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**An Comhchoiste um Oideachas, Breisoideachas agus  
Ardoideachas, Taighde, Nuálaíocht agus Eolaíocht**  
Tuarascáil maidir leis an nGrinnscrúdú Réamhrechtach  
ar an mBille um Thaighde agus Nuálaíocht, 2023

Iúil 2023

**Joint Committee on Education, Further and Higher  
Education, Research, Innovation and Science**  
Report on Pre Legislative Scrutiny of the  
Research and Innovation Bill, 2023



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Senator Pauline O'Reilly  
Green Party

## CATHAOIRLEACH'S FOREWARD



The General Scheme of the Research and Innovation Bill, 2023 was published by the Minister for Further and Higher Education, Research, Innovation and Science, Mr Simon Harris TD, in April 2023. The Bill was subsequently referred to the Joint Committee on Education, Further and Higher Education, Research, Innovation and Science for the purposes of Pre-Legislative Scrutiny.

The Committee invited representative bodies, relevant unions, statutory bodies, Department officials, and academic experts to give oral evidence before the Committee at public meetings on the 9<sup>th</sup> and 16<sup>th</sup> of May 2023. Commentary notes were also provided by key stakeholders to the Committee.

The Committee considers this Bill to be fundamentally important in terms of the future development and expansion of research and innovation in Ireland. Ireland is a highly developed, open, and knowledge-based economy. As such, research and innovation will play a pivotal role in the future of our country both economically and socially in the years to come.

It is incumbent on the State to continue to support this sector into the future. There is no doubt that the expertise found amongst the talented researchers and innovators will help positively contribute to the challenges this country faces in a time of global uncertainty.

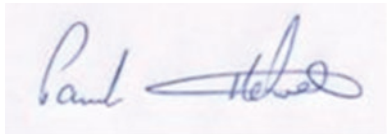
The Joint Committee expresses its gratitude to all those who came before the Joint Committee to give evidence and to those who submitted written material.

The Joint Committee is also very grateful to Mr. Niall Watters, Senior Researcher, Oireachtas Library and Research Service, for the extensive research conducted. It

assisted greatly in the production of the Report.

The Committee believes that this Bill represents a significant opportunity to build on the work already being done and is fundamentally important to the future of our nation, from a social, cultural, environmental, and economic perspective.

On the 12<sup>th</sup> of July 2023, the report was agreed to be published by the Committee.

A handwritten signature in blue ink, appearing to read 'Paul Kehoe', is shown within a rectangular box. The signature is fluid and cursive.

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**Paul Kehoe T.D.,**

**Cathaoirleach,**

**Joint Committee on Education, Further and Higher Education,  
Research, Innovation and Science.**

**12<sup>th</sup> July 2023**

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## EXECUTIVE SUMMARY

The General Scheme of the Research and Innovation Bill 2022<sup>3</sup> seeks to amalgamate the functions of *Science Foundation Ireland* and the *Irish Research Council* to create a new statutory body with responsibility for the funding of research and innovation in Ireland. The new agency, nominally known as *Research and Innovation Ireland*, is a key strand of the Government's 2022 research and development strategy, *Impact 2030*, published in May 2022.

The main objectives of the draft legislation of the Bill are to:<sup>1</sup>

- Promote and support excellence in research and innovation across all disciplines
- Promote and support research and innovation's contribution to Ireland's economic, social, cultural, and environmental development and sustainability
- Strengthen engagement between the research and innovation system and enterprise, Government and public bodies, the voluntary sector, and society
- In collaboration with the *Higher Education Authority (HEA)* and other public research funders, grow Ireland's international offering and reputation as a location for undertaking excellent research and innovation
- Advance equality, diversity and inclusion in research and innovation
- Promote, develop, and assist the carrying out of oriented basic research in strategic areas of endeavour that concerns the future development and competitiveness of the State
- The establishment of a new statutory body *Research and Innovation Ireland*<sup>2</sup>
- To provide for the operation of this new body

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<sup>1</sup> As per the Government's press release accompanying the publication of the General Scheme of the Bill: <https://www.gov.ie/en/press-release/d62b2-minister-harris-welcomes-government-approval-to-publish-research-and-innovation-bill/>

<sup>2</sup> In the General Scheme, "Research Ireland" is used as well, but more prominently, "Research and Innovation Ireland".

- To provide for the dissolution of the statutory body that is Science Foundation Ireland and the transfer of its responsibilities, assets, liabilities (including research awards) and staff to Research and Innovation Ireland
- To provide for the transfer of staff, records, assets, and liabilities (including research awards) from the Higher Education Authority (HEA) in respect of competitive research funding activities within the HEA, including that of the non-statutory Irish Research Council

The following issues were identified as requiring further attention (in no particular order) :

- Membership of Board
- Definitions of Research
- Academic Freedom
- Parity of Esteem between all disciplines
- The Role of the relevant Minister
- Funding Model and Academic Contracts for Researchers
- Equality, Diversity, and Inclusion within the Irish research community

## RECOMMENDATIONS ON OVERVIEW AND ASSESSMENT OF THE GENERAL SCHEME

### PART 1 – PRELIMINARY AND GENERAL, INTERPRETATIONS AND DEFINITIONS

1. To ensure absolute clarity, the Bill should clearly define all Research Terms that will be covered by the legislation.
2. The Principles of the Bill should be clearly outlined in the legislation. These principles should reflect the different types of research cited in the Bill.

### PART 2 – FUNDING OF RESEARCH AND INNOVATION, INCREASING CAPACITY OF INSTITUTIONS

3. The legislation should provide a mechanism to support how the Impact 2030 target, to increase expenditure on research and development to 2.5% of the domestic economy by 2030, can be met by Research and Innovation Ireland (RII). To this end, more detailed information should be provided in the legislation on the specific strategies and plans to achieve this target.
4. The legislation should specify how it is envisaged that the Technological Universities will benefit from the transformed research and innovation system. To this end, it is recommended that the Bill specifies the precise mechanism, funding sources, and key targets for Research and Innovation Ireland (RII) in terms of developing the capacity of research in the Technological Universities (TUs).

### PART 3 – OBJECTS

5. The legislation should specify how to achieve a balance between “fundamental” and “orientated basic” research in the context of potential conflicts between the current Head 8(a) and Head 8(f). This recommendation should take into consideration recommendation 1 above and the need for clear definitions of research.
6. The legislation should clearly specify the parameters of academic freedom, research integrity, and ethics under an existing, or an additional object.
7. The legislation should clearly demonstrate an outward international perspective as well as defining the role to be played by *Research and Innovation Ireland (RII)* in promoting balanced regional development in Ireland.
8. The legislation should explicitly provide that the development of research advances climate action, biodiversity protection, enhancement and restoration, and the implementation of the United Nations’ Sustainable Development Goals as an object of *Research and Innovation Ireland (RII)*.

### PART 4 – FUNCTIONS

9. The issues of Academic Contracts in both the Technological Universities (TUs) and traditional Universities needs to be reviewed as a matter of urgency by the Minister for Further and Higher Education, Research, Innovation and Science, in liaison with Universities. The review should include an examination of Precarious Employment Practices and include hourly paid Academic Contracts, the needs of Researchers, Postgraduate Workers, and the outsourcing of Support Staff. The Committee recommends that legislation be amended to place such such a review on a time-bound statutory basis.
10. The Committee recommends that Head 9 of the General Scheme be amended to include supporting researchers throughout their career and implementing

policies to end precarious employment in higher education as a function of *Research and Innovation Ireland (RII)*.

11. The legislation should include a clear blueprint on how Parity of Esteem can be achieved between academic disciplines, forms of research, and researchers themselves.
12. The functions specified in Head 9 should be amended to include the promotion and development of frontier research as an explicit function of *Research and Innovation Ireland (RII)*.
13. The functions specified in Head 9 should be amended to include the promotion and development of public-private partnerships for research as an explicit function of *Research and Innovation Ireland (RII)*.
14. The functions specified in Head 9 should be amended to include prompting, supporting, and developing research which assists in the implementation of the United Nations' Sustainable Development Goals as an explicit function of *Research and Innovation Ireland (RII)*.

## PART 5 – POWER OF THE MINISTER

15. The legislation needs to specify the scope and limits of the power of the relevant Minister to provide directions to Research and Innovation Ireland (RII). The specifications need to be cognisant of Research and Innovation Ireland's independence regarding making funding awards, ensuring peer input, displaying transparency, and providing for the sustainability of Research and Innovation Ireland (RII) to fulfil its remit regardless of government and departmental change.
16. Head 11 should be amended to remove the provision that the related Minister may give direction in writing to *Research and Innovation Ireland (RII)* for any purpose relating to this legislation and concerning the implementation of any policy or objective of the related Minister or the Government.

