases where they have not been able to exercise the right to vote? | The Electoral Acts 1992-2009 (as amended) do not make provision for redress and complaint mechanisms in cases where persons have not been able to exercise the right to vote. The National Disability Authority has pointed out that, where a service such as provision of polling facilities is provided to a public body, the head of that public body has a specific obligation under section 27 of the Disability Act 2005 to ensure that the service provided is accessible for people with disabilities.[[38]](#footnote-38)  Furthermore, section 39 of the Disability Act provides that a complaint may be made by any person, or on behalf of any person, in respect of a failure to comply with the obligation under section 27 of the 2005 Act. This complaint may be made to the Ombudsman.[[39]](#footnote-39)  Persons with disabilities who have been deprived of their legal capacity are excluded from exercising the right to vote in Ireland, therefore the issue of access to redress mechanisms does not apply.[[40]](#footnote-40)  Finally, voters and the political parties’ representatives can raise objections to the returning board. Moreover, voters can complain for the lack of accessibility to the respective public authority. The complaint mechanism is the same for people with disabilities. |

1. **PROCESS INDICATORS**

|  |  |
| --- | --- |
| **Process indicators** | **Source and supporting information** |
| Are there mechanisms in place to ensure that disabled people’s organisations (DPOs) are consulted and involved in the development of laws and policies in electoral matters? Please give details of the mechanisms through which DPOs are involved. | The National Disability Strategy Implementation Group that oversees the implementation of the National Disability Strategy includes people with disabilities and representatives of disabled people’s organisations.[[41]](#footnote-41) Many Government departments and public bodies also have consultation groups that include disabled people’s organisations and people with disabilities themselves.  The National Disability Authority (NDA) is an independent statutory agency established under the aegis of the Department of Justice, Equality and Law Reform by the [National Disability Authority Act 1999.](http://www.irishstatutebook.ie/1999/en/act/pub/0014/index.html) It is an independent state body providing expert advice on disability policy and practice to the Minister, and promoting universal design in Ireland. Section 20 (3) of the National Disability Authority Act 1999 sets out that “In appointing persons to be members of the Authority, the Minister shall have regard to— (a) the objective that a majority of the Authority would be persons with disabilities, their representatives, families or carers and, in the case of each member of the Authority, that he or she would have knowledge or experience, either directly or indirectly, of matters pertaining to disability or of any other subject which in the opinion of the Minister would be of assistance to the Authority in the performance of its functions”.[[42]](#footnote-42)  The NDA of Ireland has produced guidance on accessible voting centres and on communicating with voters with disabilities.[[43]](#footnote-43) It liaises with the Department of the Environment, Community and Local Government in relation to accessible voting in this regard, and there is some evidence of the positive outcomes of such co-operation; for example, the NDA’s advice on accessible voting centres and on communicating with voters with disabilities was incorporated into an administrative circular issued by Department of the Environment, Community and Local Government to returning officers who are responsible for polling stations in elections. |
| Have national judicial redress mechanisms considered any cases related to the right to political participation of persons with disabilities?  Please give details of relevant case law and any available data on the number of such cases. | Not applicable – there were no judicial decisions identified for Ireland dealing with the right to political participation of persons with disabilities.[[44]](#footnote-44) |
