

DÁIL ÉIREANN

AN COISTE UM ACHAINÍOCHA ÓN BPOBAL

COMMITTEE ON PUBLIC PETITIONS

Déardaoin, 10 Nollaig 2020

Thursday, 10 December 2020

Tháinig an Comhchoiste le chéile ag 2 p.m.

The Joint Committee met at 2 p.m.

Comhaltaí a bhí i láthair / Members present:

Teachtaí Dála / Deputies	Seanadóirí / Senators
Pat Buckley,	Jerry Buttimer,
Cormac Devlin,	Gerard P. Craughwell,
Brendan Griffin,	Eugene Murphy,
Eoghan Murphy,	Fintan Warfield.
Pádraig O'Sullivan.	

Teachta / Deputy Martin Browne sa Chathaoir / in the Chair.

Business of Joint Committee

Chairman: I welcome members to the first meeting of the new committee. I am delighted and honoured to have been appointed Chairman. I welcome all members of the third Oireachtas Joint Committee on Public Petitions. The committee's first task is to review its terms of reference and report to the Dáil and Seanad within three months. The committee has three main roles. First, all petitions submitted to the Houses of the Oireachtas stand referred to the committee. Second, the committee may decide to examine matters of general public concern or interest or issues of public policy and third, the committee may consider reports of the Ombudsman.

The petitions committee has a unique role in the Parliament. People have direct access to the Parliament using an informal process, people have a right to reply and petitions can act as a safety valve or fire alarm when reviewing public policy. I look forward to working with all members in the genuine spirit of partnership and co-operation as we review the terms of reference and consider petitions. We all have been affected by the Covid-19 pandemic in our lives, and how we conduct the business of the Houses of the Oireachtas has been altered in ways we could not have envisaged when the year began. I trust that all members will work with me and will ensure that the committee works effectively and safely during these testing times.

The next item on the agenda is the election of a Vice Chairman but the protocol to date has been to fix a date for the election at the second meeting. Is that agreed?

Senator Jerry Buttimer: Is there an agreement among the parties as to who that person should be?

Chairman: No.

Senator Jerry Buttimer: That is fine.

Chairman: I think the protocol in the previous committees has been that a Government Member was Vice Chairman.

Deputy Eoghan Murphy: On that point, there have been some discussions but there has not yet been a conclusion. It would be helpful, therefore, if we could set a date for the election at a future meeting and have nominations decided before then in order that they can be voted on by members.

Chairman: I propose we hold the election at the next meeting. Expressions of interest can be submitted to the clerk to the committee. Is that agreed? Agreed.

Deputy Brendan Griffin: Chairman, before we go into private session, I wish to point out I was very concerned by comments attributed to you in the past 24 hours, as were many people throughout the country. I wonder whether you, as Chairman of this committee, will take this opportunity to explain those comments. They have caused a great deal of hurt and upset to many people and this is an opportunity for you to explain them.

Chairman: This is not on the agenda but instead of focusing on the newspaper articles to which Deputy Griffin alluded, I will seek the recording of my interview on Tipp FM, and we will come back to it.

Deputy Brendan Griffin: No-----

Chairman: It is not on the agenda and has not been flagged with the clerk before now. I am going to move on with the agenda-----

Deputy Brendan Griffin: As Chairman of the committee, I believe you owe it to the people to explain your comments. As the committee will consider petitions from members of the public on matters of grave sensitivity in some cases, it is of critical importance that they have confidence in the Chairman of the committee. Quite frankly, I believe your comments may have undermined that level of confidence that people may have in you. I am offering you an opportunity, therefore, to explain your comments.

Chairman: I have explained and have asked the Deputy, out of courtesy, to listen to the interview in order that we can return to it, and not to attribute to me comments that have appeared in print media. The matter is not on the agenda. We will now move to private session to continue with the agenda, which is what we are here for. The matter has not been flagged with the clerk or the committee up to now.

Deputy Eoghan Murphy: Chairman, I appreciate the point you are making, although it has not been flagged because the news emerged only in the past 24 hours. I share the concerns of Deputy Griffin but fully understand that you would like to allow people the time to hear the full spectrum of what he said. Nevertheless, I do not see how we can continue to review the terms of reference of the committee when such a serious question hangs over the work of the committee into the future, and how we might review those terms with you as Chairman, given the potential conflicts that might arise in future, which Deputy Griffin outlined. This is a perfect opportunity for you to say to members what he said on radio yesterday in order that we can have full confidence in the work we are about to undertake.

Chairman: We are going into private session-----

Deputy Brendan Griffin: Sorry, Chair-----

Deputy Eoghan Murphy: This is a public matter.

Deputy Brendan Griffin: This is a public matter for public discussion. This is not something that can just be brushed under the carpet and put behind closed doors-----

Chairman: There is nothing under the carpet-----

Deputy Brendan Griffin: That is not how the Houses of the Oireachtas operate.

Chairman: We are asking the Deputy-----

Deputy Brendan Griffin: We operate in an open and transparent way.

Chairman: We are going into private session to continue with the agenda.

Deputy Brendan Griffin: I object to going into private session.

Deputy Eoghan Murphy: This feels like censorship.

Deputy Brendan Griffin: It does. I object to going into private session.