## PART 6 – BOARD

17. The legislation should clearly specify the representation on the Board of Research and Innovation Ireland (RII). The representation should include the following:

- Active researchers, at various career stages.
- A diverse range of higher education institutions.
- An expanded list of relevant stakeholders including higher education institution staff, representative bodies, relevant Unions, and other relevant organisations and individuals.

18. Additional clarity and consideration should be provided on how the committee or council structures of Research and Innovation Ireland (RII) will be structured and function. In this context, it is recommended that the Department of Further and Higher Education, Research, Innovation and Science (DFHERIS) examines the structures of analogous bodies internationally that have a particular focus on ensuring that a parity of esteem exists between academic disciplines and types of research.

## PART 7 – FUNDING AND ACCOUNTABILITY OF RESEARCH AND INNOVATION IRELAND

19. The legislation needs to specify the sectors and/or groupings that ought to be consulted by Research and Innovation Ireland (RII) for the purpose of its 5-year Corporate Plans as well as its Annual Plan. It is recommended that higher education institutions, researchers, representative and advocacy groupings, and international experts should be included.

20. The scope of the relevant Minister in the framing of Research and Innovation Ireland's (RII) Corporate and Annual Plans, and in respect of Funding Awards needs to be reviewed.

21. The legislation should clearly specify how the Department of Further and Higher Education, Research, Innovation and Science proposes to conduct the Consultation Processes that will be used to inform it in the drafting of the legislation.

## CHAPTER 1 – INTRODUCTION

The Government approved the drafting of the Research and Innovation Bill 2023 (henceforth referred to as the Bill) on the 5<sup>th</sup> of April 2023. The General Scheme of the Bill was published by the Minister for Further and Higher Education, Research, Innovation and Science, Simon Harris, T.D., on the 6<sup>th</sup> of April 2023. The General Scheme of the Bill was subsequently referred to the Oireachtas Joint Committee on Education, Further and Higher Education, Research, Innovation and Science (henceforth referred to as the Committee) for the purpose of Pre-Legislative Scrutiny (PLS), in line with Dáil Standing Order 174 A.

The Committee agreed to undertake PLS in May 2023. Two Committee meetings were subsequently held on the 9<sup>th</sup> and 16<sup>th</sup> of May with a variety of relevant stakeholders. The Committee also received commentary notes regarding the legislation.

### CONTEXT

The Bill seeks to amalgamate the functions of *Science Foundation Ireland (SFI)* and the *Irish Research Council (IRC)* to create a new statutory body with responsibility for the funding of research and innovation in Ireland. The new agency, *Research and Innovation Ireland (RII)* is a key strand of the Government's 2022 research and development strategy, *Impact 2030*, published in May 2022.

Several commentary notes referred to the fact that Ireland is a highly developed, open, and knowledge-based economy. In the Commentary Note submitted by a large group of academics, it was noted that this country relies '*extensively on its vibrant research ecosystem*' for its economic, cultural, health and social well-being.<sup>3</sup>

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<sup>3</sup> Submission to the Committee of 23 May 2023 from Professor Jane Ohlmeyer of TCD on behalf of a large group of academics, following an Open Letter on the 24 April 2023 to the Minister for Further and Higher Education, Research, Innovation and Science, Mr Simon Harris T.D.



The Higher Education Research Group also affirmed the importance of research in a recent report which outlined that there is *‘now stronger evidence of the central role of research in society and of the benefits and acceleration in the advancement of knowledge when researchers from many disciplines mobilise together to achieve a shared global mission.’*<sup>4</sup>

In its commentary note, the *Higher Education Authority (HEA)* stated that the establishment of *Research and Innovation Ireland* *‘presents an opportunity to reinforce the quality of the research environment and culture in higher education... Such coherence and clarity of shared mission will ultimately, benefit Ireland’s reputation in higher education, research and innovation on a global scale and will produce graduates who perpetuate the impact of investment long after they have qualified.’*<sup>5</sup>

## RESEARCH SCOPE

The purpose of this report is to assess the General Scheme in the light of the policy context for the provisions, analysis and assessment of the policy areas most relevant to its provisions. Due to time constraints imposed on the Committee under *Dáil* Standing Order 174 A, this report will not cover every Head in the General Scheme, given the size and breadth of the General Scheme. Rather, this report will focus on the crucial areas as identified by the submissions received by the Committee and the oral evidence heard.

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<sup>4</sup> <https://www.knowledgetransferireland.com/Reports-Publications/Ireland-s-Higher-Education-System-2021-HERG-Report.pdf>

<sup>5</sup> Submission to the Committee of 4 May 2023 from the Higher Education Authority.

## CHAPTER 2 – BACKGROUND TO THE GENERAL SCHEME OF THE BILL

The General Scheme of the Bill was published by the Minister for Further and Higher Education, Research, Innovation and Science, Simon Harris, T.D., on the 6<sup>th</sup> of April 2023. The General Scheme, and resulting Bill, seeks to amalgamate the functions of *Science Foundation Ireland* and the *Irish Research Council* to create a new statutory body with responsibility for the funding of research and innovation in Ireland.

The main objectives of the draft legislation of the Bill are to:<sup>6</sup>

- Promote and support excellence in research and innovation across all disciplines
- Promote and support research and innovation’s contribution to Ireland’s economic, social, cultural, and environmental development and sustainability
- Strengthen engagement between the research and innovation system and enterprise, Government and public bodies, the voluntary sector and society
- In collaboration with the *Higher Education Authority (HEA)* and other public research funders, grow Ireland’s international offering and reputation as a location for undertaking excellent research and innovation
- Advance equality, diversity and inclusion in research and innovation
- Promote, develop, and assist the carrying out of oriented basic research in strategic areas of endeavour that concerns the future development and competitiveness of the State
- The establishment of a new statutory body *Research and Innovation Ireland*<sup>7</sup>
- To provide for the operation of this new body
- To provide for the dissolution of the statutory body that is *Science Foundation*

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<sup>6</sup> As per the Government’s press release accompanying the publication of the General Scheme of the Bill: <https://www.gov.ie/en/press-release/d62b2-minister-harris-welcomes-government-approval-to-publish-research-and-innovation-bill/>

<sup>7</sup> In the General Scheme, “Research Ireland” is used as well, but more prominently, “Research and Innovation Ireland”.

*Ireland* and the transfer of its responsibilities, assets, liabilities (including research awards) and staff to *Research and Innovation Ireland*

- To provide for the transfer of staff, records, assets, and liabilities (including research awards) from the Higher Education Authority (HEA) in respect of competitive research funding activities within the HEA, including that of the non- statutory Irish Research Council

Following the publication of the General Scheme of the Bill, Minister Harris stated that the establishment of *Research and Innovation Ireland* will be a

*‘vital step towards achieving the overarching objective of Impact 2030 to ensure that Ireland’s collective research and innovation investments and activities make as big a difference as possible to as many people as possible. In order to achieve this, the new research and innovation agency will drive research and innovation excellence in all disciplines across the spectrum of Arts, Engineering, Humanities, Mathematics, Science, Social Sciences, Technology and others. This is essential in order to ensure that Ireland has a resilient and agile research base that can make a substantive impact on national challenges and opportunities.’*

The *Irish Research Council (IRC)* is the largest competitive funder of research in the Arts, Humanities and Social Sciences, as well other disciplines. *Science Foundation Ireland (SFI)* is the largest competitive funder of research in Science, Technology, Engineering and Mathematics (STEM). The aim of amalgamating both bodies into *Research and Innovation Ireland (RII)* is a core part of the Government’s *Impact 2030* strategy. The amalgamation aims to advance greater interdisciplinarity in Ireland while also improving the coordination of funding activities, administrative efficiencies and simplifying the suite of supports for researchers, while building on their respective existing track records and international reputations.

The Bill will also create a new statutory research and innovation funding agency that will support the full range of research disciplines, working collaboratively with other research funders and enterprise, nationally and internationally.

