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**Choiste Comhairliúcháin Phoiblí an tSeanaid**  
Todhchaí Bhunreachtúil Oileán na hÉireann  
*Tuarascáil Eatramhach*  
Nollaig 2022

**Seanad Public Consultation Committee**  
The Constitutional Future of the Island of Ireland  
*Interim Report*  
December 2022



## MEMBERSHIP



Senator Mark Daly  
(Cathaoirleach)  
(Rapporteur)



Senator Joe O'Reilly  
(Leas-Chathaoirleach)  
Fine Gael



Senator Frances Black  
Independent



Senator Victor Boyhan  
Independent



Senator Pat Casey  
Fianna Fáil



Senator Emer Currire  
Fine Gael



Senator Vincent P Martin  
Green Party



Senator Niall Ó  
Donnghaile  
Sinn Féin



Senator Mark Wall  
Labour

## CATHAOIRLEACH'S FOREWORD



The centenary of Seanad Éireann provided an opportunity to look forward while we also glance back over the first 100 years of Seanad Éireann and the State.

In this context, the Seanad Public Consultation Committee invited submissions on the Constitutional Future of the Island of Ireland.

The public consultation looked at the constitutional future of the island of Ireland given the ongoing public policy debate on the issue, the issue of safeguarding of the peace process and the future that Ireland would like to have for generations to come.

The Seanad Public Consultation Committee invited submissions from individuals, interested groups and organisations to consider the constitutional future of the Island of Ireland. The Committee encouraged people from all traditions and opinions to lend their voices to the consultation and welcomed the voices of the Unionist Community and their vision for the future.

The Committee acknowledged the ongoing work of the Joint Committee on the Implementation of the Good Friday Agreement on this topic.

It was an honour to act as rapporteur to the Committee for this report and I want to thank all the members of the Seanad Public Consultation Committee for their work and commitment:

- Senator Joe O'Reilly, Vice-Chairperson (Leas-Chathaoirleach of Seanad Éireann)
- Senator Frances Black
- Senator Victor Boyhan
- Senator Pat Casey
- Senator Emer Currie
- Senator Vincent P. Martin
- Senator Niall Ó Donnghaile.
- Senator Mark Wall

I would also like to acknowledge the work of the Seanad Public Consultation Committee Secretariat – Fiona Cashin (Committee Clerk) and Sara Turnbull, as well as Martin Groves (Clerk of the Seanad), Bridget Doody (Clerk Assistant of the Seanad), Carol Judge and Eden McLaughlin.

The Seanad Public Consultation Committee's objectives were:

To get all or general opinions on this issue from the general public, organisations or any interested parties,

We asked those who made submissions to consider addressing these indicative questions in their responses. We were particularly interested in getting the views of young people from throughout the island on this issue. We listened to the voices from Communities and Traditions in Northern Ireland on their vision for the future.

The criteria for a referendum and lessons from other referendums here and in other jurisdictions were also discussed.

Those who came to the hearings in the Seanad chamber discussed the societal and economic opportunities and challenges that should be considered on this topic, such as: All Island Health Care, Housing, Education, Economy, Climate Change, Biodiversity, Culture and Language, Reconciliation, see well as many others including issues such as the question of the subvention to Northern Ireland.

All submissions received were brought to the attention of all members of the Committee.

Some of the members of the public and the experts who made written submissions on the topics around all factors regarding the opportunities and challenges surrounding constitutional issues and the potential significant public policy needed, were invited by the Committee to attend its public consultation meetings which was held in the Seanad Chamber at Leinster House.

In compiling the report, we did not interpret the statements or oral presentations of witnesses to the committee. The full transcripts of all the presentations are online.

It is clear that we should listen anew to former Senator and Irish person of the 20th Century, TK Whitaker, when he said in a memo to Taoiseach Sean Lemass on 11th November 1969 on the issue of the constitutional future of the island of Ireland:

“We were, therefore, left with only one choice, a policy of seeking unity in Ireland by agreement in Ireland between Irishmen. Of its nature this is a long-term policy, requiring patience, understanding and forbearance and resolute resistance to emotionalism and opportunism. It is none the less patriotic for that”.