Senator Jerry Buttimer: I am not going to dwell on the matter because Deputies have

outlined the details but the briefing paper laid before us by the secretariat and commissioned by the committee earlier this month refers to what constitutes policy and public concern or interest. Without being personal, this is a very important committee. I was a member of the previous committee and this could be one of the most important committees of the Houses of the Oireachtas. I genuinely wish the Chairman well in his role, but there is a need for the issue to be addressed. I say that in a genuine manner.

Chairman: I take members' concerns on board but, as I said, the matter is not on the agenda and we are sticking to the agenda. This is the first meeting and I ask everyone to co-operate as we go into private session-----

Deputy Brendan Griffin: Chairman, we cannot simply ignore this and move on as if nothing happened and as if you had not said anything. It is important that this be dealt with now. Will you either explain to the committee his comments or make an explanation to the Dáil this week, as your colleague, Deputy Stanley, has committed to doing?

Chairman: This is not the forum for that. I have asked the Deputy, along with all members, to listen to the interview and we can come back to it then. We are now going to continue with the agenda in private session.

Deputy Brendan Griffin: Chairman, will you make a statement on this to the Dáil?

Senator Eugene Murphy: Chairman, if I could make a comment, I genuinely wish you well in your role. Perhaps as a compromise, as Deputy Griffin suggested, you may be prepared to tell members that you will make a statement to the Dáil next week in order that we can move on with the committee. That would be one form of compromise and it is not a big ask. I do not want to get embroiled in a major controversy. The committee can be a very important one for members of the public and it would be a pity if we became embroiled in a nasty controversy today. Perhaps as a gesture to the valid questions that have been asked, you will consider making a statement to the Dáil on what emerged yesterday in order that we could move forward. I ask the members to accept that, if you are willing to make the statement.

Chairman: Valid questions can be asked at a later date.

Senator Eugene Murphy: So you will not do that. Would you consider it?

Chairman: We will continue with the agenda.

Senator Eugene Murphy: I have given you a way out on this.

Deputy Eoghan Murphy: May I make a proposal?

Senator Eugene Murphy: The way I see this going, the committee will be gone from here in two minutes. We do not want that to happen. As a way forward — I am giving you a way out here — I ask you to consider making a statement next week and addressing the members here who have asked questions. Then we can move on with our business. I believe that would be acceptable to most members.

Chairman: To the best of my knowledge, Ministers make statements to the Dáil-----

Deputy Brendan Griffin: Under Standing Orders, a Member of the House may make a statement-----

Chairman: I am going to go into private session.

Deputy Eoghan Murphy: Chairman, I have a proposal that we might hear in public session. I completely support what Senator Buttimer has said about the importance of this committee and the work it is about to undertake immediately on reviewing its terms of reference and petitions that might be considered by it. Public statements were made by you, Chairman. This is not personal at all but it is about the role you now occupy as Chairman at the first meeting of this committee. For this committee to continue in its work, public or private, those comments need to be clarified. They were publicly made, and made very recently. They are not comments from the past that someone has dug up. You are not denying you made comments on this matter yesterday in a public forum. If you cannot clarify the comments now in public, I do not see how the meeting can continue.

Chairman: Deputy Murphy, I can guarantee everybody here that I will be impartial and that I will carry out this role to the best of my ability, being fair to every member here and to every member of the public or witness who takes part. I have suggested that we go into private session. The public session is over in that we have dealt with the two matters on the agenda-----

Deputy Eoghan Murphy: Chair, I understand your bona fides in that regard, as you have outlined them. The public may not have the confidence right now, given what they have read about what you said on a radio show yesterday. For the public to have confidence in the work we are about to embark upon, could you offer clarification? If you spoke on radio yesterday, surely you can speak at an Oireachtas committee.

Chairman: We are going into private session-----

Deputy Brendan Griffin: Your refusal to address the comments makes it impossible for this meeting to continue, in private session or in public. You have an opportunity, under Standing Order 56, to go to the Dáil and explain your comments next week, if you so choose. A proposal was made that you consider that but you will not. Therefore, I do not see how this meeting can continue.

Chairman: We are continuing the meeting in private session.

Deputy Brendan Griffin: With the Chairman's refusal, I cannot see how this meeting can continue.

Chairman: I am asking that we go into private session. I am putting the question, "That we go into private session."

Deputy Brendan Griffin: I propose that the meeting be adjourned.

Chairman: The question is agreed.

Deputy Brendan Griffin: It is not agreed.

Question put.

The Committee divided: Tá;, 3; Níl, 5.	
Tá;	Níl;
Browne, Martin.	Buttimer, Jerry.
Buckley, Pat.	Devlin, Cormac.

Warfield, Fintan.	Griffin, Brendan.
	Murphy, Eoghan.
	O'Sullivan, Pádraig.

Question declared lost.

Chairman: We cannot continue with the agenda because the business was to be conducted in private session. We are in a quandary. A notice of motion has not been submitted to the clerk.

Deputy Brendan Griffin: I propose that if the Chairman insists on not explaining his comments to the committee, we adjourn the meeting and give him time to consider how he is going to address this matter.

Chairman: I was going to suggest that we adjourn. Is that agreed? Agreed. We will set a date for the next meeting and if any motions need to be submitted, I ask that members submit them to the clerk.

The committee adjourned at 2.15 p.m. *sine die*.