## POLICY CONTEXT

### PROGRAMME FOR GOVERNMENT

*The Programme for Government: A Shared Future* contains multiple references to both research and innovation.<sup>8</sup> The Programme for Government states the importance of research and innovation to Ireland as well as outlining the Government's aspirations regarding research and innovation in Ireland.<sup>9</sup>

*'We will ensure that Ireland is a global leader in research and innovation across the arts, humanities, social sciences, and STEM.... We will endeavour to make Ireland a more attractive location as a base for academic research and researchers. We want research based in Ireland to be at the forefront of the next phase of disruptive technologies, leading rather following the technological revolution, while also being a centre for foundational research. We will strive to create an atmosphere in which research in Ireland is mindful of an ever- changing society, while also being agile and responsive to the need for innovation in business and industry.'*

The Programme for Government also outlines the following specific commitments:<sup>10</sup>

- Recognise the high-quality research emerging through national funding agencies and programmes, such as SFI, IRC, HRB and PRTL, and continue to support them in engaging in research that addresses societal challenges and advances the UN's Sustainable Development Goals.
- Develop challenges-based research funding approaches for all disciplines so that Irish researchers directly address the major issues facing society in the

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<sup>8</sup> Programme for Government: Our Shared Future: <https://www.gov.ie/en/publication/7e05d-programme-for-government-our-shared-future/>

<sup>9</sup> Programme for Government: Our Shared Future: <https://www.gov.ie/en/publication/7e05d-programme-for-government-our-shared-future/>

<sup>10</sup> Programme for Government: Our Shared Future: <https://www.gov.ie/en/publication/7e05d-programme-for-government-our-shared-future/>

years ahead.

- Ensure support for foundational and discovery research.
- Increase the number of SFI Research Centres and seek to establish a cross-border research centre, to bring together universities and industry, north and south.
- Examine the need for specialist research institutions outside the Higher Education system.
- Develop career pathways for early-career researchers, with Starting Grant funding rounds being issued on an annual basis from each of our funding institutions.
- Expand the linkages between research and enterprise, with a particular focus on encouraging collaboration with domestic SMEs.
- Work across third level and research sectors, to ensure that the work and contribution of PhD candidates is recognised appropriately.
- Propose the simplification of the application processes for grant funding from EU-funded research and innovation projects.
- Work at EU level to promote greater SME take-up of research and innovation funding.

Ireland's research and innovation strategy, *Impact 2030*, states that it reflects the Programme for Government and identifies the need to '*Develop challenges-based research funding approaches for all disciplines, so that Irish researchers directly address the major issues facing society in the years ahead*'.<sup>11</sup>

## IMPACT 2030

Ireland's Research and Innovation Strategy, *Impact 2030*, was published in March 2022. The overarching purpose of the strategy is to maximise the impact of research and innovation on multiple national priorities. The purpose of *Impact 2030* is related

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<sup>11</sup> Department of Further and Higher Education, Research, Innovation and Science (2022) *Impact 2030 - Ireland's Research and Innovation Strategy*, p. 4.

in a multitude of ways, the Research and Innovation Bill 2023 as well as the planned establishment of *Research and Innovation Ireland*. *Impact 2030* seeks to progress objectives that are shared across the Irish research and innovation system, including, for example, ensuring that research expertise is more accessible to policymakers and the public, as well as nurturing and attracting top talent in the sector.

## SCIENCE FOUNDATION IRELAND

*Science Foundation Ireland (SFI)* is the national foundation for investment in scientific and engineering research in Ireland. SFI is currently the largest Irish competitive funding agency, funding research in Ireland's higher education institutions. Funding is often done in partnership with industry or other national and international research funders. Through this funding, SFI aims to address social challenges and ensures Ireland has the skills, ideas, and technologies needed to be a true global knowledge economy.

SFI funds oriented basic and applied research in science, technology, engineering, and mathematics. SFI describes its remit as follows:

*'Our research promotes and assists the development and competitiveness of industry, enterprise and employment in Ireland. Oriented basic research is research that is carried out with the expectation that it will produce a broad base of knowledge that is likely to form the background to the solution of recognised, or expected, current or future problems or possibilities. Applied research is an original investigation undertaken to acquire new knowledge and is directed primarily towards a specific practical aim or objective. The results of applied research are intended primarily to be valid for a single or limited number of products, operations, methods, or systems.'*

## IRISH RESEARCH COUNCIL

The *Irish Research Council (IRC)* is the national funder of "excellent" research across all disciplines, investing in discovery, and funding a diverse range of "excellent"

individual researchers across all career stages. The IRC provides competitive research funding to support excellent frontier research across all disciplines and career stages. The IRC, therefore, has an emphasis on early-stage career researchers and promotes diverse career opportunities for researchers by partnering with employers. The IRC also has an explicit role in supporting research with a societal focus and has established partnerships across Government and civic society.

The IRC is an associate agency of the DFHERIS, under the direct aegis of the Higher Education Authority (HEA). It was established in 2012 following the merger of the Irish Research Council for Humanities and Social Sciences (IRCHSS) and the Irish Research Council for Science, Engineering and Technology (IRCSET).

## HIGHER EDUCATION AUTHORITY

The HEA provides policy advice to DFHERIS across various aspects of the mission of higher education and supports the performance of the Irish higher education research system.

The HEA's policy advice on higher education research activity in Ireland is grounded in the *National Strategy for Higher Education to 2030*. Building on this Strategy, the Framework is currently being updated to the Higher Education System Performance Framework (2023-2027). The new framework is being developed in the context of the *Higher Education Authority Act 2022*, which sets out the role of the Framework, and associated Performance Agreements with institutions, in assessing and strengthening the performance and accountability of the higher education system. The delivery of the HEA's strategic objectives is strongly related to the implementation of *Impact 2030*.

## FINANCE AND EXPENDITURE OF RESEARCH AND INNOVATION IRELAND

As noted above, one of the vision statements of *Impact 2030* is to have research and innovation expenditure in Ireland reach 2.5% of the domestic economy. The Government Budget Allocation for research and development currently stands at 0.85%, well below the EU average of 1.44% for Government expenditure on research and development as a percentage of total Government Expenditure in 2020.

The point was raised by numerous contributors, as shall be outlined below, that for *Research and Innovation Ireland (RII)* to achieve its full potential it would require an increase in funding to a level comparable to EU and OECD states.



## CHAPTER 3 – OVERVIEW AND ASSESSMENT OF THE GENERAL SCHEME

The General Scheme of the *Research and Innovation Bill* is comprised of 9 parts, which in turn account for 56 Heads. Considering the diverse nature of the General Scheme and the limited time available for PLS, the Committee's assessment will focus solely on certain key themes relevant to the draft Bill's policy principles. The following overview draws upon evidence presented during Committee hearings, relevant submissions made to the Committee, and is supplemented with supporting information provided by the Oireachtas Library and Research Service (L&RS).

By means of summary, the General Scheme of the Research and Innovation Bill, among other things, provides for the establishment of a statutory body, nominally referred to as *Research and Innovation Ireland (RII)*, by amalgamating the functions of SFI and the IRC.

The key policy objectives the General Scheme sets out for R&I are the following:

- promote and support excellence in research and innovation across all disciplines
- promote and support research and innovation's contribution to Ireland's economic, social, cultural and environmental development and sustainability
- strengthen engagement between the research and innovation system and enterprise, Government and public bodies, the voluntary sector and society in collaboration with the HEA and other public research funders
- grow Ireland's international offering and reputation as a location for undertaking excellent research and innovation
- advance equality, diversity and inclusion in research and innovation
- promote, develop and assist the carrying out of oriented basic research in strategic areas of endeavour that concerns the future development and competitiveness of the State.

## PART 1 – PRELIMINARY AND GENERAL (HEADS 1-6)

The Heads included Part 1 “Preliminary and General” of the General Scheme include the following:

1. Long Title
2. Short Title and Commencement
3. Interpretation
4. Expenses
5. Regulations and Order
6. Repeals and Revocations

### INTERPRETATIONS AND DEFINITIONS

The above Heads are standard provisions. However, under Head 3 “Interpretations” a number of submissions pointed to the lack of clear definitions for several of the terms used in the General Scheme. As it stands in the General Scheme, the following definitions are provided:

- *‘applied research’* refers to an original investigation undertaken in order to acquire new knowledge directed primarily towards a specific practical aim or objective
- *‘development’* refers to any systematic work, drawing on existing knowledge gained from research and/or practical experience, that is directed to producing new materials, products and devices, to installing new processes, systems and services, and to improving substantially those already produced or installed
- *‘innovation’* refers to the development and use of new ideas, methods, products, processes, policies, and services where they have not been used before
- *‘interdisciplinary research’* refers to a mode of research which combines the knowledge and methods of different disciplines

- *'research'* refers to creative and systematic work undertaken in order to increase the stock of knowledge (including knowledge of humankind, culture and society) and to devise new applications of available knowledge.

The explanatory notes accompanying the General Scheme states the definition for *'research'* that is used in the *Higher Education Authority Act 2022*. However, it is not clear where the other definitions used in the General Scheme originated from. In addition to definitions of research, related terms used in the body of the General Scheme are not defined as to their meaning in the context of the General Scheme's provisions. These terms include: *'research excellence'*, *'fundamental research'*, *'applied research'*, *'excellent research'*, and *'basic research'*.

