

SEANAD ÉIREANN

Déardaoin, 21 Iúil 2011.

Thursday, 21 July 2011.

Chuaigh an Cathaoirleach i gceannas ar 10.30 a.m.

Paidir.

Prayer.

Business of Seanad

An Leas-Chathaoirleach: I have received notice from Senator David Norris that, on the motion for the Adjournment of the House today, he proposed to raise the following matter:

The need for the Minister for Health to reconsider the future of Valentia Hospital, County Kerry.

I regard the matter raised by the Senator as suitable for discussion on the Adjournment and it will be taken at the conclusion of business.

Order of Business

Senator Maurice Cummins: The Order of Business is No. 1, Electoral (Amendment) Bill 2011 — Committee and Final Stages, to commence on the conclusion of the Order of Business. Business will be interrupted from 1.15 p.m. until 2 p.m. Report and Final Stages will be taken at 2 p.m. to conclude not later than 4 p.m., if not previously concluded and; No. 2, motion for earlier signature of the Electoral (Amendment) Bill 2011, to be taken without debate.

Senator Darragh O'Brien: Yesterday, the Fianna Fáil spokesperson on the environment, Senator Diarmuid Wilson, said we would table amendments to the Electoral (Amendment) Bill. We will oppose the Bill in its current format.

I welcome last night's agreement between Germany and France on dealing with the Greek debt crisis. Can the Leader clarify the Irish negotiating position on this issue? On 25 May, the Taoiseach stated that he was not seeking an extension of the terms of our loan repayments. He said we would repay our loans, we will not restructure our debt and we are not looking for any further time. I thought that an astonishing statement. Last week, the Taoiseach said it should be acknowledged that the agenda being discussed at recent meetings, particularly of ECOFIN Ministers, was the agenda put forward by the Government. He was referring to restructuring the debt and lengthening the debt repayment terms. Can the Leader clarify Ireland's position? Are we looking for longer debt repayment terms?

The much discussed and vaunted decrease in the interest rate that was, apparently, agreed four months ago, has not come to pass. I remind Members that it has been confirmed by the Minister for Finance that any decrease in our interest rate will only apply to money not yet drawn down. I appreciate that these negotiations are very difficult. However, if they continue

[Senator Darragh O'Brien.]

any further, by the time the Government achieves an interest rate cut there will be very little money left to be drawn down. The potential saving is now in the region of €120 million per year and not €440 million, as stated by the Minister for Finance at the start of the term.

I agree that the Government should carry out a review of capital projects and of the projects it will proceed with. The Seanad has discussed this matter on previous occasions. My concern is that the review is to be published in September. Will Senators have an input into the process or be able to discuss it? For example, a planning application for the building of the new national children's hospital has been lodged with An Bord Pleanála but the Government is not yet committed to going ahead with the project. It is part of the review of capital spending. This is a €650 million project and we are all agreed that a state-of-the-art children's hospital is required. The planning application has been lodged but the Government will not commit to building the hospital until it has carried out the review of capital expenditure. The same is true of many transport programmes, such as Metro North, the interconnector between Dublin public transport services and others.

When in September will the Government publish its review? Will this House be afforded an opportunity to contribute to the review?

Senator Ivana Bacik: Like Senator O'Brien, I welcome the news of the agreement between France and Germany. We all wish the Government well in its negotiations at today's EU meeting. It would be in all our interests to see, even at this stage, a reduction in the interest rate being charged to Ireland. I am sure Opposition Members would agree with me in respect of that matter.

I know others have already done so but I wish to request a debate on the Cloyne report. That debate should take place as soon as possible. In that context, I compliment the Taoiseach on his contribution on the motion on the Cloyne report in the Dáil yesterday. His speech rightly made headlines and is being discussed everywhere today. The Taoiseach's contribution to the debate on this matter has been described as a landmark and as representing an unprecedented critique of the Vatican and of church structures in Ireland.

When one considers the findings in the Cloyne report, it is clear that the Taoiseach's comments are entirely justified. The report has proved to be of a different order to the Murphy and Ryan reports, which, in their content, were also shocking. The Cloyne report is different because, as the Taoiseach stated, for the first time in this country "a report on child sexual abuse exposes an attempt by the Holy See to frustrate an inquiry in a sovereign, democratic republic as little as three years ago, not three decades ago". Across Ireland, there is immense anger and outrage that this has been the case.

As the Taoiseach stated, we are awaiting the considered response of the Vatican to the Cloyne report. However, he also stated that this is no longer "industrial school or Magdalene Ireland, where the swish of a soutane, smothered conscience and humanity and the swing of a thurible ruled the Irish Catholic world". He further pointed out that in this Republic of Ireland in 2011 "rights and responsibilities and proper civic order where the delinquency and arrogance of a particular version of a particular kind of morality will no longer be tolerated or ignored". The Taoiseach spoke with passion and I compliment him on that. As he stated, it was difficult for him, as a practising Catholic, to do so.

In light of what the Taoiseach said yesterday, there is a need to examine the structures of our State. We must consider putting the State in order and we must also ensure that the structures in the Oireachtas are appropriate to those of a modern republic. In that context, I intend to propose at today's meeting of the Committee on Procedure and Privileges that we end the practice of saying a Christian prayer at the commencement of proceedings each day in

the Seanad. I will propose an amendment to Standing Order 18 to provide instead for a moment or a few minutes of silent reflection in order that each Senator, in accordance with his or her own conscience and preference——

Senator Darragh O'Brien: On a point of order, that is a matter for the Committee on Procedure and Privileges. It is not a matter for the Order of Business.

Senator Ivana Bacik: I am raising this matter in the context of a debate on the church and the State. The saying of a prayer each day was also raised in the Dáil last week by Deputy Ó Riordáin of the Labour Party. He and I have both ensured that this matter is on the agendas of the Committees of Procedure and Privileges of the Dáil and the Seanad.

An Leas-Chathaoirleach: I understand this matter is on the agenda of the Seanad Committee on Procedure and Privileges and that it will be dealt with by that committee.

Senator Ivana Bacik: Yes, that is the position. However, it is a matter for the entire membership of the House to consider whether it is appropriate in a modern republic and whether it is respectful to those who are not of a Christian religion, to continue to say a Christian prayer at the commencement of proceedings each day in the House.

An Leas-Chathaoirleach: The Senator has placed the Leader in an impossible position because he cannot take action until the Committee on Procedure and Privileges has made a decision.

Senator Rónán Mullen: I will reserve any comment on Senator Bacik's proposal about the prayer until the meeting of the Committee on Procedure and Privileges, of which I am a member. However, it strikes me as sadly opportunistic for people to be connecting legitimate criticism of the church with an attack on the tradition of Christian prayer. When discussions have taken place in the past in respect of the broadcasting of the Angelus on RTE, I have often noted the generosity of members of the Church of Ireland community who made sure it was understood that they did not believe the Angelus to be in any way sectarian. That is the type of generosity for which we must strive when discussing some of the cherished traditions we have in this country.

I echo the calls that have been made for a debate on the Cloyne report. It is vital that this debate should take place before the House rises for the summer recess on Wednesday next. The House is due to sit on Monday, Tuesday and Wednesday next. If necessary, it should sit on Thursday of next week in order that we might debate the Cloyne report. We cannot claim to take our work seriously if we do not ensure that such a debate forms part of our business prior to the recess. A debate on the Cloyne report is all the more urgent in light of what the Taoiseach said yesterday. I have some reservations in respect of the Taoiseach's comments and I have placed these on the record elsewhere. Other people will want to reflect in a calm and measured way on the Taoiseach's speech and on the report that has given rise to justified rage and annoyance on the part of many people of good will regarding the failure to handle child sex abuse cases properly.

I take this opportunity to give credit where it is due. On occasion, I and others have commented on the lack of respect which the Executive, namely, the Government sometimes shows to the Oireachtas in the context of keeping Members informed. I was critical of the Minister for Defence, Deputy Shatter, in respect of the Defence (Amendment) Bill 2011. However, I wish to highlight an example of good practice. I recently raised the issue of correspondence I received in respect of male and female patients being cared for together in hospital wards — a matter which gave rise to difficulties for some of the individuals concerned — in the presence

[Senator Rónán Mullen.]

of the Minister of State at the Department of Health, Deputy Kathleen Lynch, in the context of a debate on health care. The Minister of State took the trouble to contact the chief executive of Beaumont Hospital and put the issue to him. She obtained clarification which indicated that male and female patients are cared for together in critical care areas and accident and emergency departments. A rationale for this was put forward by the hospital which I accept but which I still see as being somewhat problematic. However, the hospital indicated that it otherwise ensures that male and female patients are cared for separately.

I was satisfied with the response I received in respect of this matter. I was even more satisfied by the fact that a Minister of State went to the trouble of pursuing an issue of public interest that was raised in this House, to discover the actual position in respect of it and to have the courtesy and kindness to write a reply to a Member of the Oireachtas. Let us have more of that type of engagement between the Executive and the Legislature.

Senator John Kelly: I welcome the decision to establish the Seanad Public Petitions Committee, an announcement in respect of which was made on Tuesday last. The establishment of that committee was first proposed by Deputy Tuffy when she was a Member of this House. It is good that her proposal has finally come to fruition because it will give power to the people in the context of feeding their ideas into the political system.

Senator Terry Leyden: Senator Kelly did not mention that former Senator Mary O'Rourke was Leader of the House when the proposal to establish the Seanad Public Petitions Committee — with which she agreed — was originally put forward.

Actions speak louder than words. In that context, I call on the Taoiseach to hold the referendum on children's rights forthwith. It is in our power to hold such a referendum this year. There is nothing to prevent us from doing so. No other state is attempting to influence Ireland in the context of holding such a referendum. The all-party Oireachtas Joint Committee on the Constitutional Amendment on Children reached agreement on a wording to be put to the people in such a referendum. A commitment in respect of holding a referendum is contained in the programme for Government. I am of the view that there would be unanimous agreement in this and the Lower House in respect of holding a referendum. In addition, I am sure there would be general agreement on the wording. The Government has been in office a number of months and it should hold this most important referendum during the current year.

Definite action is required in respect of the protection of children. What is happening throughout the country in respect of lay people and clerics is appalling. In that context, a lay person as opposed to a cleric was responsible for what happened at a school in Donegal. It would send out a message to the people if they were given the right to have their say and put children first by voting in a referendum.

I also wish to request that a debate on the Cloyne report be held next week. A reasoned debate on that matter would be worthwhile.

Senator Sean D. Barrett: I request that the Leader address the issue of what the Minister for Public Expenditure and Reform, Deputy Howlin, refers to as “regulatory capture” or “downtown office syndrome”. We are approaching the third anniversary of the day on which representatives from the banks went into the Department of Finance and effectively bankrupted the country. As a share of GDP, Ireland provides the world's leading example of this type of extra-parliamentary activity. The growth in the power of lobbyists outside Parliament to influence politicians is a matter of great concern to those in the US and UK legislatures and the European Parliament. As our sad case illustrates, these individuals have an ability to gain direct access to Departments and walk away with virtually unlimited amounts of money.

Will the Leader discuss with the Cathaoirleach and the Ceann Comhairle the possibility that it should be compulsory for Departments of State to license the activities of lobbyists and pressure groups? A register of such lobbyist and pressure groups should be supplied to Parliament in order that we might know what is happening and who is trying to bypass us in the decision-making process. The undermining of parliamentary democracy must be addressed by us in this House. I ask the Leader to raise this matter with his colleagues in Government. Parliament should know what Departments are up to, particularly when Parliament is not sitting. We still do not know the full facts regarding the bank rescue of 29 and 30 September 2008.