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## INTRODUCTION

The Seanad Public Consultation Committee (the Committee) agreed to examine the topic of 'The Constitutional Future of the Island of Ireland'. Following the Brexit Referendum in 2016, debate on the future of the Island of Ireland has grown. It is clear that multiple developments driven by several factors, including the result of the Brexit referendum, demographic change and shifting political landscapes on both sides of the border have brought the question of constitutional change to the fore and augmented discussion of what change would look like.

Much of the debate has been dominated by talk of a border poll and while the question on the future of the Island of Ireland has become more dominant, there is considerable uncertainty regarding when, and how, any border poll might be triggered. Therefore, it is imperative that the evidence and facts necessary for an informed debate are established as quickly as possible.

Contemplating what the future of the island of Ireland will look like will involve much deliberation that must be far reaching and inclusive. This will require an all of society approach to deliberations from the local to the all-island, with multiple channels of accountability and feedback between citizens and policy makers in various arenas of discussion. Research has shown that citizens are less concerned with issues such as institutional forms or models but are more concerned with the bread-and-butter socioeconomic issues, the issues that affect them on a day-to-day basis. If the people on the Island of Ireland are to be asked to vote in any future referendum, information must be based on solid research and evidence. There is much to be done in preparation for the future, but the overall message is that the time to prepare is now.

## EXECUTIVE SUMMARY

The Committee was established as part of new procedures to open access to Seanad Éireann and its work. The Committee invites submissions from members of the public and interest groups on specific issues and holds public hearings in the Seanad Chamber.

Following an invitation from the Committee for submissions on the topic of the 'Constitutional Future of the Island of Ireland', the Committee received 128 written submissions. Submissions were received from a wide range of stakeholders including members of the public, organisations, public representatives, and young people. The Committee wish to thank all those who made a submission which allowed members invite a wide range of stakeholders to public hearings and engage with them on this important topic.

The Committee met in public session on four occasions and engaged with a total of 82 stakeholders.

The Committee's examination focussed on three areas –

1. Views of young people from throughout the island including the voice of all communities and traditions in Northern Ireland on their vision for the future;
2. The criteria for a referendum and lessons from other jurisdictions and
3. The societal and economic opportunities and challenges that should be considered, including health care, housing, education, the economy, climate change, biodiversity, culture and language and reconciliation.

The Committee considered all the above areas in the examination of the topic.



## **CONCLUSIONS AND RECOMMENDATIONS**

### **Conclusions**

The lesson of the Brexit referendum for those on the Island of Ireland is clear for all to see, the lack of genuine engagement with the public and the lack of proper preparation is having long-term consequences for the People of the United Kingdom

Many of the individuals, groups, organisations and institutions that came before the Seanad Public Consultation Committee on the Constitutional Future of the island of Ireland expressed a view of the need for on-going research and engagement with people of all perspectives.

It is clear also that what we do in the next 10 years could decide the kind of island we have for the next 100.

We must work together with everyone with all points of view to create the future which gives the best opportunities for generations to come.

### **Recommendations**

We would therefore recommend that the ongoing engagement and research being done by the various youth groups, institutions, universities, individuals and organisations who came before the Committee along with the invaluable work of others who are working on this issue should be supported by the Oireachtas.

Before the Oireachtas summer recess in 2023 the Committee will engage with and invite political parties, other relevant stakeholders as well as other organisations/individuals to a further meeting or meetings of the Committee so that we can hear their views on our report as well as their vision for the constitutional future of the island of Ireland.