Beyond definitions of research, the concept of *'research excellence'* is referred to throughout the General Scheme but is not defined as such. *'Research excellence'* is also not defined in *Impact 2030*, however *Impact 2030* states that:<sup>12</sup>

*'Research excellence is enabled by a world class, accessible environment supported by a clear Strategy architecture and institutional landscape.'*

Issues regarding the definitions, or lack thereof, were continually referred to over the course of the Committee's hearing on the General Scheme. There were numerous overlapping terminologies mentioned referring to diverse types of research, including: *'fundamental research'*, *'core research'*, *'blue-sky research'*, *'frontier research'*, and *'basic research'*.

Professor Helen Kelly-Holmes, Professor of Applied Languages, School of Modern Languages and Applied Linguistics, University of Limerick, stated in evidence to the Committee on the 16<sup>th</sup> of May 2023:<sup>13</sup>

<sup>12</sup> Government of Ireland, 2022, *Impact 2030: Ireland's Research and Innovation Strategy*, p. 3

<sup>13</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [16/05/2023](#)

*‘Some of the definitions in the Bill did give rise to a little bit of concern.... The definition of research is very important, but it is about excellence and contributions to knowledge, and these apply to all of the disciplines. That kind of inclusive language is very important. As my colleagues said, the recognition of different types of research is also important in that not all research needs to be applied or the application may not be immediately seen.’*

At the same meeting, Professor Cormac Taylor, Professor of Cellular Physiology, Conway Institute, University College Dublin, stated that:<sup>14</sup>

*‘There is no question that researchers at the coalface have felt like they are in silos and very much separated from each other according to very strict definitions of what constitutes research and applied orientated research...There is a real need for clear language in the Bill. If anything else, there should be a glossary at the start which very much defines what we mean by these topics.’*

Dr. Lisa Keating, Director of Research and Innovation, Irish Universities Association, added that definitions were vital as once *Research and Innovation Ireland* is established there could a difference in interpretation as the agency is operationalised. In oral evidence, on the 9<sup>th</sup> of May 2023 she stated that:<sup>15</sup>

*‘The types of research that an agency funds define its role in the ecosystem and define the agency itself. The clear intent of the Bill, as per head 8(a), is*

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<sup>14</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [16/05/2023](#)

<sup>15</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [09/05/2023](#)

*to promote and support excellence in research and innovation within and across all disciplines, spanning fundamental and applied research...However, inconsistent language throughout the Bill and a lack of clear definitions cause confusion. For example, while “applied research” is defined in head 3, “fundamental research” is not. This renders the range of the objects, and the remit of the agency itself, ambiguous. In head 8(f), the use of the term “oriented basic research”, again not defined, has the potential to narrow the range of head 8(a). Research excellence, cited five times in the Bill, is not defined but is the major criterion on which funding decisions will be made.’*

At the same meeting, Professor Willie Donnelly, Director of Research, Development and Innovation, Technological Higher Education Association (THEA) questioned the use of definitions, arguing instead that the primary focus of the agency should be *‘on supporting quality research that has some impact on society.’*<sup>16</sup> Professor Donnelly raised a similar point in relation to the definition of excellence and expressed concern that *‘if there is a narrow definition [of excellence], then a narrow set of projects will be funded and its value for Ireland will be limited.’*<sup>17</sup>

On the 29<sup>th</sup> of May 2023 the Department of Further and Higher Education, Research, Innovation and Science (DFHERIS) published an explanatory note regarding the use of definitions in the General Scheme:<sup>18</sup>

*‘The definition of “research” used in the Heads of the Bill is the same definition as provided in the Higher Education Authority [HEA] Act 2022....*

<sup>16</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the *Research and Innovation Bill 2023*, [09/05/2023](#)

<sup>17</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the *Research and Innovation Bill 2023*, [09/05/2023](#)

<sup>18</sup> gov.ie - General Scheme of the Research and Innovation Bill – Explanatory note ([www.gov.ie](http://www.gov.ie))

*It is a broad definition which is regarded as all-encompassing and provides for consistency with the HEA Act 2022.... The use of definitions in the legislation will be given careful thought as the formal drafting process progresses.'*

## **RECOMMENDATIONS FOR PART 1 – PRELIMINARY AND GENERAL, INTERPRETATIONS AND DEFINITIONS**

1. To ensure absolute clarity, the Bill should clearly define all Research Terms that will be covered by the legislation.
2. The Principles of the Bill should be clearly outlined in the legislation. These principles should reflect the different types of research cited in the Bill.

## **PART 2 – RESEARCH AND INNOVATION IRELAND (HEADS 7-14)**

### **FUNDING OF RESEARCH AND INNOVATION AND INCREASING CAPACITY OF INSTITUTIONS**

Although not specifically set out in the General Scheme, several witnesses noted that the funding of *Research and Innovation Ireland* is a key element if the new agency is to fulfil its remit. The context of the comments on funding for the agency, and for research and innovation more broadly, are related to the comparatively low level of public funding for research and innovation in Ireland compared with other European countries.

The point was raised by Dr Lisa Keating as well as by Professor Phillip Nolan, Director General, Science Foundation Ireland and Chief Executive Officer (Designate),

Research and Innovation Ireland (RII), that Irish funding for research and innovation falls well short of the European average and that if the Government wishes to meet the objectives outlined in *Impact 2030* then the establishment of the new agency must coincide with an increase in investment.<sup>19 20 21</sup>

The DFHERIS explanatory note stated that research funding commitments are not suitable for inclusion in legislation given that resourcing is a matter for the annual estimates process. Nevertheless, it noted that the establishment of the Department itself is ‘*a clear signal of the importance attached by the Government to skills, knowledge, research and innovation as drivers of national and regional economic recovery and development.*’<sup>22</sup>

An issue that is related to the increase and consistency in research and innovation funding is the capacity of the research system to use such funding. Professor Willie Donnelly outlined how the establishment of Technological Universities was critical in terms of improving regional innovation, capacity, and capability. Professor Donnelly noted that following the *Technological Universities Act 2018* the newly established institutions required ‘*a step change in research and innovation of the TUs compared to their legacy institutions*’ whereby ‘*research and innovation are clearly identified as core activities of the new TUs with specifically defined metrics to be achieved in the first ten years in respect of staff, qualifications to PhD and postgraduate students.*’<sup>23</sup> Professor Donnelly concluded that it was therefore vital that investment was required for increasing both innovation capacity as well as regional development. He remarked that:<sup>24</sup>

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<sup>19</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the *Research and Innovation Bill 2023*, [09/05/2023](#)

<sup>20</sup> [Minister Harris appoints Professor Philip Nolan as CEO Designate of the Research and Innovation funding agency - MerrionStreet](#)

<sup>21</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the *Research and Innovation Bill 2023*, [16/05/2023](#)

<sup>22</sup> [gov.ie - General Scheme of the Research and Innovation Bill – Explanatory note \(www.gov.ie\)](#)

<sup>23</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the *Research and Innovation Bill 2023*, [09/05/2023](#)

<sup>24</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the *Research and Innovation Bill 2023*, [09/05/2023](#)

*‘[T]he Bill should be extended to a commitment to investment in research and innovation which enables balanced regional economic development. The legislation should explicitly recognise the role of the new funding organisation in supporting the legislative requirement of the Technological Universities Act 2018 in relation to research and innovation through investment in capacity building in the new technological universities to realise the delivery of balanced economic development. This will enable the new agency to target competitive funding schemes towards regional economic development, similar to schemes that have been developed in other countries such as Norway, France and Australia.’*

Mr. Tim Conlon, Head of Policy and Strategic Planning, Higher Education Authority (HEA), echoed the sentiments expressed by Professor Donnelly, noting how the newly established Technological Universities required *‘the capacity and space to develop their research culture, oversight, the quality of the student experience.’*<sup>25</sup>

## **RECOMMENDATIONS FOR PART 2 – FUNDING OF RESEARCH AND INNOVATION, INCREASING CAPACITY OF INSTITUTIONS**

3. The legislation should provide a mechanism to support how the Impact 2030 target, to increase expenditure on research and development to 2.5% of the domestic economy by 2030, can be met by Research and Innovation Ireland (RII). To this end, more detailed information should be provided in the legislation on the specific strategies and plans to achieve this target.

4. The legislation should specify how it is envisaged that the Technological Universities will benefit from the transformed research and innovation system. To this end, it is recommended that the Bill specifies the precise mechanism, funding sources, and key targets for Research and Innovation Ireland (RII) in terms of developing the capacity of research in the Technological Universities (TUs).