| Have national non-judicial redress mechanisms (e.g. National Human Rights Institutions, Equality Bodies, Ombuds institutions) considered any cases related to the right to political participation of persons with disabilities?  Please give details of relevant case law and any available data on the number of such cases. | The Ombudsman has power to investigate complaints against public bodies under Part 3 of the Disability Act 2005, which includes a failure to comply with the obligation in section 27 of the Disability Act 2005 to ensure that services are accessible for people with disabilities. The Ombudsman does not publish details of all complaints received. However, the website of the Ombudsman does refer to some case studies and sample cases in which complaints were investigated. None of the case studies referred to relate to complaints by voters with disabilities.[[45]](#footnote-45)  The Equal Status Acts 2000 to 2011 outlaw discrimination by public and private sector organisations when providing goods and services to which the public generally have access. The Acts outlaw discrimination on nine distinct grounds, one of which is disability. Complaints can be made to the Equality Tribunal for breach of the Equal Status Acts. The Equality Tribunal has a database of decisions from 1996 to 2013. However, a search of this database for decisions regarding voting and persons with disabilities did not yield any results.[[46]](#footnote-46) |
| Is information about how and where to complain in the case of problems with exercising the right to political participation accessible to all persons with disabilities? | There is no information available regarding how to complain at polling stations (e.g. braille, large print, easy read, audio etc.). The Franchise section of the Department of the Environment, Community and Local Government has information on voting generally on its website.[[47]](#footnote-47) While this website includes a general information sheet for voters with disabilities, this document makes no reference to how to make a complaint.  The website of the Office of the Ombudsman provides information on ‘Making a Complaint to the Ombudsman under the Disability Act 2005’.[[48]](#footnote-48) They have also produced an accessible DVD about the functions and role of the Ombudsman.[[49]](#footnote-49) |

1. **OUTCOME INDICATORS**

|  |  |
| --- | --- |
| **Outcome indicators** | **Source and supporting information** |
| What was the voter turnout rate for persons with disabilities in the most recent municipal elections and in the 2009 European Parliament elections? How does this compare with the voter turnout rate among the general population?  What was the voter turnout rate for persons with disabilities in the most recent national elections? How does this compare with the voter turnout rate among the general population? | The voter turnout rate among the general population in Ireland for the most recent municipal (local) elections in 2009 was 55.27%[[50]](#footnote-50). There is no data available on the voter turnout for persons with disabilities in the 2009 municipal (local) elections so a comparison is not possible.  The voter turnout rate among the general population in Ireland for the 2009 European Parliament elections was 57.57%.[[51]](#footnote-51) There is no data available on the voter turnout for persons with disabilities in the 2009 European parliament elections so a comparison is not possible.  The voter turnout among the general population in Ireland in the most recent national elections (2011) was 70.05%.[[52]](#footnote-52) There is no data available on the voter turnout for persons with disabilities in the 2011 national elections so a comparison is not possible.  The Department of the Environment provides general statistics on voting in recent elections (eg general overall turnout, percentage of spoiled votes etc.) but the data does not include information regarding voting by people with disabilities pursuant to the special voting procedure outlined above. |