## **APPENDIX I COMMITTEE ORDERS OF REFERENCE**

That, in accordance with the recommendation of the Committee on Parliamentary Privileges and Oversight pursuant to Standing Order 98(2)(b) –

1. A Select Committee, which shall be called the Seanad Public Consultation Committee (“the Committee”), shall be appointed to facilitate direct engagement and consultation between members of the public and Seanad Éireann on specific issues related to the legislative powers of the Seanad or an issue of public policy.
2. The Committee shall consist of nine members including the Cathaoirleach who, ex officio, shall be Chairperson of the Committee and the Leas-Chathaoirleach who, ex officio, shall be vice-Chairperson of the Committee and the quorum of the Committee shall be five.
3. The Committee –
  - a) shall identify for examination specific issues related to the legislative powers of the Seanad or an issue of public policy;
  - b) shall, for the purposes of sub-paragraph (a), have the power defined in Standing Order 72(1);
  - c) shall, in respect of any issue it identifies for examination in accordance with sub-paragraph (a), exercise its power under Standing Order 72(1) by public notice which shall specify the issue on which written evidence in the form of submissions is invited and the date by which it must be received by the Committee: provided that the Committee may also invite written submissions directly from interested persons or bodies;
  - d) shall review submissions received by it, determine whether or not such submissions are admissible in accordance with the criteria set out in paragraph (8) of this Order, reject any submissions which it rules to be inadmissible and consider what action, if any, to take in relation to submissions which it judges to be admissible; and
  - e) shall, for the purposes of sub-paragraphs (a) and (d) of this paragraph, meet in private.
4. The Committee may meet in public in the Seanad Chamber for the purpose of taking oral evidence.
5. Paragraphs (2) to (6) inclusive of Standing Order 77 shall not apply to the Committee.
6. In addition to its obligation under Standing Order 77(1) to lay every report made by it before the Seanad, the Committee may refer any report made by it to the relevant Joint Committee.

7. Written submissions to the Committee shall clearly indicate the name of the person or body making the submission and a postal or email address.
8. A submission is admissible unless it –
  - a) requests the Seanad to do anything other than the Seanad has power to do;
  - b) does not comply with Standing Orders or is otherwise not in proper form;
  - c) it contains any matter which is sub judice within the meaning of Standing Order 47;
  - d) comments on, criticises or makes charges against a person outside the House or an official, in a manner which is not consistent with the Standing Orders and practices of the Seanad;
  - e) contains language which is offensive or defamatory;
  - f) is the same as, or in substantially similar terms to, a submission made by or on behalf of the same person or body during the lifetime of the Committee.

## APPENDIX II PUBLIC MEETING TOPICS & TRANSCRIPTS

### Topics

#### 30th September

The theme for the morning session was '**Young voices on the Constitutional future of the island of Ireland**'. Members engaged with young people and representatives from Foróige, National Youth Council Ireland and the Northern Ireland Youth Forum on the following topics –

- Caitlin Thompson, Foróige, Youth voice in the constitutional future of the island of Ireland.
- Eoin Forkan, Foróige, The role of youth work in uniting communities.
- Eoghan Flood, Foróige, A view from the border counties.
- Frederique Offereins, Kenmare, Co. Kerry, a young student growing up in Ireland.
- Conor McAuley, National Youth Council of Ireland, Accessibility and Services related to young people and a disability.
- Róisín Myers, National Youth Council of Ireland, International and European Youth Work / opportunities.
- Eoin Millar, Northern Ireland Youth Forum, Children's Rights & the future.
- Holly Clyde Northern Ireland Youth Forum, Youth apprenticeships.
- Kate Lynch, Northern Ireland Youth Forum, Sectarianism.
- Niamh Mallaghan, Northern Ireland Youth Forum, Youth Advocacy.

In the afternoon, the Committee met with stakeholders on the theme of '**Voices of all communities on the constitutional future of the island of Ireland**'. The debate was wide ranging, with the following witnesses engaging with members –

- Reverend Kyle Paisley.
- Dr Alan Tuffery, Citizen & humanist, Raheny, Dublin.
- Mr Owen Reidy, on behalf of the Irish Congress of Trade Unions.
- Dr Martina Devlin, a bestselling author and award-winning journalist. Born in Omagh and living in Dublin.