<sup>25</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [16/05/2023](#)



## OBJECTS

Head 8 sets out the ‘Objects’ for *Research and Innovation Ireland*. The Objects are defined, in the explanatory note accompanying the Head, as the overall principles that are to apply to the research and innovation system. They are, in turn, what *Research and Innovation Ireland* are to have regard to when undertaking its functions (Head 9). Among other things, they include:<sup>26</sup>

- a) Promoting and supporting excellence in research and innovation, within and across all disciplines, spanning fundamental research to applied research activity through competitively awarded research and innovation funding
- b) Supporting the contribution of such research and innovation Ireland’s ‘*economic, social, cultural and environmental development and sustainability*’
- c) Improve engagement between public research/innovation and enterprise, Government/public bodies and voluntary sector
- d) Collaborate with the HEA to improve Ireland’s reputation in respect of ‘excellent’ research and innovation
- e) Advance equality ‘of opportunity’, diversity and inclusion in research and innovation
- f) Assist in the carrying out of “oriented basis research” in strategic areas that concerns the future development and competitiveness of the State.

### SCOPE OF OBJECTS

In oral evidence, on the 9<sup>th</sup> of May 2023, Mr. Waqar Ahmed, Vice President for Post Graduate Affairs, Union of Students Ireland (USI) outlined the contrasts in the Objects between the future development and competitiveness of the State, supporting social and cultural needs, and issues of equality:<sup>27</sup>

<sup>26</sup> The following is paraphrased from the text of the General Scheme of the Bill.

<sup>27</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the *Research and Innovation Bill 2023*, [09/05/2023](#)

*‘USI welcomes competition and collaboration in the sector. However, the sector has taken a corporate approach to teaching, research and innovation. This is problematic, as it will force third level institutions to become subservient to the needs of the market instead of focusing on social needs and challenges. Funding should be curiosity-driven and not driven by immediate economic gains. The objects of the Bill should be to add excellence in research in all its forms and across all career stages, spanning applied research that includes discovery, blue-skies research, and critical and theoretical scholarship, as well as applied research.’*

At the same meeting, Mr. Tim Conlon also highlighted how there could be *‘a potential tension in Head 8, Objects, between (a) and (f)’*. Professor Kelly-Holmes also raised the issue of expanding the framing of research, stating:<sup>28</sup>

*‘it is very welcome to see the commitment to supporting research within disciplines under paragraph (a) of head 8. Interdisciplinarity gives us breadth, but we also need the depth that comes from single discipline-specific, single principal investigator research. This space, which is particularly important for humanities and social sciences is increasingly under pressure, and I would argue, disappearing even in terms of small-scale funding in the current national funding environment.’*

Professor Kelly-Holmes also suggest there is scope for expanding the range of sectors cited, including independent international experts, suggesting that the Bill should have a more outward looking and international perspective.<sup>29</sup>

It was noted that some of the Objects would benefit from additional wording to harmonise the intent of the General Scheme more fully across the Objects. One example cited is where the Objects refer to *‘economic, social, cultural, environmental development and sustainability’* and elsewhere *‘the future development and competitiveness of the State’* – *it was suggested that the former might be reflected*

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<sup>28</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [16/05/2023](#)

<sup>29</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [16/05/2023](#)

*in the latter by, for instance referring to the future societal development and competitiveness of the State.*<sup>30</sup>

In the context of the above topics, DFHERIS Explanatory Note, under the heading ‘*Striking the balance between all forms of research*, states the following:<sup>31</sup>

*‘Ensuring that the agency will be inclusive of all research disciplines will be achieved by placing all disciplines on an equal and statutory footing. In order to ensure that Ireland’s collective research and innovation investments and activities make as big a difference as possible to as many people as possible, the new research and innovation agency must drive research and innovation excellence in all disciplines across the spectrum of Arts, Engineering, Humanities, Mathematics, Science, Social Sciences, Technology and others. It must develop capacity to respond to challenges using integrated approaches from scientific, behavioural, economic and cultural perspectives. Such support for all disciplines is essential in order to ensure that Ireland has a resilient and agile research base that can make a substantive impact on national challenges and opportunities.’*

#### *ACADEMIC FREEDOM, INTEGRITY, AND ETHICS*

In oral evidence, on the 9<sup>th</sup> of May 2023, Dr. John Walsh, Irish Federation of University Teachers (IFUT), informed the Committee that the IFUT recommended that, as a priority, ‘*the principle of academic freedom be included in Head 8 as a separate item.*<sup>32</sup> Professor Jim Livesey, Vice President, Research and Innovation, University of Galway, in his evidence to the Committee also identified the issue of the absence of

<sup>30</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [16/05/2023](#); Submission to the Committee, cited by witnesses, of 23 May 2023 from Professor Jane Ohlmeyer of TCD on behalf of a large group of academics, following an Open Letter of 24 April 2023 to the Minister for FHERIS.

<sup>31</sup> [gov.ie - General Scheme of the Research and Innovation Bill – Explanatory note \(www.gov.ie\)](#)

<sup>32</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [09/05/2023](#)

academic freedom in respect of the General Scheme's objects:<sup>33</sup>

*'There is one glaring gap in this domain. Under the headings of objects and functions, the duty to enhance and support research autonomy and research integrity is not explicitly called out.'*

A similar point was raised by both Professor Kelly-Holmes and by Ms Annette Dolan, Deputy General Secretary, Teachers Union of Ireland (TUI), at the same meeting in relation to both the importance of a commitment to academic freedom as well as ethical research and research integrity.<sup>34</sup>

In oral evidence, on the 16<sup>th</sup> of May 2023, Dr. Deirdre Lillis, Assistant Secretary, DFHERIS, made the following comment as part of her response to a question from the Committee:<sup>35</sup>

*'Academic freedom is fully respected. The question is whether it needs to be reflected in this Bill or not. The Technological Universities Act guarantees academic freedom for academic members and their staff who will primarily be the people who will be funded by this agency. It is a question we will certainly take to the drafting phase as to whether we need an explicit statement in this legislation. It is fully in our minds and part of the intention but we will clarify that as part of the drafting phase.'*

The DFHERIS Explanatory Note under the heading *'Ensuring academic freedom'*, states the following:<sup>36</sup>

*'The concept of academic freedom is a core value of the Irish higher education sector, as reflected in the University Act, the Technological*

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<sup>33</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [16/05/2023](#)

<sup>34</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [09/05/2023](#)

<sup>35</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [16/05/2023](#)

<sup>36</sup> [gov.ie](http://gov.ie) - General Scheme of the Research and Innovation Bill – Explanatory note ([www.gov.ie](http://www.gov.ie))

*Universities Act and the Higher Education Authority Act. The Minister is fully committed to this principle. The agency will primarily fund researchers in the university and technological university sectors and, as mentioned, the legislation covering these sectors already offers sound protection for the principle of academic freedom.’*

#### INTERNATIONAL AND REGIONAL PERSPECTIVE

Professor Kelly-Holmes outlined the importance of outward looking and as well as an inward focused research and innovation system:<sup>37</sup>

*‘in terms of the objects, under head 8, while making Ireland attractive for research and enhancing the Irish economy and society through research are essential, what is perhaps missing is an externally focused ambition for Irish research. I suggest adding the promotion of Ireland’s contribution to global research agendas – something we are already doing – and knowledge creation and global problem-solving as a goal of research and innovation in Ireland.’*

Similarly, Ms Dolan suggested that one of the objects of *Research and Innovation Ireland* should be to *‘promote and support balanced regional development of research and innovation.’*<sup>38</sup>

### RECOMMENDATIONS FOR PART 3 – OBJECTS

5. The legislation should specify how to achieve a balance between “fundamental” and “orientated basic” research in the context of potential conflicts between the current Head 8(a) and Head 8(f). This recommendation should take into consideration recommendation 1 above and the need for clear definitions of

<sup>37</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [16/05/2023](#)

<sup>38</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the *Research and Innovation Bill 2023*, [09/05/2023](#)

research.

6. The legislation should clearly specify the parameters of academic freedom, research integrity, and ethics under an existing, or an additional object.

7. The legislation should clearly demonstrate an outward international perspective as well as defining the role to be played by *Research and Innovation Ireland (RII)* in promoting balanced regional development in Ireland.

8. The legislation should explicitly provide that the development of research advances climate action, biodiversity protection, enhancement and restoration, and the implementation of the United Nations' Sustainable Development Goals as an object of *Research and Innovation Ireland (RII)*.

## FUNCTIONS

Head 9 sets out the general functions of *Research and Innovation Ireland*, which must have regard to the Objects set out in Head 8. The Functions provide for, among other things, the following:<sup>39</sup>

- Devising and administering programmes for the award of competitive funding in line with international norms, including peer review.
- Supporting the development of a cohesive national Research and Innovation system with the inclusion of collaborative relationships across research funders.
- Support and part fund 'excellent' research in higher education in collaboration with the HEA.
- Promotion the success of researchers and related entities based in Ireland as well as promoting public awareness of research, innovation, and science.