| How many members of the current national parliament identify as having a disability? | Data not available. One current Senator (member of the upper house of national parliament) has identified himself has having substantial sight loss.[[53]](#footnote-53) One TD and Minister of State of the last Government (2007-2011) was a wheelchair user.[[54]](#footnote-54) |
| How many members of current municipal governments identify as having a disability? | Data not available.  There are a number of Councillors who are wheelchair users. |
| What proportion of polling stations is accessible for persons with disabilities? Please indicate whether polling stations are accessible for all persons with disabilities or for particular impairment groups e.g. persons with visual, hearing, physical impairments etc) | There is no data available on a national level regarding the proportion of polling stations which are accessible for persons with disabilities.  However, information was available in respect of Dublin city, where it is estimated that 130 of 135 polling stations are accessible to all voters[[55]](#footnote-55) Following a paper titled “[Voting facilities for people with disabilities](http://www.nda.ie/CntMgmtNew.nsf/DCC524B4546ADB3080256C700071B049/3B27344EEB77108880257B6600507DBE/$File/JAMES_BARRY_NDA_CONFERENCE.pptx)”, “accessibility checklistsare completed for polling stations to assess accessibility for all voters”. The paper also notes that “each polling station is provided with the following: large print copy of the ballot paper; an accessible booth; a seat for voters to use – if required; standard booths for standing voters and those with walking aids”.  In 2008, the NDA attempted to collect information from Returning Officers on the accessibility of polling stations. This led to considerable discussion about definitions of accessibility, and how it should be measured. It proved difficult to collect reliable information, without taking the expensive and time-consuming step of commissioning formal access audits of each polling station. There was no published report resulting from this investigation. |
| Does the website to provide instructions for voting and information on candidates run by the ministry responsible for organising elections meet accessibility standards (e.g. equivalent to Web Content Accessibility Guidelines (WCAG) 2.0 AA standard)? | Not applicable. There is no website which provides instructions on voting and information on candidates run by the Department of Environment, Community and Local Government in Ireland. There is no electoral commission in Ireland. There is no single or centralised website which provides information on electoral candidates in Ireland.  As noted above, the website of the Department of the Environment, Community and Local Government provides a basic information leaflet on voting for persons with disabilities[[56]](#footnote-56). The website includes an accessibility statement, which states that the site “has been designed in accordance with the WC3 Web Content Accessibility Guidelines”.[[57]](#footnote-57) |
| What proportion of main public and/or private television broadcasts providing instructions for voting and information on candidates has national language subtitles? | The Broadcasting Act 2009 requires the Broadcasting Authority of Ireland to draw up rules which require broadcasters to promote the understanding and enjoyment of programmes by people who are deaf, hard of hearing or blind or visually impaired.  The Broadcasting Authority of Ireland Access Rules 2012 determine the levels of subtitling, sign language and audio description that public and private television broadcasters in Ireland must provide. The BAI Access Rules 2012 specify targets for each broadcast service, specifying individual targets for individual broadcasters.  Targets are specified as a range of percentages and targets are based on an 18 hour broadcast day from 7am to 1am. The main public television broadcasters in Ireland are RTE1 and RTE2.  RTE1 has a specified subtitling access target of 80-85% for 2013, 82-87% for 2014, 84-89% for 2015 and 85-90% for 2016.  RTE2 has a specified access target of 56-62% for 2013, 60-66% for 2014, 63-69% for 2015 and 67-73% for 2016.  The main private television broadcaster in Ireland is TV3, which has a specified subtitling access target of 41-45% for 2013, 43-47% for 2014, 45-49% for 2015 and 47-51% for 2016.[[58]](#footnote-58) |