- Mr Chris Swain, County Down – has links to the protestant, unionist and loyalist communities.
- Professor Fidelma Ashe, Professor of Politics and member of the Transitional Justice Institute at Ulster University. Ms. Eilish Rooney and Dr Joanna McGinn.
- Mr John Cushnahan, former Leader of the Alliance Party and former Fine Gael MEP.
- Mr Seamus Sloyan, from Roscommon.
- Mr Francis Gallagher, long-time participant in the New Ireland Group and community activist.
- Mr Campbell Scott, a native of Belfast, and now living in North County Dublin.
- Mr Pat McArt, former editor of the Derry Journal for 25 years, and former RTÉ employee.
- Ms Emma De Souza, civil rights campaigner and writer from Derry.
- Mr Ciaran Hartley, from Belfast.
- Mr Seamus Hanratty, Carrickmacross, Co Monaghan. BA in English and History from the University of Ulster and an LLB in Law.
- Mr Andrew Gallagher, born in Northern Ireland and grew up in a predominantly Unionist community, but lived south of the border for over fifteen years.
- Mr Samuel Beckton, a Historian with the Newtowncunningham Community Outreach Project (NCOP), a peacebuilding initiative in East Donegal.

### 7<sup>th</sup> October

In the second public session, the Committee resumed their consideration of '**Young voices on the Constitutional Future of the Island of Ireland**'. Speakers from the various organisations engaged with the members on the following topics -

- Blair Anderson, Northern Ireland Youth Forum – Housing and Homelessness.

- Cohen Taylor, Northern Ireland Youth Forum - Education (focus on Integrated Education)”.
- Zac Taylor-Clarke, Northern Ireland Youth Forum - Peace and Reconciliation.
- Patrick Quigley, St Columb’s College, Derry.
- Evan Murphy, Foróige - Education and our constitutional future.
- Niamh Diver-Hall, Foróige - Digital skills and citizenship.
- Karina Tropman, Foróige - Supports for marginalised young people.
- Ashling Dunphy, Foróige - Housing and mental health.
- Eoghan Halvey, Northern Youth Council of Ireland - Healthcare and culture.
- Doireann Walsh, Northern Youth Council of Ireland - Education, culture and language.
- Kim Mufaro Justen, Northern Youth Council of Ireland - End Institutional living on the island of Ireland.
- Eimear Nic Dhonnchadha, Northern Youth Council of Ireland – presented to the Committee in Irish on the role of the Irish language in reconciliation.

In the afternoon session the Committee engaged with stakeholders on the topic of **‘public policy and economic opportunities and challenges’**. The following stakeholders engaged with members on various topics –

**On behalf of the ESRI – the Economic and Social Research Institute:**

- Professor Alan Barrett, who made an introductory statement on the ESRI.
- Professor Seamus McGuinness, the Economy.
- Dr Adele Bergin, Education.
- Dr Sheelah Connolly, Health.
- Prof Martina Lawless, Trade.

**On behalf of Academia:**

- Professor John Doyle, DCU and ARINS, made an introductory statement on ARINS and gave a brief summary of the DCU submission to the public consultation.



- Professor Brendan O’Leary, University of Pennsylvania, Preparing for a Referendum.
- Professor Jane Suiter, DCU, The Role of Citizens' Assemblies.
- Professor Oran Doyle, Trinity College Dublin, The Franchise in Future Referendums.
- Professor Joanne McEvoy, Aberdeen University, How to maximise inclusion in the constitution discussion.
- Professor Deirdre Heenan, Ulster University, Cross Border Health Cooperation.
- Professor Ciara Fitzpatrick, Ulster University, The Welfare Systems north and south.
- Professor Brice Dickson, Queens University Belfast, Human Rights.
- Professor Tobias Lock, Maynooth University, Lessons from German unification.
- Mr Gunther Thumann, worked as a senior economist at the German desk of the International Monetary Fund at the time of German reunification.
- Dr Katie Liston, senior researcher at Ulster University.
- Professor Joseph Maguire, Emeritus Professor, Loughborough University.
- Mr Paul Gosling, writer and public speaker, specialising in the economy, accountancy, co-operatives and government and the public sector.
- Mr Kevin Raftery, who gave special insight into Protestantism and the Unionist perspective.
- Mr Gerry Carlile, Chief Executive of Ireland’s Future.
- Ms Anita Murphy, parent, business and homeowner with personal insight in both jurisdictions.
- Mr Declan Owens, lawyer and CEO of Ecojustice Ireland.
- Dr. Peter Doran, Senior Lecturer at Queens University Belfast School of Law and The Senator George J Mitchell Institute for Global Peace, Security and Justice.
- Mr Conchúr Ó Muadaigh, Conradh na Gaeilge, the democratic forum for the Irish language community.
- Christy McQuillan, Trade Unionists for a New and United Ireland.