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<sup>39</sup> These buller points are a summary of, and paraphrased from, Head 9, Functions, of the General Scheme.

- Support institutions to provide research and evidence to support policy making and implementation.

The functions also provide for *Research and Innovation Ireland* to have the necessary powers to perform its functions. Without prejudice to the issues raised in respect of other parts of the General Scheme, the witness evidence to the PLS hearings on the General Scheme made several specific references relevant to the functions.

#### *RESEARCH CAREERS AND PRE-CARIOUS WORKING CONDITIONS*

The precarious nature of the employment and entitlements of researchers working in higher education was a significant theme throughout the hearings of the Committee on the General Scheme. While this is not dealt with directly under the General Scheme, it was nevertheless seen as essential to the remit and bona fides of research and innovation in Ireland, and therefore also for *Research and Innovation Ireland and Impact 2030*.

In oral evidence, on 9<sup>th</sup> May 2023, Dr. Richard Vance, Chair, Irish Research Staff Association, outlined how precarious employment in the sector created conditions where researchers are unable to *'build sustainable research portfolios and then there is a loss of return on investment in the sector.'*<sup>40</sup> At the same meeting, Dr Vance's remarks were expanded upon by Ms Dolan who stated that:<sup>41</sup>

*'The proposed new agency, Research and Innovation Ireland, should support research from the bottom up, supporting researchers from all disciplines and at all stages of their careers. Research simply cannot happen without researchers. However, in the sector TUI represents, there is an unacceptable level of precarious contracts with inferior terms and conditions of employment. Our longstanding claim for pensions for researchers has not yet been sanctioned. We recommend an elaboration of the definition of research in*

<sup>40</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the *Research and Innovation Bill 2023*, [09/05/2023](#)

<sup>41</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the *Research and Innovation Bill 2023*, [09/05/2023](#)

*Head 3, with the following addition to encompass research: "...across the spectrum of Arts, Engineering, Humanities, Mathematics, Sciences, Social Sciences and Technology, having regard for the terms and conditions of employment, remuneration, superannuation and career path of those so engaged.'*

Ms. Dolan also suggested that Head 9 should include:

*'having due regard to the employment rights and opportunities for lecturing staff'.*

And

*'promote the attractiveness of research as a valued and viable career having due regard to the security and continuity of employment, the terms and conditions, remuneration and superannuation of researchers.'*

Dr. John Walsh, School of Languages, Literatures and Cultures, NUI Galway, noted how early career researchers could be affected by unintended consequences of the legislation.<sup>42</sup> This view was shared by Dr Vance who suggested that:<sup>43</sup>

*'as a condition of funding, that employers abide by collective and sector-wide agreements on pay, pay scales and conditions; reduce reliance on precarious employment; have regular consultations with researchers as stakeholders; and advance equality, diversity and inclusion, EDI objectives.'*

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<sup>42</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the *Research and Innovation Bill 2023*, [09/05/2023](#)

<sup>43</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the *Research and Innovation Bill 2023*, [09/05/2023](#)



Referring to equality of opportunity, diversity, and inclusion, Dr. Lillis stated:<sup>44</sup>

*'I think it is both. ... there are two issues, at least, in this area. One is about equality of opportunity for researchers within their careers, how they progress through the system, and what types of supports are there. There are issues within research projects around deliberately sampling to get wide perspectives, and perhaps non-traditional approaches and so on. It would be my understanding that the reference applies to both.'*

The DFHERIS Explanatory Note under the heading *'Impact of new agency on researcher career frameworks'* stated the following:<sup>45</sup>

*'the Strategy [Impact 2030] seeks a consistency of research student experience across providers, funders, and research disciplines. ... The creation of the new agency will also enable a more cohesive and streamlined spectrum of supports for the researcher community. The current independent National Review of State Supports for PhD Researchers is central to the realisation of this objective. ... Any decision the Minister makes on measures to support PhD researchers will be informed by the outcome of this review.'*

## STAKEHOLDERS

In Head 9, *'Function'*, it was noted that in 9(b) there is a reference to working collaboratively with stakeholders, of which *'enterprise'* and *'tertiary education'* are explicitly named.<sup>46</sup>

Several witnesses proposed that it would be to name other stakeholders in the

<sup>44</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [16/05/2023](#)

<sup>45</sup> [gov.ie - General Scheme of the Research and Innovation Bill – Explanatory note \(www.gov.ie\)](#)

<sup>46</sup> The inclusion of "enterprise" solely is also addressed in the following sections that examine the Board of *Research and Innovation Ireland*.

legislation. In this regard, Professor Kelly-Holmes outlined the contradiction that exists within the Bill whereby minimalist definitions are applied yet, simultaneously, the Bill also contains partial specifications. In this instance, enterprise is the only named stakeholder in the Bill.<sup>47</sup>

It was also noted by Dr. Walsh that there was ‘a lack of structured consultation so far with a wider group of stakeholders.’<sup>48</sup>

#### PARITY OF ESTEEM

The issue of parity of esteem between both disciplines and researchers (at different stages of their careers) was a prominent feature of the hearings and was addressed by most of the witnesses. By means of context, as noted in respect of *Impact 2030*, parity of esteem is explicitly noted in the text of the strategy:<sup>49</sup>

*‘[T]o place Arts, Humanities and Social Sciences research on an equal and statutory footing to Science, Technology, Engineering and Mathematics research ensuring parity of esteem, access to research funding and greater consistency across the research community. In addition, it will strengthen the role of the Arts, Humanities and Social Sciences in contributing to challenge-based research, which is essential to addressing complex problems.’*

In addition, the recent announcement by Minister Harris in respect of the appointment of Chief Executive Office Designate of *Research and Innovation Ireland* stated that the ‘establishment of the agency also ensure parity of esteem for the IRC’s critical mission of supporting researchers at all career stages.’<sup>50</sup>

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<sup>47</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [16/05/2023](#)

<sup>48</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the *Research and Innovation Bill 2023*, [09/05/2023](#)

<sup>49</sup> [Government of Ireland, 2022, Impact 2030: Ireland's Research and Innovation Strategy](#), p.15

<sup>50</sup> [gov.ie - Minister Harris appoints Professor Philip Nolan as CEO Designate of the Research and Innovation funding agency \(www.gov.ie\)](#)

However, despite the above, there is no direct statement or language in respect of parity of esteem in the text of the General Scheme or in the press release accompanying its publication on the 6<sup>th</sup> of April 2023.<sup>51</sup>

During the Committee's hearings, parity of esteem was the subject of questions on the part of Committee Members' and was raised in part or in total by the following witnesses: Dr. Lisa Keating; Mr. Frank Jones; Dr. John Walsh; Dr. Richard Vance; Mr. Waqar Ahmed; Ms. Annette Dolan; Professor Philp Nolan, Professor Helen Kelly-Holmes; and Professor Cormac Taylor.

In these contributions, parity of esteem not only refers to Arts, Humanities and Social Sciences and Science, Technology, Engineering and Mathematics but also to types of research (fundamental versus applied) and researchers at different stages of their careers.<sup>52</sup>

Dr. Lillis made a pertinent point, stating that:<sup>53</sup>

*'It is clear from the consultations, however, that we need to do more to ensure parity of esteem between research areas, to promote equality, diversity and inclusion, to ensure that the voice of our early-career researchers, in particular, is heard, and to promote interdisciplinary and challenge-based research.'*

Professor Philip Nolan commented:<sup>54</sup>

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<sup>51</sup> [gov.ie](http://www.gov.ie) - Minister Harris welcomes Government approval to publish Research and Innovation Bill ([www.gov.ie](http://www.gov.ie))

<sup>52</sup> See for instance summing up comments by An Cathaoirleach Gníomhach, Deputy Marc Ó Cathasaigh at the Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [09/05/2023](#)

<sup>53</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [16/05/2023](#)

<sup>54</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [16/05/2023](#)

*'It is probably timely to remind people that scientists are human beings and citizens first. We place equal value on the humanities and social sciences as we do on science and engineering. Professor Carey's point is really material. Who defines the big questions that we are going to address as a society? Who imagines what the future might hold and who teaches us the lessons of the past? I would be emphatic that in shaping a research agenda for the future we do so as citizens. In a professional sense, that requires that we sit with our colleagues in the social sciences and humanities and discuss what to do about the climate crisis. That is a collective question rather than a simple, scientific, linear progression. We have to imagine different ways of being and working so absolute parity of esteem is essential.'*

The issue of parity of esteem is also addressed in the DFHERIS Explanatory Note as follows:<sup>55</sup>

*'the creation of the agency itself, which will include all disciplines in its statutory basis, embeds the notion of parity of esteem in the legislation. The establishment of the agency in statute also ensures parity of esteem for the IRC's critical mission of supporting researchers at all career stages. It will make competitive funding awards across all disciplines and of varying sizes in a way that complements the Higher Education Authority's core investment in the higher education institutions. This is the optimum way of ensuring true parity of esteem of for research in the Arts, Humanities and Social Sciences and significantly broadening the access to researchers in these areas to an improved range of research funding programmes.'*

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<sup>55</sup> [gov.ie](http://www.gov.ie) - General Scheme of the Research and Innovation Bill – Explanatory note ([www.gov.ie](http://www.gov.ie))

## RECOMMENDATIONS FOR PART 4 – FUNCTIONS

9. The issues of Academic Contracts in both the Technological Universities (TUs) and traditional Universities needs to be reviewed as a matter of urgency by the Minister for Further and Higher Education, Research, Innovation and Science, in liaison with Universities. The review should include an examination of Precarious Employment Practices and include hourly paid Academic Contracts, the needs of Researchers, Postgraduate Workers, and the outsourcing of Support Staff. The Committee recommends that legislation be amended to place such a review on a time-bound statutory basis.