Senator David Cullinane: I commend the Leader on the new question-and-answer format introduced yesterday for the debate on agriculture and fisheries. Although it could benefit from some tweaking, it was a worthwhile exercise both for Members and for the Minister for Agriculture, Fisheries and Food, Deputy Simon Coveney. My party is supportive of the new format and I hope it will be incorporated into future debates. What struck me was that Members were more direct in their questioning, to which the Minister had an opportunity to respond directly, rather than merely making statements, which is what leads to the House being labelled a talking shop. It is a welcome departure.

There are serious concerns regarding the situation in parts of east Africa where tens of millions are suffering and there is the prospect of death on a massive scale. The former President of Ireland and former UN High Commissioner for Human Rights, Ms Mary Robinson, said yesterday that the situation is far worse than people realise. I commend the work done by Ms Robinson in this area. The UN has officially declared a famine in the region, the first time it has done so in 19 years, as the region suffers its worst drought in 60 years. I echo the calls that have been made in the House for Ms Robinson to be invited to the Chamber to discuss Ireland's role in supporting developing countries.

We need to consider what role the State, and its citizens, can play in assisting people in the region. It is appalling that they are still living in these types of conditions in the 21st century. Every effort must be made by the State to help the people in the region. Aid organisations such as Trócaire and Concern are doing their best, but every assistance should be afforded by the State. I ask the Leader to convey that message to the Tánaiste and Minister for Foreign Affairs, Deputy Eamon Gilmore, and his colleagues. It would be useful for the Tánaiste to come to the Chamber for a discussion on Ireland's leading role in advocating on behalf of people in the developing world and to discuss all of the issues associated with that. I ask the Leader to accommodate these two debates after the recess. In the meantime, the urgency of the situation in eastern Somalia means that every assistance must be given by the State to those who are suffering.

Senator Mary M. White: I urge the Leader to listen attentively to what I have to say this morning.

Senator Maurice Cummins: I always do.

Senator Mary M. White: I am seriously concerned at the failure of the Government to uphold its commitment in the programme for Government to provide transparency in all its engagements and everything it does. This morning, the Minister for Jobs, Enterprise and Innovation, Deputy Richard Bruton, is meeting the media to discuss the half-yearly report from IDA Ireland. This is happening in the midst of the scandal surrounding Rupert Murdoch's business empire, which has made for the most fascinating television I have seen in my life. The Minister is meeting the media instead of coming into the House to talk to us about the failure of banks

[Senator Mary M. White.]

to provide financing for small and medium-sized businesses. Banks are leading business people up the garden path with offers of financing before, at the last minute, seeking personal guarantees. If the Minister does not attend the House before it rises next week, I will create a major scene. As a member of the Irish Exporters Association and having started my own business during the 1980s recession, I know how difficult it is for businesses in the current environment.

Some €51 million is owed to suppliers of Superquinn but according to the receivers, KMPG, only half that amount will be paid. The reality for any small and medium-sized business is that if money owed to it is not paid in full, it may well go under. When did the negotiations commence which resulted in the Musgrave Group taking over Superquinn? Why were cheques issued at the end of last month which were subsequently cancelled? This would not happen on the island across the water. It is scandalous. We must have transparency on how the deal was done between the Musgrave Group and the owners of Superquinn.

If the Minister does not attend the Chamber to discuss the matter, I will be protesting in some dramatic way. He is meeting journalists today but will not deal with the democratically elected Members of this House and those nominated under the Constitution. It is incredible that he is meeting the media.

An Leas-Chathaoirleach: Is the Senator asking that the Minister come to the House for a debate on this issue?

Senator Mary M. White: I am demanding that he come to the House. I am appalled at his lack of emotional intelligence and his lack of feeling for the Members of this House. The Seanad is a democratic branch of the Oireachtas, but the Minister is treating us with disrespect. He is meeting journalists to discuss IDA Ireland's job creation efforts, with he had nothing to do with.

An Leas-Chathaoirleach: The Senator has made her point.

Senator David Norris: Another Member referred to the issue of the prayer which is said at the commencement of business in this House. It is a very beautiful prayer and, as a believing Christian, I am of the view that it is appropriate to say such prayers before beginning one's work. However, one must be mindful of the separation of church and State and of the view of many people like myself — I do not say this often in public — who are committed Christians but who nevertheless believe that the recitation of prayer should not be an automatic aspect of the business of Parliament. We live in a democracy where we have had agnostics, atheists, Muslims and Jews in the Oireachtas. As such, I am not sure it is appropriate to include a Christian prayer at the commencement of parliamentary business. This is an issue I have raised on previous occasions.

In regard to the daily broadcast of the Angelus by RTE, I would be very saddened to see it abolished. It has been part of our tradition for a long time and is something which allows people a moment for reflection. It is not sectarian in that it does not necessarily tie into any particular religion. Rather, it is an expression of part of what we are as Irish people.

An Leas-Chathaoirleach: The recitation of the daily prayer is provided for under Standing Order 18. It is a matter for the Seanad Committee on Procedure and Privileges to institute any change in that regard.

Senator David Norris: I accept that. However, the Standing Orders of the Seanad do not apply to the broadcast of the Angelus. As a member of the Church of Ireland, I have consistently defended its broadcast. It would be unfortunate if the impression were to go out that the

Church of Ireland objects to it. As I understand it, the church does not have an official position on the matter. As a weekly churchgoer, I would personally miss it. If people do not like it, they can choose to do something useful while they are waiting for the news to start such as putting on the kettle. I do not find it at all offensive. I have reservations regarding the daily recitation of a prayer at the commencement of parliamentary business, but those reservations arise not from a position of antagonism to religion but rather because I take religion very seriously.

An Leas-Chathaoirleach: Whatever about putting on the kettle, the Angelus is a matter for RTE.

Senator Mark Daly: The leader of the Labour Party group raised the matter of the daily prayer. I assume revelations arising from the investigation into events in the Catholic diocese of Cloyne are being used as an opportunity to raise this matter.

Senator Ivana Bacik: I have raised it many times before.

Senator Mark Daly: Will the Senator indicate whether it is Labour Party policy that the daily prayer be discontinued?

Senator Ivana Bacik: It was raised in the Dáil by my colleague——

An Leas-Chathaoirleach: Senators should address each other through the Chair.

Senator Mark Daly: If the Senator is good enough to interrupt me with her own information, she might tell me whether it is now Labour Party policy.

An Leas-Chathaoirleach: I have already indicated to Senators Ivana Bacik and David Norris that this is a matter for the Seanad Committee on Procedure and Privileges.

Senator Mark Daly: The Labour Party Members opposite have neither supported nor denounced their colleague.

An Leas-Chathaoirleach: Does the Senator have a question for the Leader?

Senator Mark Daly: I am wondering was this issue discussed at the Labour Party group meeting.

An Leas-Chathaoirleach: Does the Senator have a question?

Senator Mark Daly: Are Labour Party Members able to read each other's minds?

(Interruptions).

Senator Mark Daly: The Progressive Democrats Party once tried to take God out of the Constitution; now the Labour Party wants to remove the morning prayer.

I realise it is a republic but in America——

An Leas-Chathaoirleach: Does Senator Daly have a question for the Leader?

Senator Mark Daly: ——official Government documents contain the phrase “In God we trust”. In that republic, they have not gotten rid of God. Perhaps Labour Party Senators opposite will talk to the Deputy Leader and see if they are being led and whether they knew the proposal was coming before the Committee on Procedure and Privileges.

Senator Ivana Bacik: We will not be lectured by Senator Daly.

Senator Marie Moloney: Religion is a personal matter. Senator Daly should not try to capitalise on it.

Senator Mark Daly: Senator Moloney's party seems to want to remove the prayer from the House and that is not a personal matter, it is a political matter.

Senator Marie Moloney: It is a personal matter.

Senator Mark Daly: The leader of the Labour Party group is making a political issue of it.

An Leas-Chathaoirleach: Tá an t-am istigh.

Senator Mark Daly: What happened in Cloyne and what the church has done is an abomination beyond reckoning but that is no excuse for political pointscoreing in this House. That is a disgrace and the leader of the Labour Party group should reflect with Senators opposite.

Senator Ivana Bacik: We will not be lectured by Senator Daly.

Senator Mary M. White: Senator Bacik lectures us non-stop.

Senator Mark Daly: Perhaps Senator Bacik will discuss policy with her Labour Party Senators because it seems to be news to them.

An Leas-Chathaoirleach: Senators should not engage in conversation across the floor. Senator Daly has taken a lot of liberty with the Chair.

Senator Paul Coghlan: There was much common ground between what the Taoiseach said and the comments of Archbishop Diarmaid Martin and we can reflect further on this. I look forward to the Leader providing time for a debate on the Cloyne report next week if possible or on our return. There are important issues for the State, which must get its house in order as the Taoiseach and the archbishop pointed out. We should not run away with ourselves on these matters and, with respect to other Senators, it would be a mistake to couple the question of the prayer with all of that. I reserve my position on that until the Committee on Procedure and Privileges meets. I liked what Senator Norris said about the Angelus, to which we can all subscribe. He referred to moments of reflection, which are important to everyone. Whether it is done with prayer or otherwise, it is a formula that can be worked on.

11 o'clock

I join with Senator Cullinane in complimenting the Leader on the format in which he organised the debate yesterday with the Minister for Agriculture, Fisheries and Food. I was occupying the Chair for a short while and we must remind ourselves to stick rigidly to the format.

Senator Mary M. White: Senator Coghlan was too rigid in the Chair.

Senator Paul Coghlan: We cannot have Members attempting to make Second Stage speeches when all we need from them is brevity.

Senator Mary M. White: This was about financing the fishing and food industries.

Senator Paul Coghlan: I feel very strongly about it.

Senator Mary M. White: It is a very important issue.

Senator Paul Coghlan: I hope other Ministers come in and agree to that format but we cannot have people making Second Stage speeches.

Senator Darragh O'Brien: Physician heal thyself.

Senator Paul Coughlan: That aspect of it was disjointed. We need brief, relevant questions and I am sure the Leas-Chathaoirleach sees the value of it.

Senator Mark Daly: Good man Paul.

Senator Feargal Quinn: I support Senator Mullen in his call for an immediate debate on the Cloyne report. It should take place before the recess and not next term. There is a need for moderate, considered and cool discussion on this point. Like Senator Coughlan, I listened to the archbishop and the Taoiseach yesterday. A great deal of discussion must take place and it should happen now, not in a few months time. There is a danger that, being so incensed at what we read in the report, we might not make the right decisions. This is exactly what the Seanad should do and, if we are going to earn our livelihood and our survival, this is a topic we should debate now.

Regarding the matter raised by Senator Mary White, for those of us who know them very well, our hearts go out to the suppliers to Superquinn. They are in serious trouble because they are not being paid. I want to correct a point made by a Senator yesterday that received some publicity in the newspaper. The owners of the company I left six years ago, who wrote cheques last Friday, were not aware at that stage that a receiver would be appointed. I received a phone call at 11 a.m on Monday saying there was a danger of a receiver being appointed on Monday night. They only learned about it on Monday morning. I want to correct the point about sharp practice that was carried in the newspapers arising from comments here yesterday. There was no sharp practice and when they wrote cheques, they had no idea a receiver would be appointed. That was against the wishes of everyone at that stage.