| What proportion of main public and/or private television broadcasts providing instructions for voting and information on candidates has audio description? | The Broadcasting Authority of Ireland Access Rules 2012 set specific audio description targets for the main public television broadcasters in Ireland only, namely RTE1 and RTE2.  The Access Rules 2012 state that “there are no Irish sign language or audio description requirements in respect of other broadcast services at this time”.  The specified audio description targets for RTE1 and RTE2 are 1.25% for 2013, 1.5% for 2014, 1.75% for 2015 and 2% for 2016.[[59]](#footnote-59) |
| What proportion of main public and/or private television broadcasts providing instructions for voting and information on candidates has sign language interpretation? | The Broadcasting Authority of Ireland Access Rules 2012 set specific Irish Sign Language targets for the main public television broadcasters in Ireland only, namely RTE1 and RTE2.  As noted above, the Access Rules 2012 state that “there are no Irish sign language or audio description requirements in respect of other broadcast services at this time”.  The specified Irish Sign Language targets for RTE1 and RTE2 are 1.25% for 2013, 1.5% for 2014, 1.75% for 2015 and 2% for 2016.[[60]](#footnote-60) |
| How many political parties, out of the total who participated in the most recent European Parliament and municipal elections, made their manifesto/campaign material accessible to persons with disabilities (e.g. large print, braille, easy-to-read, audio versions etc.)? | Information not available[[61]](#footnote-61). |
| What proportion of public authority national and municipal buildings is accessible to persons with disabilities? | Section 25 of the Disability Act 2005 states that subject to certain specified exemptions, public bodies must ensure that their public buildings are, as far as practicable, accessible to persons with disabilities.  The Building Control Acts 2000-2007 and the Building Control Regulations 1997-2013 set out very detailed criteria which determine whether public authority buildings are accessible for persons with disabilities, providing detailed rules regarding such matters as approach to public buildings, access to public buildings, circulation within public buildings and use of facilities within public buildings.[[62]](#footnote-62)  There is no data available on the proportion of public authority, national and municipal buildings which are accessible to persons with disabilities. |
| How many complaints related to infringements of the right to political participation of persons with disabilities were recorded in 2012? What proportion of these complaints was successful? | Information not available.[[63]](#footnote-63) |

1. <http://www.un.org/disabilities/countries.asp?navid=12&pid=166>; <http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&lang=en> [↑](#footnote-ref-1)
2. <http://www.un.org/disabilities/countries.asp?navid=12&pid=166>; <http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&lang=en> [↑](#footnote-ref-2)
3. <http://www.un.org/disabilities/countries.asp?navid=12&pid=166>; <http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&lang=en> [↑](#footnote-ref-3)
4. Available at [www.irishstatutebook.ie/1992/en/act/pub/0023/index.html](http://www.irishstatutebook.ie/1992/en/act/pub/0023/index.html) (accessed on 11 September 2013). [↑](#footnote-ref-4)
5. Statutory Instrument No. 14 of 1994, available at [www.irishstatutebook.ie/1994/en/si/0014.html](http://www.irishstatutebook.ie/1994/en/si/0014.html) (accessed on 11 September 2013). [↑](#footnote-ref-5)