10. The Committee recommends that Head 9 of the General Scheme be amended to include supporting researchers throughout their career and implementing policies to end precarious employment in higher education as a function of *Research and Innovation Ireland (RII)*.

11. The legislation should include a clear blueprint on how Parity of Esteem can be achieved between academic disciplines, forms of research, and researchers themselves.

12. The functions specified in Head 9 should be amended to include the promotion and development of frontier research as an explicit function of *Research and Innovation Ireland (RII)*.

13. The functions specified in Head 9 should be amended to include the promotion and development of public-private partnerships for research as an explicit function of *Research and Innovation Ireland (RII)*.

14. The functions specified in Head 9 should be amended to include promoting, supporting, and developing research which assists in the implementation of the United Nations' Sustainable Development Goals as an explicit function of *Research*

*and Innovation Ireland (RII).*

## POWERS OF THE MINISTER

Part 2 of the General Scheme provides in Head 11 power to the Minister to give directions to *Research and Innovation Ireland* and, in Head 12, power to the Minister to issue guidelines to *Research and Innovation Ireland*.

During the Committee's hearings, these powers were described as excessive and several witnesses questioned these powers in terms of their potential impact on the independence of *Research and Innovation Ireland*, its Board, and operations.

This was particularly the case in respect of Ministerial involvement in funding decisions and the mechanisms of *Research and Innovation Ireland*. In this context, Professor Nolan made commented:<sup>56</sup>

*'The legislation should set out the appropriate powers for the Minister in regard to strategy and policy but must ensure individual funding decisions and the making and management of awards and grants remain matters for the agency and the board.'*

In DFHERIS's explanatory note on the General Scheme, the following is stated under the heading "What powers does the General Scheme give to the Minister":<sup>57</sup>

*'It is not the intention that the Minister should have any power to direct the agency in respect of specific awards to be made under a competitive funding*

<sup>56</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the *Research and Innovation Bill 2023*, [16/05/2023](#)

<sup>57</sup> [gov.ie](http://gov.ie) - *General Scheme of the Research and Innovation Bill – Explanatory note* ([www.gov.ie](http://www.gov.ie))

*call. The formal drafting of the Bill will make this clear.'*

It should be noted that the Hearings also called into question what was seen as potentially excessive powers on the part of the Minister on the Corporate and Annual Plans of *Research and Innovation Ireland* (Heads 28 and 29 respectively).

## RECOMMENDATIONS FOR PART 5 – POWER OF THE MINISTER

15. The legislation needs to specify the scope and limits of the power of the relevant Minister to provide directions to Research and Innovation Ireland (RII). The specifications need to be cognisant of Research and Innovation Ireland's independence regarding making funding awards, ensuring peer input, displaying transparency, and providing for the sustainability of Research and Innovation Ireland (RII) to fulfil its remit regardless of government and departmental change.

16. Head 11 should be amended to remove the provision that the related Minister may give direction in writing to *Research and Innovation Ireland (RII)* for any purpose relating to this legislation and concerning the implementation of any policy or objective of the related Minister or the Government.

## PART 3 – BOARD (HEADS 15-22)

Head 15 provides for the membership of the Board of *Research and Innovation Ireland*. It will consist of 11 ordinary members and a Chairperson. Head 15(2) provides that the Chairperson and the members of the Board will be appointed '*by the Minister from among persons who, in the opinion of the Minister, have sufficient experience and expertise relating to matters connected with the functions of Research and Innovation Ireland to enable them to make a substantial contribution to the effective and efficient performance of those functions.*'

Subhead (3) provides that the Minister for Enterprise, Trade and Employment will nominate one member to the Board. This is done in respect of Head 28(3)(c) and Head

28(3)(d) provides for consultation to take place with *Enterprise Ireland* and the *Industrial Development Authority* when preparing the corporate plan, as well as the object set out in Head 8(c) to strengthen engagement between the public research and innovation system and enterprise.

## MEMBERSHIP OF BOARD

At the Committee hearings, it was established that it is the intention of the Minister to make appointments to the Board in an open and transparent manner. In her opening statement on the 16<sup>th</sup> of May 2023, Dr. Lillis outlined that:<sup>58</sup>

*‘In keeping with good practice in the governance of State agencies, the new agency will have a board consisting of 12 members who will be selected through an open and transparent Public Appointments Service process. Further structured public consultation is planned. It will be led by the CEO designate of the new agency once appointed.’*

There is no mention of the involvement of the Public Appointments Service (PAS) in the recruitment process. Dr. Keating made the following comments:<sup>59</sup>

*‘The provisions in the Bill that outline the governance structures set a good framework for the agency, but it is essential that there is sufficient diversity in the governance model to be fully reflective of Ireland’s research ecosystem and to include a broad spectrum of individuals with expertise reflecting the national and international research and innovation systems. We propose that a competency-based approach is used, in line with best governance practice, to ensure that the agency has the capacity to fund research excellence across all disciplines and career stages, and for that research to “make as big a*

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<sup>58</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the *Research and Innovation Bill 2023*, [16/05/2023](#)

<sup>59</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the *Research and Innovation Bill 2023*, [09/05/2023](#)



*difference as possible to as many people as possible”, as recently stated by the Minister, Deputy Harris.’*

Regarding the inclusion of enterprise interests to be represented on the Board, Dr Keating opined that this:<sup>60</sup>

*‘does not sufficiently address the broader societal and environmental scope of the agency. We suggest that the committee recommends that other research end-users are also represented on the board to ensure that the wider objectives of the Bill are fully reflected in the governance structure.’*

At the same meeting, Professor Willie Donnelly made the case that as well as representing higher education, the Board must also have members representing the diverse nature of higher education institutions in the State:<sup>61</sup>

*‘it is important that the voices of the recipients are heard in the make-up of the board as well. If they are not there and are not heard, it would be very easy to ignore the needs of that sector to the detriment of society. The problem is that you cannot have every discipline on the board because it would become too weighty, but you can have people who have an appreciation and understanding of the various disciplines. In terms of what we call the traditional universities, the new universities need a presence on the board to give a perspective.’*

Similarly, Mr. Frank Jones, General Secretary, Irish Federation of University Teachers (IFTU), made the case for the inclusion of Irish Congress of Trade Unions on the Board. Mr. Tim Conlon cited the importance of the HEA being represented

<sup>60</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [09/05/2023](#)

<sup>61</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [09/05/2023](#)

on the Board, while Dr. John Walsh underlined the importance that *‘that the majority of members of the board should be involved in research at various levels.’*<sup>62</sup> This point was also echoed by Mr. Waqar Ahmed, Dr. Richard Vance, Ms. Annette Dolan, Professor Daniel Carey, and Professor Philip Nolan among others.

## COMMITTEES OF THE BOARD

Under Head 20, the Board of *Research and Innovation Ireland* may establish committees to assist and advise in respect of the performance of its functions. The DFHERIS Explanatory Notes states that a:<sup>63</sup>

*‘specific reference is also included in respect of the establishment of committees to provide specific research expertise, and to provide that such committees may be known as “Councils”. The policy rationale is to provide the Board with a mechanism to ensure - like its predecessor bodies - it continues to have access to a wide range of research advice and, in doing so, reassure stakeholders that such mechanisms may continue.’*

The Commentary Notes and oral evidence questioned the committee/council mechanism with respect to the differences between categories of research and thereafter across disciplines – including those currently more catered for by the *IRC*. This issue relates to the broader question regarding parity of esteem addressed above but is specific to this Head.