We will not have time to debate the economy between now and the end of the session. Two years ago, I spent a weekend in Tallinn, Estonia. The story of Estonia is fascinating. It has received an A+ rating from Fitch Ratings agency, having been at the bottom a number of years ago. It is doing well because of the steps the country is taking. They are accepting the austerity and, instead of raising taxes to balance that, they have reduced taxes. It is worthwhile studying Estonia to see what they have done and how they have achieved so much. Unemployment rates have reduced, growth is rocketing and there is a budget surplus. It all happened within a short period of time and we can do the same here if we recognise that this matter is in our own hands rather than relying on someone else. We hope an arrangement will be made at European level in regard to finance and we hope it will benefit us. However, the answer to what will take place in this country is in our hands. We can do it and it has been shown by Estonia. Let us learn from a country even smaller than ourselves.

Senator Mary M. White: There should be an investigation into the relationship between the company that has been taken over by Musgrave. It is very serious.

An Leas-Chathaoirleach: That is not a point of order.

Senator Mary M. White: This would not happen in Britain. Was it known that this company was going to take over Superquinn? It is very important and very serious. We must have an investigation.

An Leas-Chathaoirleach: I acknowledge the presence of well-known and esteemed actor, Tom Hickey, who is in the Visitors Gallery.

Senator Fiach Mac Conghail: I commend the Leader of the House with regard to the changes he made in the first session of this Seanad. As a new Senator, part of my agenda, with the

[Senator Fiach Mac Conghail.]

support and willingness of Members, was to free up the Seanad and make it more accessible and meaningful to Senators and citizens. I congratulate the Leader, the Leas-Chathaoirleach and the Cathaoirleach and the Committee on Procedure and Privileges for pushing forward these reforms.

Although I have no background in fisheries or agriculture, yesterday's debate with the Minister was very good and innovative. It seemed that there was a real debate. I ask the Committee on Procedure and Privileges to refrain from dealing with so much local politics and remain at the national interest level. The Private Members' motion last night concerned relationships and sexuality education and young people and it was a stimulating debate. I ask the Committee on Procedure and Privileges to switch statements and Private Members' motions and hold them earlier in the day so that we get more exposure in the media and to concerned citizens. The Committee on Procedure and Privileges is meeting sometime today. Will there be a proposal to invite a citizen or leader of civic society to the Seanad next week in the final week before the recess?

An Leas-Chathaoirleach: That is a matter for the Committee on Procedure and Privileges but I doubt it is possible in the short time available.

Senator Trevor Ó Clochartaigh: Ach an oiread le Seanadóirí eile, ba mhaith liom buíochas a ghabháil leis an Cheannaire as an díospóireacht a bhí ann inné. An t-aon rud go bhféadfaí a rá faoi ná gurb é a laghad a locht. Bhí an format go maith, d'oibrigh sé go maith agus bhí deis cainte ag go leor daoine. B'fhéidir go mbeadh sé úsáideach dá mba fhéidir ceisteanna breise a chur. Bheadh sé tábhachtach inné agus bhí an t-Aire breá sásta na ceisteanna a fhreagairt le soiléiriú a fháil. Uaireanta bíonn sé úsáideach ceisteanna breise a chur.

An rud a bhí soiléir inné, agus an faitíos a bhí orm maidin inné ná nach mbeadh dóthain ama ann le haghaidh cúrsaí iascaireachta a phlé. Bhí an plé a bhí againn an-mhaith ach bhí sé soiléir, ó bhaill de phairtí an Cheannaire féin agus ó dhaoine ar fud an Tí, nach raibh dóthain ama i gcóir cúrsaí iascaireachta agus go raibh go leor ceisteanna breise gur mhaith linn a chur agus go raibh an t-Aire breá sásta iad a phlé. Nuair atáthar ag breathnú ar an format, b'fhéidir go mbreathnófar ar gan an t-am a bhrú an iomarca ar na hábhair tábhachtacha seo.

Ba mhaith liom ábhar eile a árdú. Inné d'iarr mé go mbeadh díospóireacht againn maidir le daoine le riachtanais speisialta. Tá sé an-deacair ag na daoine atá ag plé le mí-chumas agus riachtanais speisialta mar gheall go bhfuil píosaí den polasaí a bhaineann leo i Rannóga éagsúla. Tá Airí difriúla ag plé leis na Rannóga sin. Tá an cheist sin tagtha chun solais arís inniu. Táim ag glaach go dtiocfadh an t-Aire Comhshaol, Chomhluadair agus Rialtais Áitiúil chun an Teach le míniú duinn cén fáth go bhfuil an buiséad a bhí ann do mhí-chumas ins na comhairlí contaetha gearrtha aige. Tá litir faighte ag na comhairle contaetha agus léifidh mé an méid a bhí ráite i mBéarla:

The additional resources provided under the multi-annual programme of capital and current funding for the implementation of the national disability strategy in local authorities under the aegis of the Department for the period of 2005 — 09 will not be available in 2011.

Tá an buiséad gearrtha arís ag an Rialtas ar na daoine is laige inár sochaí. Tá sé tábhachtach go dtiocfadh an t-Aire isteach le míniú dúinn cén fáth a bhfuil sé sin ag tarlú. Céard tá na páirtithe sa Rialtas ag rá maidir leis na daoine le mí-chumas? Cén fáth gurb iadsan atá ag fáil an bhuille nuair atáimid sa ghéarchéim airgeadais? Bheinn ag iarraidh go dtiocfadh an t-Aire isteach chun sin a phlé.

Bheinn ag tacú leis an moladh a rinne an Seanadóir Leyden romham, go mbeadh plé maidir le reifreann na leanaí, the children's referendum. Sin rud a d'árdaigh na daoine a bhíonn ag plé le mí-chumas liom, mar sin ceann des na rudaí a thabharfadh cearta dóibh siúd agus seans chun cearta a bhaint amach sa tír seo.

Tuigim go mbeimid ag dul ar sos go luath. Mar sin féin, ceann des na díospóireachtaí eile a d'iarr mé a bheadh againn ná díospóireachta ar na healaíona. Go minic, déantar beag is fiú den deis atá ann agus an cumas atá sa tír ó thaobh na cruthaíochta agus na healaíne de.

I call on the Leader to ask the Minister for Arts, Heritage and the Gaeltacht to come into the House to allow us have a full debate on the potential of the arts sector and the cultural sector in general to create employment, rejuvenate our economy, inspire us in the future and help get us out of the dark place in which we find ourselves.

Senator Jimmy Harte: I agree with the calls for a discussion on the Cloyne report, which is important. I refer to Senator Daly's contribution. I do not like lectures from people telling me when I should or should not say a prayer. It reminds me of people in Northern Ireland who, when asked their religion, would reply "I am an atheist", and they were asked if they were a Catholic or a Protestant atheist. Religion should be kept out of this——

An Leas-Chathaoirleach: Senator, I interrupted Senator Daly because his remarks were inappropriate. The Senator should keep to the Order of Business and ask the Leader a question.

Senator Jimmy Harte: I ask the Leader to consider allowing a debate on the Cloyne report. The House will sit next week but it should be discussed now while it is fresh in people's minds.

Senator Marc MacSharry: I take the opportunity to wish the Taoiseach well on behalf of all of us in the important summit taking place in Europe today. I hope he will be in a position to secure the best possible deal for Ireland in the context of any deal being done for the Greeks or otherwise.

I realise next week will be a busy week as it is the end of term and that there will be legislation to be concluded but I ask the Leader, as I did yesterday, that time be made available for an economic type debate to allow us refer to the outcome of the negotiations that will take place today. If that could be done I would appreciate it.

I take the opportunity also to support Senator Mary White. Whatever needs to be done should be done to ensure the small business people who have been loyal suppliers to Superquinn, as Senator Quinn stated, are paid. We would all support whatever needs to be done in that regard. It is regrettable that the Minister has seen fit to brief the media before Members. That is something that has happened not just in this Government but in previous Governments and it is a matter of great frustration to Members of both Houses to see that kind of engagement and the disdain shown to these Houses by Ministers of the day. That is regrettable, and I ask the Leader to raise that issue.

I congratulate the Leader, along with other Members, on the innovative measures he has brought to the House, not least yesterday in the new format of questions and answers with the Minister for Agriculture, Fisheries and Food. I commend that Minister because I do not believe every Minister would be capable of dealing with the kind of questioning that took place. It is a format that works well. We will need to tweak it and be conscious of being brief and to the point.

An issue was raised in the media in recent days to the effect that European Union doctors are not required to sit any examinations or tests to practise in this country. That led to allegations that doctors were unable to take a person's pulse, for example, which is worrying

[Senator Marc MacSharry.]

in the extreme, yet doctors from other countries outside the EU have to undergo extensive examinations and checking. That is a very serious issue and I would like the Leader to raise it with the Minister for Health.

Early in the new session in September I ask that we invite the head of the Health Service Executive, as we invited the President of the European Parliament, into the House for a format similar to yesterday's with a questions and answers session. We could all benefit greatly from that but society would benefit also if they could see direct questioning of the person who, other than the Minister for Finance, has the largest budget at his disposal at more than 50% of the annual tax take. It is just and proper that he would come into the Houses of the Oireachtas for a debate following the format of the debate yesterday. I am aware he will address the Joint Committee on Health and Children but it would be helpful to have him in the Minister's chair, as the Minister, Deputy Coveney, did such a fine job yesterday, but it would be helpful in the interests of transparency and accountability.

Senator Michael Mullins: I, too, join in the calls for an early debate on the Cloyne report. The Taoiseach's speech in the Dáil yesterday was highly significant and clearly signals the State's intention to put its house in order and put in place structures that will ensure we never see the type of abuse reported in the Cloyne report.

I call on the Church at leadership level to be equally open and forthright. As a practising Catholic I, like others, want to see the Church face up to its responsibilities for once and for all and restore confidence in the Church, and the organisation, out of respect for the very many fine priests who have served the faithful over the years.

I support Senator Cullinane's call to invite former President Mary Robinson into the House for a discussion on the awful situation unfolding in Somalia. It would be appropriate for all of us to acknowledge the fantastic work being done by relief agencies such as GOAL, Concern and Trócaire. As public representatives we should support those organisations and encourage our constituents to help out. We have difficulties in our own country but they pale into insignificance when we see what is unfolding in the Horn of Africa.

I join in the congratulations to our Leader who is doing a fantastic job. It is nice to see Members of the House acknowledge the reform taking place here and the significant debates being held. Our exchanges yesterday with the Minister for Agriculture, Fisheries and Food, Deputy Coveney, were excellent and highly significant.

I join in the good wishes to the Taoiseach in his efforts at the EU Summit today. I have no doubt he will go there with a pep in his step, given the support we read about in the opinion poll this morning. People support him and believe he is doing a good job on behalf of the country, and we all want to see him continue that good work.

Senator Paschal Mooney: I, too, join with colleagues on this side of the House in wishing the Taoiseach well. It reminds me of American citizens who will compete effectively and in some cases bitterly in the lead up to a presidential election but once the President is installed everybody supports the President in times of national need. I would like to think the same would be true in our time of need. It has been the convention in the European Parliament that the green jersey is worn by all members of the European Parliament, irrespective of party, where Irish interests are involved. The sentiments expressed by Senator MacSharry and others on this side of the House reflect the wholesale and unstinting support we have for the Taoiseach in this country's hour of need.

I echo what has been said on the initiative introduced by the Leader of the House yesterday. It was quite a revelation to me as one who has had the honour of being a Senator for some

time. I had the privilege of sitting in the Chair for most of the exchanges between the Minister for Agriculture, Marine and Food, Deputy Coveney, and Members of the House. It was a most refreshing experience not only because of the breath of knowledge and expertise the Minister brought to his brief in such a short time, particularly in an area of vital national interest, on which knowledge and experience he is to be complimented, but also because of the depth and quality of the questions put to him.