6. Statutory Instrument No.297 of 1995, available at [www.irishstatutebook.ie/1995/en/si/0297.html](http://www.irishstatutebook.ie/1995/en/si/0297.html) (accessed on 11 September 2013). [↑](#footnote-ref-6)
7. Available at [www.irishstatutebook.ie/1996/en/act/pub/0043/index.html](http://www.irishstatutebook.ie/1996/en/act/pub/0043/index.html) (accessed on 11 September 2013). [↑](#footnote-ref-7)
8. Available at [www.irishstatutebook.ie/1997/en/act/pub/0025/index.html](http://www.irishstatutebook.ie/1997/en/act/pub/0025/index.html) (accessed on 11 September 2013). [↑](#footnote-ref-8)
9. Available at [www.irishstatutebook.ie/1997/en/act/pub/0002/index.html](http://www.irishstatutebook.ie/1997/en/act/pub/0002/index.html) (accessed on 11 September 2013). [↑](#footnote-ref-9)
10. Available at [www.irishstatutebook.ie/1998/en/act/pub/0004/index.html](http://www.irishstatutebook.ie/1998/en/act/pub/0004/index.html) (accessed on 11 September 2013). [↑](#footnote-ref-10)
11. Available at [www.irishstatutebook.ie/2001/en/act/pub/0038/index.html](http://www.irishstatutebook.ie/2001/en/act/pub/0038/index.html) (accessed on 11 September 2013). [↑](#footnote-ref-11)
12. Available at [www.irishstatutebook.ie/2002/en/act/pub/0004/index.html](http://www.irishstatutebook.ie/2002/en/act/pub/0004/index.html) (accessed on 11 September 2013). [↑](#footnote-ref-12)
13. Available at [www.irishstatutebook.ie/2004/en/act/pub/0015/index.html](http://www.irishstatutebook.ie/2004/en/act/pub/0015/index.html) (accessed on 11 September 2013). [↑](#footnote-ref-13)
14. Available at [www.irishstatutebook.ie/2006/en/act/pub/0033/index.html](http://www.irishstatutebook.ie/2006/en/act/pub/0033/index.html) (accessed on 11 September 2013). [↑](#footnote-ref-14)
15. Available at [www.irishstatutebook.ie/2009/en/act/pub/0004/index.html](http://www.irishstatutebook.ie/2009/en/act/pub/0004/index.html) (accessed on 11 September 2013). [↑](#footnote-ref-15)
16. Available at [www.irishstatutebook.ie/2009/en/act/pub/0009/index.html](http://www.irishstatutebook.ie/2009/en/act/pub/0009/index.html) (accessed on 11 September 2013). [↑](#footnote-ref-16)
17. Ireland, Department of An Taoiseach, Government Legislation Programme for Summer Session 2013, available at [www.taoiseach.gov.ie/eng/Taoiseach\_and\_Government/Government\_Legislation\_Programme](http://www.taoiseach.gov.ie/eng/Taoiseach_and_Government/Government_Legislation_Programme) (accessed on 11 September 2013). [↑](#footnote-ref-17)
18. Available at [www.irishstatutebook.ie/1992/en/act/pub/0023/index.html](http://www.irishstatutebook.ie/1992/en/act/pub/0023/index.html) (accessed on 11 September 2013). [↑](#footnote-ref-18)
19. Available at [www.irishstatutebook.ie/1992/en/act/pub/0023/sec0078.html#partxiv](http://www.irishstatutebook.ie/1992/en/act/pub/0023/sec0078.html#partxiv) (accessed on 11 September 2013). [↑](#footnote-ref-19)
20. Available at [www.irishstatutebook.ie/1992/en/act/pub/0023/sec0081.html#sec81](http://www.irishstatutebook.ie/1992/en/act/pub/0023/sec0081.html#sec81) (accessed on 11 September 2013). [↑](#footnote-ref-20)
21. Available at [www.irishstatutebook.ie/1992/en/act/pub/0023/sec0082.html#sec82](http://www.irishstatutebook.ie/1992/en/act/pub/0023/sec0082.html#sec82) (accessed on 11 September 2013). [↑](#footnote-ref-21)
22. Available at [www.irishstatutebook.ie/1992/en/act/pub/0023/sec0100.html#sec100](http://www.irishstatutebook.ie/1992/en/act/pub/0023/sec0100.html#sec100) (accessed on 11 September 2013). [↑](#footnote-ref-22)
23. Available at [www.irishstatutebook.ie/1992/en/act/pub/0023/sec0103.html#sec103](http://www.irishstatutebook.ie/1992/en/act/pub/0023/sec0103.html#sec103) (accessed on 11 September 2013). [↑](#footnote-ref-23)
24. Available at <http://www.osce.org/odihr/elections/ireland/26627>, p.9. [↑](#footnote-ref-24)
25. Ireland (2012) National Disability Authority, [Discussion Paper – Accessible Voting, Dublin: NDA](http://www.nda.ie/website/nda/cntmgmtnew.nsf/0/1BDE21B926A1BE728025760100517AA7/$File/Accessible_Voting_2012_final.doc), [22] (accessed on 27 July 2013). [↑](#footnote-ref-25)