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<sup>62</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [09/05/2023](#)

<sup>63</sup> General Scheme of the Research and Innovation Bill 2023.

Professor Philip Nolan stated the following:<sup>64</sup>

*‘The notion of having councils to advise the board, which are embedded in the system and in very close contact with it, is a really useful reinforcement of something every State agency should be doing, namely, consulting on an ongoing basis and in a structured way the community it serves.’*

Professor Daniel Carey, expanded on the issue:<sup>65</sup>

*‘The potential provision for an arts, humanities, and social sciences, AHSS, council is an interesting idea. It is difficult if it is isolated and on its own. I would question what purpose it would serve if it only has an advisory capacity. That might suggest that the real business of the agency lies elsewhere, which would be unfortunate.’*

Professor Carey continued:

*‘The councils are advisory in nature. My suggestion is that there could be a council for bottom-up research and one for innovation. Perhaps that is a way of getting that balance. Then we could have plenty of people on the industry side. In addition, it would not antagonise anyone who feels we are losing research, while also having the bottom-up focus.’*

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<sup>64</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the *Research and Innovation Bill 2023*, [16/05/2023](#)

<sup>65</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the *Research and Innovation Bill 2023*, [16/05/2023](#)

The Commentary Note submitted on behalf of a large group of academics, raised a concern that a:<sup>66</sup>

*‘stand-alone AHSS Council would create an imbalanced structure and clearly begs the question as to whether there should also be a Science Technology Engineering and Mathematics (STEM) council in order to ensure balance and fairness of representation across disciplines.’*

The Commentary Note recommended that:<sup>67</sup>

*“Rather than replicating the past, we should look towards the future and, drawing inspiration from EU funding agencies, build a Federated Agency with a ‘bottom up’ council for all disciplines. The focus should be on frontier research and AHSS should have a ringfenced, healthy, minimum budget. A ‘top down’ council could focus on oriented research and innovation across all disciplines, within an overarching body that has a strong overarching policy and infrastructure function.”*

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<sup>66</sup> Submission to the Committee of 23 May 2023 from Professor Jane Ohlmeyer of TCD on behalf of a large group of academics, following an Open Letter of the 24<sup>th</sup> of April 2023 to the Minister for FHERIS

<sup>67</sup> Submission to the Committee of 23 May 2023 from Professor Jane Ohlmeyer of TCD on behalf of a large group of academics, following an Open Letter of the 24<sup>th</sup> of April 2023 to the Minister for FHERIS

## RECOMMENDATIONS FOR PART 6 – BOARD REPRESENTATION

17. The legislation should clearly specify the representation on the Board of Research and Innovation Ireland (RII). The representation should include the following:

- Active researchers, at various career stages.
- A diverse range of higher education institutions.
- An expanded list of relevant stakeholders including higher education institution staff, representative bodies, relevant Unions, and other relevant organisations and individuals.

18. Additional clarity and consideration should be provided on how the committee or council structures of Research and Innovation Ireland (RII) will be structured and function. In this context, it is recommended that the Department of Further and Higher Education, Research, Innovation and Science (DFHERIS) examines the structures of analogous bodies internationally that have a particular focus on ensuring that a parity of esteem exists between academic disciplines and types of research.

## PART 4 – FUNDING AND ACCOUNTABILITY (HEADS 27-31)

### FUNDING AND ACCOUNTABILITY

Heads 28 and 29 provide, respectively for the ‘Corporate Plan’ and ‘Annual Plan’ of *Research and Innovation Ireland (RII)*. The Corporate Plan is for a period of five years. Under Head 27(3), *Research and Innovation Ireland* will consult with the Minister, the *HEA*, *Enterprise Ireland*, the *Industrial Development Authority* and ‘with such other person or bodies it considers appropriate.’ Under Head 28, having regard to Head 11 (Power of the Minister to give directions to Research and Innovation Ireland), *Research and Innovation Ireland* is required to detail how it follows directions issued by the Minister.

Dr. Lisa Keating made the following comments in respect of Head 28 and 29:<sup>68</sup>

*‘We suggest that the committee recommends that the Department reconsiders the appropriateness of subsection (6), which confers significant powers on the Minister in relation to the annual plan. While the explanatory note in Head 11 states it is not the intention of the Minister to have the power to direct the agency in respect of specific awards, the importance of keeping research funding decisions independent of political influence was called out clearly by the current Tánaiste in a speech to the IUA’s Future of Ireland series when he said he is absolutely opposed to the current “political attempt” to bring Ministers and Government Departments “back into the decision-making structures for research awards.’*

Professor Kelly-Holmes referred to the consultation process and suggested that a broader list of named stakeholders beyond those in enterprise should be considered.<sup>69</sup>

Ms Annette Dolan explicitly cited Head 28(c) and Head 29 stating that the legislation:<sup>70</sup>

*‘should specifically include a reference to consultation with higher education institutions...researchers and citizens. It should also explicitly have regard to EU research policy and priorities. We recommend that a reference to the requirement for broader consultation with HEIs, researchers and citizens be included in head 29.’*

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<sup>68</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [09/05/2023](#)

<sup>69</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [16/05/2023](#)

<sup>70</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [09/05/2023](#)

Mr. Waqar Ahmed also referred to Head 28 in his evidence to the Committee:<sup>71</sup>

*'It mentions a review, but it is not an independent review of the board. Throughout the sections, it states that the board will consult, but when it comes to institutions and researchers, it "may" consult'*

Mr. Ahmed continued:

*'It is necessary to include researchers from all areas and to create an equal system. There is no need to create a two-tier system for researchers funded by European research foundations and those funded by our research foundations. As there is no representation, we fear that the corporate plan will be reviewed after five years. Again, there is no mention of consultation with stakeholders and there is not even an independent review provided for in the current legislation. We are concerned about how we are defined; the lack of representation we have in these agencies and the absence of the engagement we have sought. I reiterate that this Bill was a complete surprise to us. There was no public or structured consultation as to what we need or why we need this Bill. We then have to respond to it. We are always catching up.'*

The need for more structured consultation on and by *Research and Innovation Ireland (RII)* was made by Dr. John Walsh and Dr. Richard Vance.<sup>72</sup> Dr. Deirdre Lillis stated that *'further structured public consultation is planned... It will be led by the CEO designate of the new agency once appointed.'*<sup>73</sup>

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<sup>71</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [09/05/2023](#)

<sup>72</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [09/05/2023](#)

<sup>73</sup> Oireachtas Joint Committee on EFHERIS, Pre-legislative scrutiny of the General Scheme of the Research and Innovation Bill 2023, [16/05/2023](#)

## RECOMMENDATIONS FOR PART 7 – FUNDING AND ACCOUNTABILITY OF RESEARCH AND INNOVATION IRELAND

19. The legislation needs to specify the sectors and/or groupings that ought to be consulted by Research and Innovation Ireland (RII) for the purpose of its 5-year Corporate Plans as well as its Annual Plan. It is recommended that higher education institutions, researchers, representative and advocacy groupings, and international experts should be included.

20. The scope of the relevant Minister in the framing of Research and Innovation Ireland's (RII) Corporate and Annual Plans and in respect of Funding Awards needs to be reviewed.

21. The legislation should clearly specify how the Department of Further and Higher Education, Research, Innovation and Science proposes to conduct the Consultation Processes that will be used to inform it in the drafting of the legislation.



## APPENDIX 1: ORAL EVIDENCE

Link to meeting held on 9 May 2023 is available [here](#)

Link to meeting held on 16 May 2023 is available [here](#)

## APPENDIX 2: COMMENTARY NOTES

1. Professor Daniel Carey, Chair, Irish Research Council (IRC)
2. Ms Emer O’Driscoll Business Support Manager, Office of the Director General, Science Foundation Ireland (SFI)
3. Ms Sonja Tiernan, Irish Humanities Alliance
4. Professor Jane Ohlmeyer, Professor of Modern History, Trinity College Dublin
5. Dr. Aidan McDonald, Associate Professor of Inorganic Chemistry, School of Chemistry, Trinity College Dublin
6. Dr Alan Wall, CEO, Higher Education Authority (HEA)
7. Dr Gaia Narciso, Director of the Centre for Economics, Policy, and History (CEPH), Department of Economics, Trinity College Dublin
8. Dr. Pádraig Murphy, Associate Professor, School of Communications, Dublin City University (DCU)
9. Mr Waqar Ahmed, Vice President for Postgraduate Affairs, Union of Students in Ireland (USI)
10. Professor Donncha Kavanagh, UCD Centre for Innovation, Technology & Organisation, University College Dublin (UCD)
11. Dr. Patrick O’Leary, Registrar, National University of Ireland (NUI)
12. Sinéad Riordan, Head of Policy and International Relations, Royal Irish Academy





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