I suggest to the Leader there is a need to tweak the system introduced, bearing in mind that he will be having discussions in this regard. Perhaps there is a need to invite to the House the print media. If the debate in this House yesterday had occurred in the Dáil, it would have received widespread publicity not only because it happened, but because of the manner in which it took place and the amount of information conveyed to all Members. There has been very little coverage in the print media.

We cannot force the media to cover the proceedings of this House. Although we all compliment Mr. Jimmy Walsh from *The Irish Times* on continuing to reflect what we do in the House, it is past time that the Fourth Estate did not just turn up here on ceremonial occasions and did not just look at its irrelevancies rather than its depth of discussion. Perhaps the Leader will consider, through the Committee on Procedure and Privileges, inviting the editors of the print media to the House to suggest to them they have a responsibility to report to the public what occurs in the second House of Parliament.

Senators: Hear, hear.

Senator Paschal Mooney: There are other issues I wanted to raise. The aforementioned issue is one the Leader may consider addressing through the Committee on Procedure and Privileges. I compliment him on his wonderful initiative.

Senator John Whelan: I support Senator Mary White's call for the Minister for Jobs, Enterprise and Innovation, Deputy Richard Bruton, to appear in the House at the earliest possible opportunity. Job creation is urgent. We and the Minister can talk all we like about it but, unless we protect existing jobs and businesses, we are wasting our time. It is much harder to create jobs than to protect and ring-fence those that exist.

I was the Senator who used the expression "sharp practice" yesterday. I did not do so lightly. I have nothing but the utmost respect for the integrity of Senator Quinn and his contribution to the business community. In no way did I mean to cast aspersions on him or his contribution to Superquinn, which I acknowledge he sold in 2005. However, I have a list of over 50 small family businesses and suppliers, whose names I will not put on record out of respect for the House and its protocols, that were issued with cheques dated 30 June but which only arrived on Friday. When the businesses tried to cash them on Monday, they learned the accounts were frozen. In any language, I would say they were hoodwinked and stitched up. The credit period of 90 days was used so they would not be paid. This was sharp practice. I call on the Minister to issue an instruction and intervene so the receiver will honour those cheques.

Senator Mary M. White: Hear, hear.

Senator Darragh O'Brien: Hear, hear.

Senator Martin Conway: I, too, wish the Taoiseach well in his endeavours on our behalf. I have no doubt he will do a very good job. His words in the Dáil last night were absolutely phenomenal. He proved his finger is completely on the pulse of this great country and its great people. He understands the absolute horror people feel over what occurred in the Catholic Church. I am a practising Catholic and hold my head in shame because of what has happened

[Senator Martin Conway.]

in the church and because certain individuals have completely betrayed the trust placed in them on account of their positions in society. The best thing that could happen at this stage is for the entire hierarchy to consider their positions, resign and allow a new team of people whose integrity is not impugned in any way to take on the leadership of the church.

I would not like to see the prayer removed from the beginning of proceedings in this House. It is an easy target. It may be symbolic in certain respects and I can understand why people would suggest its removal, but one must consider the overall context.

An Leas-Chathaoirleach: It is already in Standing Orders and it is a matter for the Committee on Procedure and Privileges.

Senator Martin Conway: I am quite entitled to make my views known on such an important issue. I have every confidence that the Leader and the committee will make the correct decision in this regard.

I join others in commending the Leader on what he has done since taking up his position. He is innovative and, of course, a thorough gentleman. He listens to people and that is what politics is all about. It is a question of trying to bring people along with one, reflecting their views and ultimately ensuring this House is totally reflective of society, fosters debate and shows leadership in order to get the job done. I have every confidence that we will see systems in this House improving even more.

Senator Susan O’Keeffe: I echo the calls made today for a debate on the Cloyne report. I have brought it with me in the knowledge that there is a risk of our simply using the words “the Cloyne report” and forgetting what is contained therein and the people directly affected. I urge caution when we say we want a debate. It is as if we want to hurry to be part of the story. I would prefer if we took a more cautious and considered approach in this House. There has been a maelstrom in the media and, not least, the other House.

While I welcome the Taoiseach’s remarks yesterday, I believe we have the capacity to proceed a little more slowly and carefully. The report refers to people’s lives and to people who have suffered in ways in which I trust and hope many of us here have not had to suffer. I wonder whether our desire to be part of the debate for the sake of doing so has a value. While I urge that we hold a debate, I do not urge our having it straight away just for the sake of it.

I thank the Leader for his innovation yesterday in respect of the Minister for Agriculture, Marine and Food and perhaps in respect of refinements that might be made. Is it possible to ask the Minister for formal feedback on the debate yesterday? Perhaps the format of the debate could become the format of a formal item of business called “Ministers’ Questions” or some such title. This might encourage the media, which are slow to recognise innovation in the House, as Senator Mooney rightly pointed out. Ministers could impart information in the form established and Senators could ask questions that are brief and to the point.

Senator Maurice Cummins: Senator Darragh O’Brien and many others referred to the negotiations by EU leaders. We welcome the fact that everybody wishes the Taoiseach well in these. I have full confidence in his ability to achieve the best possible outcome for this country. That is what everybody in this House wishes for.

I hope to have the Minister for Finance in the House to discuss the capital programme. He was here the day before yesterday and has indicated he is willing to come here early in the new session. We can certainly have a debate on financial matters then. It would be an ideal time to have the Minister in the House to discuss the capital programme and the upcoming budget.

I do not intend to address the matters raised by Senator Bacik and several others because we will deal with them at a meeting of the Committee on Procedure and Privileges.

Senator Mullen and several others called for a debate on the Cloyne report. My office has been in contact with the relevant Ministers with a view to having a debate thereon next week. The Minister for Justice and Equality will attend the House for approximately ten hours next week because two criminal justice Bills are on the agenda. We have quite an amount of legislation to deal with next week. I will try to have a debate on the matter. I will also take into consideration Senator O'Keeffe's comment that we could have a more considered approach after more time has gone by. I will see what can be done for next week.

I welcome the Senator Mullen's remarks on the Minister of State, Deputy Lynch, coming back to him. Senator Wilson made similar comments yesterday regarding the Minister of State, Deputy Penrose. This is about Ministers responding to issues raised in the House and this is how it should be. I hope it will continue with regard to all Ministers who come before the House.

Senator Kelly spoke about the petitions committee which was advocated by Deputy Tuffy when she was a Member of this House and we are now activating it. I hope it will serve the House well.

Senators Leyden, Ó Clochartaigh and others asked when the children's referendum will take place. It is a very important referendum and it is important that the wording is correct. I will see what the updated position is and report back to the Seanad next week.

I agree with what Senator Barrett stated on the need to licence lobbyists. The lobbying system that exists certainly undermines parliamentary democracy and I will raise the issue with the relevant Minister.

Senators Cullinane, Coghlan, Mac Conghail, Ó Clochartaigh and others raised yesterday's question and answer session with the Minister for Agriculture, Fisheries and Food, Deputy Coveney. I agree it was an excellent exchange of views between Members and the Minister. It was refreshing and we should consider doing our business in this way on occasion. It is regrettable that the media did not give it the coverage I felt it deserved. It was our first effort and there is a need to tweak the format a little. Some people spoke on three or four occasions and others struggled to speak on one occasion. However, the concept worked quite well.

In recent weeks, Senators have called for a debate on the arts. The Minister for the Arts, Heritage and the Gaeltacht, Deputy Deenihan, will come before the House next week for a debate on the arts and heritage. We could have a similar question and answer session with him during the two hour period we have tabled for discussing the arts next week. I will discuss it with him.

Senator White spoke about Superquinn, which was also raised by Senator Phelan yesterday and today. Senator Quinn clarified the situation with regard to cheques and we certainly accept his bona fides on this matter. However, I am sure he would agree it is little consolation to the suppliers and producers who are owed quite a large amount of money. It risks putting a number of them out of business. I do not know whether bringing the Minister for Jobs, Enterprise and Innovation, Deputy Bruton, before the House would solve the matter but we will try to bring him before the House if not next week then early in the next session.

Senator Quinn also spoke about his experience in Tallinn in Estonia. He is quite right that sorting out the economy is in our hands. We certainly need help from our colleagues in Europe but most of dealing with it is in our hands and I am confident we can rise to the challenges we face.

[Senator Maurice Cummins.]

I thank Senator Mac Conghail for his kind remarks on how we do our business. I hope this will continue. The question of having Private Members' time earlier in the day, perhaps after the Order of business, is something the CPP will discuss. This has been raised previously and we will examine the possibility.

Senator MacSharry spoke about doctors and Senator Crown raised the same issue yesterday. Quite a number of requests have been made for a various people to come before the House. I hope our discussions in the CPP will lead us to being able to invite at least two people to address the House during the next session.

I have alluded to Senator Mooney's comments on the media. If yesterday's exchange of views in the question and answer session had taken place in the other House, it would have received far more coverage than it did. Senator O'Keeffe also spoke about yesterday's format. The Minister, Deputy Coveney, expressed his happiness at the format and he is quite willing to participate in such a debate again. I take on board what Senator Ó Clochartaigh stated on fisheries. We probably could have done with a little more time than the two and half hours which was provided for the debate on agriculture and fisheries but we can have another debate on it. It was very productive and the information from the Minister as a result of the excellent questions posed to him were newsworthy and should have received more support from the media in this regard.

I propose we meet next Tuesday and Wednesday only, but we will be very busy on these days and we will sit late. Along with the two criminal justice Bills I mentioned earlier we will also deal with environmental legislation. We will also have a debate on the arts. If necessary, we will meet on a third day.

Order of Business agreed to.

Electoral Amendment Bill 2011: Committee Stage

Section 1 agreed to.

NEW SECTION

Acting Chairman (Senator Feargal Quinn): Amendment No. 1 is consequential on amendment No. 12 and amendment No. 13 is related to amendment No. 12. All three will be discussed together.

Senator Trevor Ó Clochartaigh: I call a quorum.

Notice taken that 20 Members were not present; House counted and 20 Members being present,

Senator David Cullinane: I move amendment No. 1:

In page 3, before section 2, to insert the following new section:

“2.—In this Act “Act of 2002” means the Electoral (Amendment) Act 2002.”.

I welcome the Minister of State to the House. This is a technical amendment but I would like to raise a number of issues. I referred on Second Stage to the need for genuine political reform and said that my party would support genuine reforms in the operations of both Houses of the Oireachtas. One of the commitments given by the Government parties during the election campaign was to reduce the number of Deputies by 20 and to abolish the Seanad. My party had serious difficulties with these promises because we looked on them as opportunistic and

everything that has happened since, including in this legislation, proves that. The legislation has provided the Government with an opportunity to save face and back-track on the commitments given. The reduction in the number of Deputies will be much lower than 20.

The Bill also represents missed opportunities. There is a partitionist mindset in the State and I was struck by this when I was elected to this Chamber and as I observed debates on political reform over many years. No effort has been made, for example, to improve the dynamic and the relationships between this State and Northern Ireland and between the Assembly and the Oireachtas. Many commitments were given in the Good Friday Agreement regarding voting rights for Northern Irish citizens and the presidential election is an example of that. The President is from Ardoyne, Belfast, and the fact that her family did not have the opportunity to vote for her proves there is a compelling case for all-Ireland voting rights in presidential elections and in elections to the House.

My party put forward many proposals previously in respect of Seanad reform. The Bill was an opportunity for us to embrace genuine and real political reform. As a member of Waterford City Council, I was part of a delegation that appeared before the House in 2003 and at that time statements were taken from every political party and other groupings in respect of Seanad reform. None of those reforms was taken on board and we arrived at a position where the Government parties went for the easy, populist option of calling for the House to be abolished. Yesterday, we had a fruitful, encouraging and worthwhile exchange of views between Members and the Minister for Agriculture, Fisheries and Food using a new format introduced by the Leader, which provided for statements and a question and answer session. Important questions on the future of agriculture and fisheries were asked by Members and we had a good response from the Minister. That demonstrated again the need, and the space, for a second Chamber in this State.