26. Available at [www.irishstatutebook.ie/2005/en/act/pub/0014/sec0028.html#sec28](http://www.irishstatutebook.ie/2005/en/act/pub/0014/sec0028.html#sec28) (accessed on 11 September 2013). [↑](#footnote-ref-26)
27. Available at <http://www.nda.ie/cntmgmtnew.nsf/0/3DB134DF72E1846A8025710F0040BF3D?OpenDocument> (accessed on 9 January 2014) [↑](#footnote-ref-27)
28. Available at <http://www.equality.ie/en/Publications/Information-Publications/Your-Equal-Status-Rights-Explained.html> (accessed on 9 January 2014) [↑](#footnote-ref-28)
29. Case summary available at <http://list.universaldesign.ie/pipermail/ceud-ict/2007/001366.html> (accessed on 9 January 2014) [↑](#footnote-ref-29)
30. Available at [www.irishstatutebook.ie/2009/en/act/pub/0018/sec0038.html#sec38](http://www.irishstatutebook.ie/2009/en/act/pub/0018/sec0038.html#sec38) (accessed on 7 January 2014) [↑](#footnote-ref-30)
31. Available at [www.irishstatutebook.ie/2009/en/act/pub/0018/sec0043.html#sec43](http://www.irishstatutebook.ie/2009/en/act/pub/0018/sec0043.html#sec43) (accessed on 7 January 2014) [↑](#footnote-ref-31)
32. Available at [www.bai.ie/?page\_id=2419](http://www.bai.ie/?page_id=2419) (accessed on 7 January 2014) [↑](#footnote-ref-32)
33. Available at [www.irishstatutebook.ie/2009/en/act/pub/0018/sec0154.html#sec154](http://www.irishstatutebook.ie/2009/en/act/pub/0018/sec0154.html#sec154) (accessed on 7 January 2014) [↑](#footnote-ref-33)
34. Available at [www.bai.ie/wordpress/wp-content/uploads/Broadcasting-Funding-Scheme-scheme-doc.pdf](http://www.bai.ie/wordpress/wp-content/uploads/Broadcasting-Funding-Scheme-scheme-doc.pdf) (accessed on 7 January 2014) [↑](#footnote-ref-34)
35. Available at [www.irishstatutebook.ie/2001/en/act/pub/0053/](http://www.irishstatutebook.ie/2001/en/act/pub/0053/) (accessed on 7 January 2014) [↑](#footnote-ref-35)
36. Department of Justice, ‘National Disability Strategy’, (2004) available at:<http://www.justice.ie/en/JELR/NDA%20-%20POLICY%20-%202.pdf/Files/NDA%20-%20POLICY%20-%202.pdf>. [↑](#footnote-ref-36)
37. Minister for Disability, Equality, Mental Health and Older People, Kathleen Lynch established the National Disability Strategy Implementation Group (NDSIG) to assist her in drafting the implementation plan for the National Disability Strategy and they will continue to work together to monitor and review progress over the three year period. [↑](#footnote-ref-37)
38. Available at [www.irishstatutebook.ie/2005/en/act/pub/0014](http://www.irishstatutebook.ie/2005/en/act/pub/0014) (accessed on 12 September 2013). [↑](#footnote-ref-38)
39. See Ireland (2012) National Disability Authority, Discussion Paper – Accessible Voting, Dublin: NDA, [22], available at [www.nda.ie/website/nda/cntmgmtnew.nsf/0/1BDE21B926A1BE728025760100517AA7/$File/Accessible\_Voting\_2012\_final.doc](http://www.nda.ie/website/nda/cntmgmtnew.nsf/0/1BDE21B926A1BE728025760100517AA7/$File/Accessible_Voting_2012_final.doc) (accessed on 27 July 2013). [↑](#footnote-ref-39)
40. See [FRA Annual Report 2011](http://fra.europa.eu/en/publication/2012/fundamental-rights-challenges-and-achievements-2011), and FRA (2010) [*The right to political participation of persons with mental health problems and persons with intellectual disabilities*](http://fra.europa.eu/en/publication/2012/right-political-participation-persons-mental-health-problems-and-persons)*,* Annex 1. [↑](#footnote-ref-40)
41. Publication of the National Disability Strategy Implementation Plan, available at <http://www.justice.ie/en/JELR/Pages/PR13000322> (accessed on 9 January 2014) [↑](#footnote-ref-41)
42. National Disability Authority Act 1999, available at <http://www.irishstatutebook.ie/1999/en/act/pub/0014/index.html> (accessed on 9 January 2014) [↑](#footnote-ref-42)
43. Ireland (2012) National Disability Authority, Discussion Paper – Accessible Voting, Dublin: NDA, [22], available at [www.nda.ie/website/nda/cntmgmtnew.nsf/0/1BDE21B926A1BE728025760100517AA7/$File/Accessible\_Voting\_2012\_final.doc](http://www.nda.ie/website/nda/cntmgmtnew.nsf/0/1BDE21B926A1BE728025760100517AA7/$File/Accessible_Voting_2012_final.doc) (accessed on 27 July 2013). [↑](#footnote-ref-43)