**14th October**

In the third public session, the Committee met in the morning session with stakeholders on the topic of '**Other Voices**'. The following stakeholders engaged with members –

- Ms Karen Jardine, The Presbyterian Church in Ireland
- Reverend Daniel Kane, The Presbyterian Church in Ireland
- Reverend Steven Foster, Methodist Church in Ireland
- Reverend Dr Norman Hamilton, The Presbyterian Church in Ireland
- Mr Stephen Farry, the Alliance Party.

In the afternoon session, members met with the following stakeholders on the topic of '**Unionist Voices**' –

- Mr William Graham.
- Prof Peter Shirlow, University of Liverpool.
- Ms Alison Grundle.
- Mr Andrew Pollak.
- Mr Brian Dougherty, North-West Cultural Partnership.
- Mr Derek Moore, North-West Cultural Partnership.
- Mr Ian Marshall, Queen's University Belfast.
- Ms Claire Sugden, MP, Independent Unionist.

**27<sup>th</sup> October**

In the fourth session of public hearings, the Committee met on '**The criteria for a referendum and lessons from other Jurisdictions**'. The following stakeholders engaged with members on this topic –

- Mr Martin Docherty Hughes, MP, Scottish National Party.
- Mr Richard Thomson, MP, Scottish National Party.
- Professor Colin Harvey, Queens University Belfast.
- Mr Raymond McCord.
- Mr Paul F Farrell.



	<p><u>Economic and Social Research Institute:</u> Professor Alan Barrett, Professor Seamus McGuinness, Dr Adele Bergin, Dr Sheelah Connolly &amp; Professor Martina Lawless</p> <p><u>Dublin City University and The ARINS Project:</u> Professor John Doyle, Professor Brendan O’Leary, Professor Jane Suiter, Professor Oran Doyle, Professor Joanne McEvoy, Professor Deirdre Heenan, Professor Ciara Fitzpatrick, Professor Brice Dickson &amp; Professor Tobias Lock.</p> <p>Mr Gunther Thumann, Dr Katie Liston, Professor Joseph Maguire, Mr Paul Gosling, Mr Kevin Raftery, Mr Gerry Carlile - Ireland's Future, Ms Anita Murphy, Mr Declan Owens - Ecojustice Ireland, Dr Peter Doran, Mr Conchúr Ó Muadaigh - Conradh na Gaeilge and Mr Christy McQuillan – Trade Unionists for a New and United Ireland.</p>	
14 <sup>th</sup> October 2022	<p>Reverend Dr Norman Hamilton OBE Presbyterian Church in Ireland: Ms Karen Jardine &amp; Reverend Daniel Kane Methodist Church in Ireland: Reverend Steven Foster</p> <p>Mr Stephen Farry MP - Alliance Party of Northern Ireland and Mr Maurice Campbell</p> <p>Ms Claire Sugden MLA - Independent Unionist, Professor Peter Shirlow, Ms Alison Grundle, Mr Brian Dougherty &amp; Mr Derek Moore – North-West Cultural Partnership, Mr Ian Marshall, Mr William Graham and Mr Andy Pollak</p>	<p><a href="#">Transcript</a></p> <p><a href="#">Transcript</a></p> <p><a href="#">Transcript</a></p>
27 <sup>th</sup> October 2022	Mr Martin Docherty-Hughes MP & Mr Richard Thomson MP - Scottish National Party, Professor Colin Harvey, Mr Raymond McCord, Mr Paul F Farrell and Mr Paul J Farrell.	<a href="#">Transcript</a>



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