Political reform is so important that it should not be rushed or based on promises or even a rush of blood to the head by either the leaders of political parties or other politicians in the heat of an election campaign. That is the wrong way to bring about political reform. The Bill falls far short of what is required to strengthen the institutions of the State to ensure greater democracy, accountability, proper checks and balances and best practice in respect of democracy. The Government parties had opportunities to address these but the Bill demonstrates they are attempting to follow through on election promises that perhaps some of their Members now regret. It is very much a watered down version of those promises and, in that context, it represents a big missed opportunity for the State to experience real and genuine political reform.

I ask the Minister of State and the Government to reflect on the need for all-Ireland political reform. Members in this House pay lip service to this. Many of them have made requests for invitations to issue to the First Minister and Deputy First Minister to address this Chamber. I support these because they are important but commitments were given regarding representation in the House by people from the North and in respect of broadening the opportunities for people to vote in elections.

Another opportunity on Seanad reform missed in this Bill is the extension of voting rights to the Irish diaspora. Those are the main issues that should have been considered in this legislation rather than these minimalist and regressive proposals. As I stated on Second Stage, if the Seanad were to be abolished, along with the loss of the talent Senators bring to the Oireachtas, and reduce the number of Deputies and local authorities, then the democratic deficit would be increased. This would not be a good development. For that reason, we have moved this amendment.

Senator Diarmuid Wilson: I welcome the Minister of State, Deputy Penrose, to the House. In his absence yesterday, I congratulated him on the efficient manner in which he dealt with NAMA and the 28 ghost estates for which it is responsible.

Prior to the general election, Fianna Fáil put forward progressive proposals for electoral reform. We object to the reduction of the number of Deputies in light of a population increase of over 400,000. Ireland has a different type of electoral system from most others in that people expect their Deputies to hold and attend multiple constituency clinics.

I also agree with Senator Cullinane on the democratic deficit that will be caused by reducing the number of Deputies without reforming local government. The first step should be to give back the powers the Oireachtas took off local authorities. I accept Fianna Fáil was responsible for much of this, which I objected to at the time.

In its election manifesto, the Labour Party stated it was in favour of electoral reform but did not specify the number of Deputies it would reduce. Fine Gael, however, stated it would reduce them by 20. Now, the Minister for the Environment, Community and Local Government, Deputy Hogan, uses the Constitution as an excuse for not reducing the numbers by 20. If Fine Gael were truthful about its proposals prior to the general election, why not have a referendum on this matter?

Senator John Kelly: There is much merit in Sinn Féin's amendment No. 13. The Labour Party has always argued a vote should be related to a person's personal public service number, PPS, number. However, the timing may not be right as we recently found out that there are 7.2 million PPS numbers in circulation for a population of 4.5 million. Before we try to introduce a PPS-based register, we need to clean up our act with the issuing of PPS numbers.

I agree some consideration should be given to allowing a postal vote for those who may be on holiday during an election.

While I do not intend to press my amendment No. 5, for which I received notification that it could be tabled at the 11th hour, I do hope there will be an all-party debate on each constituency returning five or six Deputies.

Senator Averil Power: I was Fianna Fáil spokesperson on political reform during the general election campaign. I noted on the doorsteps and in national debates that there was much focus on political reform with all parties publishing proposals. Like never before, people actually engaged with this topic with calls for real change. Many people said to me the problems over the past several years came down to the excessive localism in our system where we elect people because of their ability to fix potholes instead of electing individual candidates on a national platform. Fianna Fáil proposed to have half the Dáil membership elected by constituency with the other half elected from a national list. For example, a voter in the Dublin North-East constituency could vote for a national candidate on health issues based in Galway.

We need to really change politics, not tinker with numbers or sit extra days with no real business. People showed a hunger for substantial change during the election. I am disappointed by this electoral legislation and see it as a missed opportunity. I hope the Government is serious about its proposed constitutional convention. All we have seen so far have been optics and a lack of substance.

In a newspaper article this week, Senator Mac Conghail's group, We the Citizens, reported that many at its citizen assemblies called for external experts to be brought into Cabinet. This was another Fianna Fáil proposal and I am disappointed the Government has not taken it on board. Considering the economic challenges we face, it should be possible to allow into Cabinet people with business or economics expertise who wish to offer their professional services in a

ministerial capacity but who may not want to run for election and wait 20 years for Cabinet selection. I am disappointed this Fianna Fáil proposal has not been taken up.

Senator Martin Conway: The Minister of State's reputation for his diligent constituency work and his national profile speaks for itself. I agree with the broad thrust of Senator Power's arguments. Our political system is not fit for purpose and has not worked for the past 24 years. The Irish experience of national politicians working on issues that should be done by a local councillor is unique to Europe if not international political systems. Deputies' offices have for years been letter-writing factories. For example, someone who gets planning permission will get a letter from their Deputy telling them he is delighted they got it and to contact him if he can be of any further assistance to them. That type of politics should be confined to history. Until we change our political system, however, that will be the type of politics we will have.

Ours is a clientelist political structure. Proportional representation through the single transferable vote, PR-STV, is the purest form of proportional representation. The problem, however, arises with multiple seat constituencies. Not only are candidates fighting among themselves but the internal party battles are legendary.

The constitutional convention that forms part of the programme for Government has considerable merit in terms of doing the right thing. If we can return to the electorate in five years having at least started to reform the political system, it will be a significant achievement.

The decision by the Acting Chairman, Senator Quinn, who has vast business experience, to enter political life some years ago gave politics a boost. He contributes regularly to the House. This is the type of politics we need in this House and the other House. We will not do the right thing by people unless we wake up and realise that some form of list system is needed to enable the political parties to bring in and promote external expertise.

Senator Cullinane's amendment proposing to link personal public service numbers to the electoral register is a good idea. The problem, however, is that the PPS system is flawed. It is bizarre that the number of PPS numbers issued exceeds the population by more than 1 million.

12 o'clock We must first review how PPS numbers are reviewed before making the necessary and worthwhile investment to create an intrinsic link between the register of electors and the personal public service number system. It should be noted, however, that the register of electors is archaic and not fit for purpose. The measures taken some two years ago to update and improve the register made matters worse.

The legislation may be a drop in the ocean but it will have a ripple effect as it shows that political reform has moved to the heart of the business of this House and the other House. It has also been enshrined in the programme for Government. The Bill makes small changes which the vast majority of people support. Achieving this end in the first term is a credit to the Minister of State, Deputy Penrose, and Minister for the Environment, Community and Local Government, Deputy Hogan. I look forward to more substantial political reform.

Acting Chairman (Senator Feargal Quinn): I thank the Senator for his comments.

Senator Diarmuid Wilson: Political reform must start from the bottom up. Some Senators are confusing political reform with a reduction in the number of public representatives. I fundamentally disagree with that view. I understand the Minister intends to reduce the number of county and city councillors prior to the next local government elections. Is that the case? The Minister of State did not answer my question on this issue. If that is the Minister's intention, his proposals for political reform are a farce. One will not make any progress if one does not start at the bottom and work upwards. What would be achieved by reducing the number of

[Senator Diarmuid Wilson.]

county councillors? Will the Minister of State clarify whether it is the intention of the Government to implement such a reduction?

Senator Sean D. Barrett: I wonder if reducing the number of Deputies, even by a small figure, and abolishing the Seanad misses how the country got into its current position. We need more scrutiny, checks and balances and parliamentary democracy. In recent times, the Executive as opposed to the Parliament, was all-powerful and the permanent government had massive power and was rarely questioned in the House. As we heard on the Order of Business, all of our problems crystallise from the banking decisions taken on 29 and 30 September 2008 in which Parliament was not involved. Perhaps we should have supervised the Central Bank which, in turn, should have supervised the commercial banks. In any case, the bankruptcy of the country had little to do with Parliament.

I note the rather extravagant estimates on the savings that would be achieved by reducing the number of Deputies and the millions of euro in savings to be achieved by abolishing the Seanad. We should examine the large number of quangos which were established and allowed to escape from parliamentary control, hollowed out Departments such as the Department of Health which devolved all of its functions to the Health Service Executive, thereby weakening parliamentary control, and the semi-State companies which the McCarthy report described as having evolved out of all control of their so-called parent Departments and which are not subject to any regulation. The report also found that they had a record, particularly in recent years, of wasteful capital expenditure and that their top executives were paying themselves extremely large amounts of money. I commend the Government on tackling the latter issue.

We rarely discuss the activities of pressure groups and lobbyists — notoriously in the case of banking but also in the case of the construction industry with which the Galway tent was identified — and the role of tax lawyers and accountants who appeared to have access to the Department of Finance to extract tax breaks worth approximately €12.5 billion per annum. The finance Act usually takes effect at a time of the year when Members are trying to get away, whereas the budget and its provisions to impose a penny on the pint or whatever are discussed seriously in both Houses and the media. The ability of lobbyists to extract major concessions from the Exchequer in tax shelters and tax breaks requires a strengthening of democracy. While it could be argued that reducing the number of Deputies would reduce the number of participants in a Punch and Judy show between political parties, the real issues of governance need to be faced. The relatively small reduction in the number of Deputies is a small part of the reform package. I sincerely hope the Seanad is not abolished. It should be redefined to give us more scrutiny, checks and balances and so forth.

Senator Cullinane raised the connection with Northern Ireland. Senators can make such connections themselves. One of the first things I did was to ask the Speaker in Stormont to arrange a visit. Based on my experience, Members who visit the Assembly to see it in operation will be most hospitably received. It is not always a matter for Ministers to arrange for Members to make friends with their counterparts in other parliaments.

The issue with Parliament has been essentially resolved with the election result in the sense that the Government that was adjudged to have done all the borrowing and given all the concessions to the banks has gone and its main party seriously reduced in numbers. The question that remains, however, is whether the permanent government and various quangos and non-performing semi-State bodies are still in place. Tackling these bodies with a stronger Parliament may be the way in which Ireland gets on its feet again.

Progress reported; Committee to sit again.

Third Report of Committee of Selection: Motion

An Leas-Chathaoirleach: The Committee of Selection reports that it has nominated Senators Ivana Bacik, Maurice Cummins, Deirdre Clune, David Cullinane, Rónán Mullen, Darragh O'Brien and Jillian van Turnhout to serve on the Committee on Members' Interests of Seanad Éireann.

I move: "That the report be laid before the Seanad."

Question put and agreed to.

Electoral Amendment Bill 2011: Committee Stage (Resumed)

Debate resumed on amendment No. 1:

In page 3, before section 2, to insert the following new section:

"2.—In this Act "Act of 2002" means the Electoral (Amendment) Act 2002."

(Senator David Cullinane)

Senator David Cullinane: I concur with everything Senator Barrett said. As I noted on Second Stage, when one reflects for a moment on what took place in this State over the past five years one finds that the failure of the political and regulatory systems to rein in the banks and properly scrutinise developments in the economy resulted in the collapse of the public finances and the bail out of the State by the International Monetary Fund and European Central Bank. The notion of sovereignty and democracy and whether we live in a republic has been the subject of debate in recent months. People are crying out for genuine political reform. They want leadership. Many question whether we genuinely live in a republic that should and does cherish all citizens and children of the State equally, as was promised by the founding mothers and fathers of the State.