44. Consulted were judgments database of the Courts Service, legal databases [www.justis.com](http://www.justis.com) and [www.westlaw.ie](http://www.westlaw.ie) and published legal reports in Ireland, the Irish Reports and the Irish Law Reports Monthly. [↑](#footnote-ref-44)
45. See [www.ombudsman.gov.ie/en/case-studies/sample-cases](http://www.ombudsman.gov.ie/en/case-studies/sample-cases) (accessed on 13 September 2013). [↑](#footnote-ref-45)
46. See [www.equalitytribunal.ie/database-of-decisions](http://www.equalitytribunal.ie/database-of-decisions) (accessed on 12 September 2013). [↑](#footnote-ref-46)
47. See [www.environ.ie/en/LocalGovernment/Voting/#](http://www.environ.ie/en/LocalGovernment/Voting/) (accessed on 12 September 2013). [↑](#footnote-ref-47)
48. Available at http://www.ombudsman.gov.ie/en/About-Us/Legislation/The-Disability-Act/Making-a-complaint-to-the-Ombudsman-under-the-Disability-Act/(accessed on 9 January 2014) [↑](#footnote-ref-48)
49. Speech marking launch of accessible DVD, <http://www.ombudsman.gov.ie/en/News/Speeches-Articles/2010/Speech-marking-the-launch-of-an-accessible-information-DVD-about-the-functions-and-role-of-the-Ombudsman.html> (accessed on 9 January 2014) [↑](#footnote-ref-49)
50. See [www.environ.ie/en/publications/localgovernment/voting](http://www.environ.ie/en/publications/localgovernment/voting) (accessed on 13 September 2013). [↑](#footnote-ref-50)
51. See [www.environ.ie/en/publications/localgovernment/voting](http://www.environ.ie/en/publications/localgovernment/voting) (accessed on 13 September 2013). [↑](#footnote-ref-51)
52. See [www.environ.ie/en/publications/localgovernment/voting](http://www.environ.ie/en/publications/localgovernment/voting) (accessed on 13 September 2013). [↑](#footnote-ref-52)
53. Profile of Senator Martin Conway <http://www.finegael.ie/our-people/senators/martin-conway/> (accessed on 9 January 2014) [↑](#footnote-ref-53)
54. News article and profile of Sean Connick TD <http://www.independent.ie/regionals/newrossstandard/news/government-jet-available-but-there-could-be-wheelchair-access-issues-27495545.html> (accessed on 9 January 2014) [↑](#footnote-ref-54)
55. Conference paper by James Barry, Dublin City Returning Officer, titled “[Voting facilities for people with disabilities](http://www.nda.ie/CntMgmtNew.nsf/DCC524B4546ADB3080256C700071B049/3B27344EEB77108880257B6600507DBE/$File/JAMES_BARRY_NDA_CONFERENCE.pptx)” at the NDA Conference on Participation in Public and Political Life by People with Disabilities, 24 May 2013 [↑](#footnote-ref-55)
56. <http://www.environ.ie/en/Publications/LocalGovernment/Voting/FileDownLoad,1896,en.pdf> [↑](#footnote-ref-56)
57. See [www.environ.ie/tools/accessibilitystatement](http://www.environ.ie/tools/accessibilitystatement) (accessed on 13 September 2013). [↑](#footnote-ref-57)
58. See Ireland, (2012) Broadcasting Authority of Ireland, BAI Access Rules 2012, Dublin: BAI, [12], available at [www.bai.ie/?page\_id=2419](http://www.bai.ie/?page_id=2419) (accessed on 13 September 2013). [↑](#footnote-ref-58)
59. See Ireland, (2012) Broadcasting Authority of Ireland, BAI Access Rules 2012, Dublin: BAI, [12], available at [www.bai.ie/?page\_id=2419](http://www.bai.ie/?page_id=2419) (accessed on 13 September 2013). [↑](#footnote-ref-59)
60. See Ireland, (2012) Broadcasting Authority of Ireland, BAI Access Rules 2012, Dublin: BAI, [12], available at [www.bai.ie/?page\_id=2419](http://www.bai.ie/?page_id=2419) (accessed on 13 September 2013). [↑](#footnote-ref-60)
61. A desk research review of available manifesto/campaign materials was done. None of the materials reviewed were in accessible formats but there was limited material available so it is not possible to reach a definitive conclusion on this issue. [↑](#footnote-ref-61)
62. See further Department of Environment Building Standards available at [www.environ.ie/en/developmenthousing/buildingstandards](http://www.environ.ie/en/developmenthousing/buildingstandards) (accessed on 13 September 2013). [↑](#footnote-ref-62)
63. Consultation of the Equality Tribunal and Office of the Ombudsman. [↑](#footnote-ref-63)