I very much regret the fact that the potential abolition of the Seanad is using this House as some sort of sacrificial lamb on the altar of political reform or the notion of it. I agree with the previous Senator. The point has been completely missed if we go ahead with the abolition of this House and the reduction in the number of Deputies without strengthening local government. It would be a dangerous thing were we to have less accountability and scrutiny in the State. We have all seen at first hand what the centralisation of power can do in other countries. It would be a dangerous development were we to empower the Executive, namely, the Cabinet and give Government parties even more power. It would be against the interests of citizens.

There was a missed opportunity in respect of participatory democracy and ensuring that citizens have a voice. I attended a recent lecture by Professor Kathleen Lynch on the need for the State to value its citizens. She referred to the political discourse and narrative that has been set by the political establishment in recent years even in terms of how we view people. For example, citizens in the health service are seen as customers and people who seek housing are considered as clients. The type of language which has crept into the political discourse in this country is wrong. It shows a move towards more Thatcherite thinking and policies. We must get back to the notion of what it means to be a republic, what a republic should look like, and what kind of republic we all collectively want to be part of creating and living in.

When one measures those big issues against the Bill it shows how short it falls. We are again getting a Government which is simply trying to give the impression that it is serious about political reform but in reality it is just being populist. I very much regret the fact that the abolition of this House and the reduction in the number of Deputies will end up as the sacrificial lamb on the altar of political reform. That is wrong. It will not in any way enhance

[Senator David Cullinane.]

democracy in the State. We should also reflect on the failure of the regulators and the entire regulatory system. That is something which should be seen in the context of political and institutional reform. There was a very real difficulty in respect of the relationship between the State, the democratic institutions and the regulators. All of the institutions failed to prevent the collapse in the economy and the public finances.

I am sure the Minister will relate to and agree with my final point. We are talking about accountability, political reform and ensuring there is improved scrutiny and oversight. Reference was made to the health service and the Health Service Executive. I made the point recently in a debate on the health service that the best impression of Pontius Pilate I have seen in my time as a political activist was the previous Minister for Health and Children who did not take responsibility for any of the problems which presented. We had a bizarre situation where the Department of Health and Children, the Minister, and the Health Service Executive were all going backwards and forwards and nobody was taking responsibility. People were being thrown from Billy to Jack in terms of who was responsible for problems in the health service. That goes back to the dismantling of the health boards and the establishment of the Health Service Executive which introduced more bureaucracy and less accountability and oversight. That is the kind of change we require.

My party introduced proposals on community health partnerships where local public representatives, national politicians, advocate groups and patient groups would have a role in scrutinising health policy. If one wants to fix the problems in the health service then one should talk to those who are suffering as a consequence of the health service. If one wants to fix housing problems then the Minister responsible for that area should talk to people who are living with the nightmare of unfinished estates, which we discussed recently in the House, or other issues. So much was missed in the Bill that it cannot be seen in any way as genuine political reform. That is why the political parties in opposition are so opposed to the proposals.

Senator Paschal Mooney: I stand in awe and admiration of the breadth of Senator Cullinane's contribution which somehow managed, dextrously and efficiently, to transform a section on definitions into a treatise on the health service. If ever there was to be a question mark over the future of this House, with respect to the Senator, anyone from outside listening in would wonder what the debate was about apart from the lecture by Professor Lynch. Senator Cullinane's contribution was close to a lecture to the Members of this House. I do not wish to take away from his right to say whatever he wishes but if one were to reflect on the business of this House, the debate should be about this specific Bill rather than a rant and rave about all that happened in the health service and all the things to which one is politically opposed.

I wish to focus specifically on amendment No. 12, which is in the name of Senator Cullinane and his colleagues, much of which I agree with. The amendment and the questions that have been raised by it brings back the hoary old chestnut of the efficiency of the electoral register and the manner in which information is gathered. That has been the subject of debate in both Houses and in all parties in recent years, most recently because of the significant surge in the population and also because of question marks that arose about practices that were indulged in by some parties in the context of putting forward candidates. It happened in particular in urban areas, especially in Dublin. People turned up on the register in apartment blocks who had no particular residence there other than that they got their name on the register and gave an address as to where they came from. I refer to Irish nationals. If the cap fits, those who know what I am talking about will know the history of the situation. That raised serious concerns in all political parties in the Republic, so much so that efforts were made in recent years to tighten up the regulations. In that context I welcome Senator Cullinane's conversion to having a more

transparent and accountable register which will impose on all political parties and activists requirements to ensure that the integrity of the electoral register is not questioned.

The use of personal public service, PPS, numbers has regularly been suggested. Rather interestingly there was an item in today's *Irish Independent* which referred to a report from the Department of Social Protection to the effect that approximately 7 million PPS numbers have been issued. I hope I got my figures correct. There are only 4.5 million people in the country which gives rise to the question of how that could happen. From what I read in the article, the explanation is that the PPS numbers were given to non-nationals who came to the country from 2004 onwards, following the expansion of the European Union and that they have taken their PPS numbers back with them. One could ask if we were to introduce a PPS-based system whether it too would be open to abuse because of the enormous corpus of PPS numbers floating around Europe. Although this is an issue for the Minister for Social Protection, not this Minister, perhaps a time limit should be placed on these PPS numbers, whereby if they are not activated after a certain period of time they should lapse and it would be up to people to re-register. If we introduce the use of PPS numbers, which I believe to be a good idea in principle, we must be careful about how it is implemented.

The other issue is photographic identification. Again, I look forward to hearing the Minister's views on this and on the amendment in general in the context of how we can improve the register of electors to make it more accountable and transparent and to prevent questions being raised about people abusing our system. Abuses have taken place. All Members will be aware of the great slogan in the early years following the foundation of the State: "Vote early and vote often".

Senator Martin Conway: It was synonymous with Fianna Fáil.

Senator Paschal Mooney: Regardless of whether it was synonymous, I would be the first to hold my hands up for the sins of Fianna Fáil and I hope Members on the other side of the House will be equally culpable for and humble about any mistakes their parties have made. It has always been a great source of amusement to me that all the sins of this State seem to fall exclusively on the shoulders of people who support Fianna Fáil.

Senator Martin Conway: That is because it has been in government for so long.

Senator Paschal Mooney: That is a matter for the people. Ultimately, this is about the people deciding. One of the great mistakes made by political commentators and activists is that they accuse a party of being in government for a long time but continually ignore the fact——

Senator Martin Conway: People were hoodwinked.

Senator Paschal Mooney: ——that every party puts its policies before the people and the people decide. Is the Senator suggesting that the people were wrong in the most recent election? I would be happy to go along with that view if he believes they were. Sovereignty resides in the people and it is the people who ultimately make the decision. This old blather about our longevity in government is not a criticism of my party but a criticism of the people for making a free decision in a democratic fashion. I wish that argument went down a cul-de-sac and stayed there because it does not have any relevance. All it does——

Senator Martin Conway: The Senator brought up the "vote early and vote often" slogan, with respect.

Senator Paschal Mooney: ——is insult the electorate. By the way, I do not believe it is in the best interests of democracy that any political party should spend more than perhaps two

[Senator Paschal Mooney.]

terms in office. There are term limits in America which I am not sure could be applied here but I have no difficulty with the concept. It is right and proper. Indeed, I am the first to acknowledge, as many Members on this side of the House have done, that we have given this Government a fair wind. The input of creativity and new, fresh thinking is refreshing. The latter years of the last Administration was bereft of fresh thinking and creativity. I am pleased it has been injected into the body politic because, ultimately, all of us, irrespective of political affiliation, want the best for the country and the people who put us here.

To return to the amendment, I look forward to the Minister's response to some of our suggestions and the overall approach being taken to ensuring the integrity of the register of electors.

Senator Deirdre Clune: I am sure this Bill is not the end of political reform by this Government. The Minister's contribution yesterday——

Senator Diarmuid Wilson: It is piecemeal.

Senator Deirdre Clune: Nobody is objecting to the fact that by-elections will be held within six months of a vacancy occurring. That is an important step. The issue had to be addressed following the debacle in the last Dáil. The limits on spending in the presidential election campaign will come into effect immediately, so it is important that this legislation is passed before the summer recess.

Senator Diarmuid Wilson: What about the 20 seats?

Senator Deirdre Clune: The census results were published in the past month and the commission has been set up. The Minister will put forward the terms of reference for that commission——

Senator Diarmuid Wilson: What about the 20 seats mentioned in the Fine Gael manifesto?

Senator Deirdre Clune: ——and they will reflect the outcome of the census. Yes, the number of Deputies and Seanad reform will come from the people. They will decide whether they wish to retain this House and it is in our interest to put up a good case if we want it retained.

Senator Diarmuid Wilson: With respect, Senator, the people will not be given the opportunity——

Senator Deirdre Clune: There is reform across the board——

Senator Diarmuid Wilson: ——to reduce the number of Deputies because there will not be a referendum.

Acting Chairman (Senator Feargal Quinn): Senator Clune without interruption.

Senator Diarmuid Wilson: This is the soft option.

Senator Deirdre Clune: There is also the strengthening of local government. There will be far more from this Government. This is not the end of political reform, but the start.

I accept Senator Barrett's point about oversight, which we will also have to examine. Recently, the Minister for Finance, Deputy Michael Noonan, set up the fiscal council which will be very important. Members on all sides of both Houses will look to it in terms of how we will move forward the decisions that are made and regarding the economic assessments each

year of budgetary announcements by the Minister for Finance. That will be important. In addition, the country is overrun with quangos and nobody will argue with that. They must be amalgamated. The first has occurred with the amalgamation of the Competition Authority and the National Consumer Agency. They will be brought back within the remit of the parent Department. Some quangos will be eliminated. That is in the programme for Government and it will happen.

There will be plenty of debate in this House about reform. Unless we reform the political system, local authorities and the two Houses of the Oireachtas across the board, we cannot face the people again. The people are crying out for reform. We must lead by reforming how we do our business and answering to the electorate.

Senator David Cullinane: I intended to speak on amendment No. 13 when discussing the section but it has been mentioned——

Acting Chairman: You may speak on it now.

Senator David Cullinane: I make no apology to Senator Mooney for not being straitjacketed by the very narrow confines of this Bill. There is a need to ensure that the Government is not let off the hook in terms of the bigger political reform issues that must be discussed.

For many years I watched the operation of the political system from the outside as a local councillor and saw the Senator's party talk a great deal about political reform but not deliver it. I am sick and tired of the discussions we have on political reform because when it comes to legislation the reform is piecemeal, as the Senator's party agrees. It does not deal with the bigger issues. That is a key point that must be made today and I am happy to make it.

It is disgraceful that the register of electors throughout the State is in rag order. In each county, up to 70% of the people who are eligible to vote are on the register of electors but 30% of them are not. A number of years ago there was an attempt to clean the register of electors and, as the Minister will be aware, people had to contact the local authority to get their names back onto the register. Many people were disenfranchised as a result. People have to go to the local Garda station to get onto the supplementary register before an election. They must fill in forms and bring identification. It can be an impediment to some people getting their names on the register. This amendment seeks to simplify the system. I agree there is a problem with the PPS system. There are over 7 million PPS numbers but the population is considerably less than that. Of course there is a problem, but I still believe it would be a far more efficient way of cleaning up the register of electors.

There is also a change in the housing situation in this country. Many people now live in private rented accommodation. People are more transient and continually move house due to the rent supplement system or the rental accommodation system. Many people forget to change their address when they move from an area and end up not being on the register of electors. When they turn up to vote at a polling station they discover they are not on the register. In fact, they might be on the register but in a different area and are unaware of it. This is the simplest, fairest and most effective way of dealing with it. Every citizen has a PPS number so it makes sense that it is the most efficient means of ensuring people have the opportunity to vote.

In response to Senator Mooney, it was certainly not a conversion for my party in respect of ensuring that the register of electors is sufficient and robust and that its integrity is protected. It is fundamentally important that people have a right and opportunity to vote. Many Senators have been candidates in elections. On the day of an election, one receives telephone calls from many people who are not on the electoral register but who thought they were and who are

[Senator David Cullinane.]

eligible to vote but who may have moved house for whatever reason. That is wrong and it is a systemic problem which could be easily resolved by accepting our amendment and using the PPS system. It is imperfect but it would be a much better system than that currently in place.

Senator Jim D'Arcy: Senator Clune outlined briefly and clearly the need for the political reform currently going through. I would not describe it as piecemeal but rather a necessary first step. I agree with Senator Cullinane that we need to forge a new Republic. Our Taoiseach went a long way towards doing that yesterday and I commend him for it. As I said yesterday, I hope the Seanad can be a forum for, and a driver of, the new Republic we all need.

I welcome all aspects of this Bill and I also welcome the proposal to put the abolition of this House to the people in a referendum. Senators will note I did not say I was in favour of its abolition but it is right that there is a strong debate on that issue. I have no doubt the people will decide in their wisdom the correct course of action.

The proposal in regard to PPS numbers is an excellent idea in theory but to describe the PPS system as imperfect is an understatement. It is not in good shape. It is in much worse shape than the oft and correctly maligned electoral register. Although I see much merit in Senator Cullinane's amendment, I am afraid it is premature and I will not support it.

Senator Michael Mullins: I welcome the Minister of State. There is an old Irish saying, *tús maith leath na hoibre*. The Government is not claiming it has a panacea here for political reform. A good start has been made and this Government, in a very short period of time, has signalled its intention to do many things differently and to clean up many problem areas throughout the political system. This is a very useful exchange of ideas.

Senator Cullinane said the Government had decided to abolish the Seanad but only the people can decide that. Looking back at the last Seanad, there was much discourse in the public arena that there was something fundamentally wrong with the Seanad. We have made a very good start and there is a real commitment among all Senators to put their best foot forward.

On my way to the House yesterday morning, I spoke to one of the ushers at the front gate who said that in recent years, we were on holidays on 2 July but that we would be here up to the end of July, with this House working on behalf of the people. A real business-like approach is being adopted by this Seanad and there is a real commitment among all Senators to ensure the people get value for money, that we oversee legislation and have meaningful debates and discussions. We had an excellent debate yesterday with the Minister for Agriculture, Fisheries and Food, Deputy Simon Coveney. That he had an outstanding grasp of his brief added to the occasion, the interaction and the meaningful role of this House.

In regard to PPS numbers, I agree with much of what has been said by all Senators about the inaccuracy of the current electoral register, how it is not fit for purpose and that something fundamental needs to be done. I appreciate the Minister of State might not be able to take this on board now. The PPS number has many functions. We spoke a lot about social welfare fraud when the Minister for Social Protection, Deputy Joan Burton, was in the House. We need a fundamental review across all Departments of how the PPS number can be used to trigger all sorts of services, including the electoral register and social welfare benefits. Everyone has a PPS number, although we heard anecdotal evidence that some people have several PPS numbers. We must find a way to ensure everyone has only one PPS number and that we can verify, on a regular basis, that a person is still living and that the PPS number is in use. If we perfect that system as well as we can, it could then be used for electoral purposes.

We boast about the fact that we are technologically very advanced, so there is no reason we cannot use the technology available to ensure we eliminate social welfare fraud, about which

Senator John Kelly spoke so eloquently the other day, and use the PPS number to ensure the electoral register is correct. I would like to see the day when one could go to a machine on election day, key in one's PPS number and vote, irrespective of where one is in the country. That is what we would like to see happen but I know we are some way from that yet.

I urge the Minister of State to raise with his Cabinet colleagues the issue of the PPS number, its use in the future and how it can be streamlined. That is political reform which is long overdue.

Senator Paschal Mooney: I welcome the Minister of State. I should have referred to the following and I had hoped somebody else might have done so. In amendment No. 12, which is quite detailed, references are made to people who should be eligible to vote. There is a view, which has been gaining ground over the past number of years, that the process under which people are eligible to vote is restrictive. Other jurisdictions, in particular the UK, have introduced many new initiatives to try to get as many people as possible to vote on election day. Recent elections here have shown a decline, admittedly a small one, in the national turnout. It is part of the modern society in which we live.

Amendment No. 12 states, at paragraph (b), subsection (4):

For the purposes of this section 'holiday or travel commitments' shall be deemed to include those which prove a person had purchased, or purchased by someone else, in their name for a date which would render it likely that he or she will be unable to go in person on polling day to vote at the polling place for the polling district, and for which proof is provided that that person will be returning to the State within a maximum of three months of their travel date.

That is long, involved and complex but the principle behind trying to ensure we ease as many restrictive measures as possible to encourage people to vote should be encouraged. I will be interested in the Minister of State's view on that.

Deputy Willie Penrose: I am always amazed by the ingenuity of the Seanad to range outside debates in a far-ranging way. As someone who has chaired Committee Stage debates, I know one has to speak to the amendment. All the amendments have been addressed in some shape or form. One could not have a better person than me to play ball in that regard. I come from a very competitive constituency that was referred to earlier. Many esteemed Members of this House kept me sharp there.

Senator Paschal Mooney: And are sadly missed.

Deputy Willie Penrose: No doubt, they made their contributions at various times. I always had to be on the ball.

It is time we got rid of the politics of the last success for a constituent. Politics is a bigger thing than that. Politics had a parochial nature, and we all went through that. I was as practical an exponent of that type of politics as anyone else. I will not decry what was there in the past. However, it is time we changed. We are in the process of changing.

I appreciate the points made about piecemeal measures. The Bill is only a beginning. It is not an end in itself. There is much reform on the way, including reform of local government. Despite what Senator Wilson says, I know of no decision to reduce the number of councillors or elected representatives at that level. It is important that we retain a conduit for constituents and communities to engage with their public representatives at a local level. Reducing the number of local representatives or tampering with government at local level will make it more difficult to achieve our objectives at national level. I know of no decision that has been made

[Deputy Willie Penrose.]

in that regard. I would be interested in ensuring that we do not diminish the role of local representatives or reduce their numbers. Occasionally, there is a media frenzy to reduce the number of politicians and so on. Sometimes it is done with the apparent intention of saving money rather than achieving another objective. Most Senators who spoke today were of the same opinion in this regard.

It has been suggested that external experts should be brought into the Cabinet. I have a great admiration for anyone who puts his or her name on a ballot paper. I have an old fashioned view. I could be wrong, and I am prepared to be wrong. Ministers are people who are standing where I am today but were sitting in the body of the Chamber yesterday. Being a Minister does not make one an expert on everything. I never promulgated that view and I do not subscribe to it now. However, there are some people out there who have particular “ologies” and who have been advocating a particular line over the last while. I have been a Member of the Dáil for 19 years. In that time, some of these people advocated particular “ologies” or economic orthodoxies. If any of the people who were cheerleaders for some of the things that were happening had been brought into government would they not have inflamed an already burning inferno?

It is important that Government has the best advice. That means one has to have economists, lawyers and people with various skills and proficiencies, but these people should not be automatically elevated. The procedure for doing so exists. Senator Barrett could be appointed to the Seanad and thereby appointed to a Cabinet position. Such appointments have been made in the past but they are the exception. When a person places him or herself before the people and is then appointed to Cabinet by the Taoiseach, the people have had their say. Knowledge, abilities, proficiencies and life experiences are all important for Ministers. I do not say a Minister must have a doctorate in everything. Ordinary people bring much to the table, whether the Cabinet table or any other, having garnered various expertise and knowledge from their life's experience. A person who left school with the primary certificate has as much to contribute as someone with fourth level education. That is an old-fashioned personal view. It is not a Government view. I do not say whether it does or does not reflect the Government's view.

The Bill deals with only three aspects of electoral law. It is confined, as Senator Clune said. It was never the intention that the Bill would become a more wide-ranging review of electoral procedures to include issues relating to the register of electors. Even if I agreed with all the amendments being proposed in relation to the register, it would not be appropriate to introduce piecemeal measures. Senators have referred to the Bill as a piecemeal measure. The proposed amendments would add another piecemeal aspect to the Bill.

The issues arising in relation to the register of electors are fundamental to our democracy. I accept what Senator Cullinane said in this regard. It would be better to take a comprehensive look at all the issues arising and deal with them together. I take note of what Senator Mooney said. He is an experienced Senator in Ireland and abroad. He often made sure our exiles were aware of what was happening in Ireland. I compliment him on that.

I do not wish to be misunderstood. The electoral register is far from perfect and is in need of review. The Minister for the Environment, Community and Local Government has said that although there have been improvements in the register of electors in recent years, further improvements can be made.

The programme for Government contains a commitment to establish an electoral commission to subsume some functions of existing bodies and the Department of the Environment, Community and Local Government. This commission will be an important element in a reformed and revitalised electoral system. I accept that there are merits in the various points made by

all speakers. I never come into any forum to denigrate the views of people who make well-meaning contributions. They are valuable. It is my intention to absorb various points made by various speakers in this Chamber and elsewhere, bring them together and distil the best of them. I enjoyed the discussion I had with Senators last week. I would like to come more frequently to this Chamber. We can leave partisanship outside and try to work together. We are in a position where all soldiers are needed on deck pulling together. We must pull the rope the one way. We can argue outside about our political views. The electoral commission will be an important element in a reformed and revitalised electoral system.

The proposal to abolish the Seanad was signalled by the Government parties prior to the general election and the programme for Government contains a commitment to put this question to the people in a referendum. Work is proceeding in the Department of the Taoiseach on the preparation of proposals for a referendum. The Dáil and Seanad will have an opportunity to debate the necessary legislation when it is published. Under the Constitution, the people are supreme and sovereign. They will make the decision. In the past, Governments have advocated amendments to the Constitution that have been lost in referendums. Thankfully, sovereignty resides in the bosom of the people. We all subscribe to that right and that is what makes us a sovereign State. Anything we have we have through the democratic will of the people.

Reference was made to the constitutional convention. The programme for Government contains a commitment regarding the establishment of such a convention to consider comprehensive constitutional reform. I sit at the Cabinet table and I understand that work is proceeding in the Department of the Taoiseach in respect of the preparation of proposals for setting up a constitutional convention. When these proposals are ready, they will be considered by the Government. A great deal of work is being done in respect of this matter.

I note what various Senators stated in respect of PPS numbers. The Department of Social Protection is responsible for maintaining the national database relating to PPS numbers. These numbers are stored in the Department's central records system. The latter contains a complete database of all the historical tax reference numbers which were used to pre-populate it in 1979. It, therefore, contains every insurance number from before 1979 and every RSI and PPS number issued after that date. In addition to those people who are currently resident in the State who have been issued PPS numbers, the figure of 7.4 million includes any individual who since 1979 required a PPS number and who has died or who, having been resident in the State, has subsequently left the jurisdiction and is no longer resident here. Senators Mooney and Wilson referred to the latter example. There is a requirement on the part of the Revenue Commissioners that all individuals who have been resident abroad and who have benefited from the proceeds of Irish estates to have PPS numbers. The Department of Social Protection continually monitors customer records on its central records database in order to preserve and enhance the quality of the data, including, where appropriate, consolidating duplicate PPS numbers as they emerge.

The position is not as simple as that outlined by the Senators opposite. In the context of the electoral commission, this is an area in respect of which significant progress could be made. As someone whose relatives emigrated in the 1950s, I have a particular view on the matter Senator Mooney raised. New circumstances emerge from time to time which support an extension of postal voting facilities. The Bill does not relate to piecemeal changes to the register of electors. A more detailed analysis is required. The electoral commission would be a useful forum in the context of addressing the issue at hand. The electoral commission is extremely important. How advances could be made in respect of use of PPS numbers and the extension of the right to vote are issues for the commission.

[Deputy Willie Penrose.]

People who miss the opportunity to vote feel aggrieved. I refer to those who may have booked holidays before an election was called and who are obliged to be abroad on polling day. Other jurisdictions permit citizens travelling abroad to present themselves at the their embassies in the country which those individuals are visiting in order that they might vote. I would broadly agree with having such a system in this jurisdiction. Senator Mooney is correct in stating that a line must be drawn somewhere. However, that is a matter for the electoral commission. It is not for me to state what should happen. The electoral commission must evaluate the matter and bring forward proposals. It is time we showed a measure of maturity with regard to this issue. I am of the view that progress can be made in respect of it.

Consideration is currently being given as to how the measures necessary to establish the electoral commission — including those relating to its structures and functions — can be advanced. It would be appropriate that issues relating to the electoral register, and the integrity and accuracy thereof, be explored as part of that process. Ensuring the integrity and accuracy of the register of electors is paramount. We all claim to have a democratic mandate. If, however, huge swathes of people do not have the opportunity to participate in elections, then it can be stated that this is unfair. The position in this regard is different from that, for example, of an individual who has to opportunity to vote but who fails to do so. One will often discover such people, on the day after an election, pontificating in their local pub and stating that a certain Willie Penrose knows nothing about anything but that he has been elected and can be found in the Seanad talking through his hat. One will always come across such individuals and that is part of democracy. However, I am incline to dismiss the views of those who do not vote.

Senator Paschal Mooney: Hear, hear.

Deputy Willie Penrose: I prefer the views of those who participate in the process, irrespective of the parties or individuals for whom they vote. I have some extremely old-fashioned views. Anyone who knows me would state that I would never say something in this House which I would not also say outside. The only difference is that I am making pronouncements on the opposite side of the House from that which I occupied for the past 19 years.

For the reasons I have outlined, I cannot accept these amendments. There is a great deal of merit in the proposals that have been put forward. I do not decry the efforts of the various speakers to put forward their very positive and constructive views. The Bill only deals with three issues. It is merely a start. We are at the stage of the acorn and it will be a long time before the oak tree matures. I hope that during its lifetime the Government will achieve the various reforms to which Senators on all sides, including the Independents, referred. I also hope I will be around to play a constructive role in ensuring that what people legitimately want will be realised. At the same time, it is important that we do not throw the baby out with the bath water. We must engage in careful reflection before we proceed. I am secure in the knowledge that the major decision on whether this State has a unicameral or bicameral system of parliamentary democracy will reside with the people. We should all draw comfort from that.

Amendment, by leave, withdrawn.

Senator Diarmuid Wilson: I move amendment No. 2:

In page 3, between lines 22 and 23, to insert the following:

“(2B) The provisions of subsection (2A) shall not apply where an election is due either—

(a) within nine months of Local and European elections, or

(b) within nine months of the date upon which Dáil Éireann must be dissolved, pursuant to the provisions of section 33 of the Electoral Act 1992,

provided that, in respect of paragraph (a) of this subsection, the Chairman of the Dáil (or, where he or she is unable through illness, absence or other cause to fulfil his or her duties or where there is a vacancy in the Office of Chairman, the Deputy of the Dáil) shall, as soon as practicable, direct the Clerk of the Dáil to issue a writ to the Returning Officer for the constituency in which the vacancy occurred directing the Returning Officer to cause an election to be held on the same day as the Local and European elections to fill the said vacancy.”.”.

We welcome the provision in the Bill to the effect that a by-election must be held within a six-month period after a vacancy arises. In amendment No. 2 we are seeking that the Minister of State consider making provision for a situation where if local or European elections or a general election were to occur within a nine-month period, then a by-election should not proceed until they have been held. This would lead to a great deal of money being saved.

Senator Averil Power: I wish to draw attention to the fact that we are due to conclude our deliberations in 17 minutes. Three parties in the House have tabled important amendments in respect of constituency sizes. In such circumstances, I encourage Senators to be brief in order that we might reach those amendments.

Progress reported, committee to sit again.

Business of Seanad.

Senator Maurice Cummins: I wish to propose an amendment to the Order of Business to the effect that after 2 p.m. the House should devote a further 60 minutes to the debate on Committee Stage. As a result, Committee Stage will conclude at 3 p.m. and Report and Final Stages will be taken thereafter and will conclude no later than 4 p.m. This will give Senators additional time in which to discuss matters on Committee Stage.

Senator Diarmuid Wilson: That is very reasonable.

Senator Averil Power: I thank Senator Cummins.

Acting Chairman (Senator Feargal Quinn): Is that agreed? Agreed.

Electoral (Amendment) Bill 2011: Committee Stage (Resumed).

Debate resumed on amendment No. 2:

In page 3, between lines 22 and 23, to insert the following:

“(2B) The provisions of subsection (2A) shall not apply where an election is due either—

(a) within nine months of Local and European elections, or

(b) within nine months of the date upon which Dáil Éireann must be dissolved, pursuant to the provisions of section 33 of the Electoral Act 1992,

provided that, in respect of paragraph (a) of this subsection, the Chairman of the Dáil (or, where he or she is unable through illness, absence or other cause to fulfil his or her duties

or where there is a vacancy in the Office of Chairman, the Deputy of the Dáil) shall, as soon as practicable, direct the Clerk of the Dáil to issue a writ to the Returning Officer for the constituency in which the vacancy occurred directing the Returning Officer to cause an election to be held on the same day as the Local and European elections to fill the said vacancy.”.”.

(Senator Diarmuid Wilson).

Deputy Willie Penrose: While I appreciate the reasoning behind this amendment, I do not propose to accept it. Senator Wilson is trying to take account of a situation where European elections or local authority elections might be held close to a by-election. We must bear in mind from where we are coming with regard to the proposed amendment of section 29 of the Electoral Act 1992. Up to now the position has been the filling of a vacancy in the Dáil was entirely at the latter’s discretion. We are now introducing constraints on the discretion by requiring the Dáil to act within six months, otherwise it will fall automatically to the Chairman of the Dáil to direct the Clerk to issue the writ for the filling of a vacancy. As the Minister for the Environment, Community and Local Government, Deputy Hogan, outlined on Second Stage, this step is being taken in the interests of ensuring that people will be fully represented in the Dáil. People have a right to full democratic representation in the national Parliament.

1 o'clock

The outer limit in respect of the holding of by-elections will be six months.

There is no suggestion that vacancies should be left open for a full six months; they can be filled within one or two months or whatever is most appropriate. Deferring the filling of vacancies, as has been done on several occasions over the years, damages the reputation and integrity of our political institutions and could be seen as undervaluing democratic representation. Every week and month of a Member’s time in office is important and must be accorded due respect. For that reason, vacancies should not be left unfulfilled beyond a reasonable time.

The six-month timeframe provided for in the Bill is reasonable. I am not in favour of a proposal that would over-complicate or dilute that objective by stretching it to nine months in the circumstances proposed. The six-month period is intended as an outer limit, not a minimum. Notwithstanding the Senator’s eloquent argument in favour of the amendment, I do not propose to accept it.

Senator Diarmuid Wilson: I accept the Minister’s point. Nevertheless, the holding of a by-election a short time before a general, local or European election represents an unfortunate waste of money and there should be some reasonable attempt to address that in the Bill. I will withdraw the amendment, but I reserve the right to resubmit it on Report Stage.

Senator Sean D. Barrett: Coming so soon after the court finding that by-elections are not discretionary, to be seen to extend the proposed timeframe from six to nine months would reflect poorly on Parliament. Even if it the holding of a by-election is inconvenient or expensive, the will of the people must be heard.

Amendment, by leave, withdrawn.

Section 2 agreed to.

NEW SECTION

Acting Chairman (Senator Feargal Quinn): Acceptance of amendment No. 3 will involve the deletion of section 3 of the Bill.

Senator Diarmuid Wilson: I move amendment No. 3:

In page 3, before section 3, to insert the following new section:

“3.—Section 6 (amended by section 9 of the Electoral (Amendment) Act 2009) of the Act of 1997 is amended by inserting the following subsection after subsection (1):

“(1A) Prior to the publication of the report referred to in subsection (1) the Constituency Commission shall produce an interim report that shall be published for public consultation for a period that does not exceed three months.”.”.

There is provision in the legislation for a three-month period of public consultation whereby the commission invites submissions in regard to proposed changes to constituencies and constituency boundaries. However, rather than the commission subsequently presenting a *fait accompli* to the Minister for consideration by the Government and the Oireachtas, this amendment proposes that it should publish an interim report after the consultation period which would offer scope for further discussion. It is within the discretion of the Government to accept or reject the commission’s final report. The publication of an interim report after the three-month public consultation process would provide the public and the Oireachtas with an opportunity to respond to proposed changes.

Senator David Cullinane: I support the amendment. It is in the same vein as our proposal to delete the provision in the Bill which allows for the number of Deputies to be reduced to as few as 153. It is not acceptable that the number of Oireachtas Members is reduced without a corresponding enhancement of local government. I appreciate the Minister’s point that local government reform is on the Government’s agenda and will be tackled at a later stage. I accept that this Bill is intended to make several very specific provisions. However, we are putting the cart before the horse by proceeding in this manner. Reform of local government should take place in tandem with reform of constituency boundaries and changes in the number of Deputies. This is a fundamental issue for me as somebody, like the Minister, who was a member of a local authority for many years and who saw powers stripped away from councillors in regard to waste management and many other issues. While many promises were made by the previous Government in respect of directly elected mayors and various aspects of local government reform, such reform has been piecemeal at best, where it is forthcoming at all. It makes little sense to reduce the number of Dáil Deputies in the absence of serious measures to strengthen local government.

There is a question mark regarding the constitutionality of the Bill given that a reduction in the number of Deputies will not make the Dáil more accountable or enable people to participate more effectively in democracy. It will not, for example, provide for the involvement of more people from low-income or rural backgrounds, who are often voiceless in political debates and who depend on those who are elected to represent them. The Bill is more about the Government being seen to deliver on an election promise; it is about image rather than genuine political reform. Reducing the number of Deputies raises several issues given that a further population increase between now and the next census is likely. The minimum requirement under the Constitution is one Dáil Deputy per 30,000 head of population. On Committee Stage in the Dáil, the Minister stated that he did not accept there would be a further increase in population in the next two or three years, but the preliminary returns from this year’s census show that the population is increasing at quite a rapid rate.

The Government has talked a great deal about reducing the number of quangos and unelected officials, as referred to by Senator Barrett. It drives elected representatives crazy to see the types of powers accorded to certain unelected individuals. Wherever one stands on the

[Senator David Cullinane.]

political spectrum — left, right or centre — we are all agreed that important decisions should be made by the people who are elected to make those decisions. The powers enjoyed by some quangos are entirely unacceptable. The Leader recently referred to the Health Information and Quality Authority, HIQA, in this regard. While we all accept that the authority has a job to do — and a very difficult job at that — there are question marks over who sets the agenda in the health service. For instance, is it HIQA which decides whether hospital accident and emergency departments are closed or is that a matter for the Government as part of a broader regard for issues of health service provision? There are issues that must be addressed in this regard.

I am not convinced that reducing the number of Deputies is the best way to go. If it is a question of reducing costs to the Exchequer, the simplest way to do that is to reduce the salaries and expenses of Oireachtas Members. My party put forward legislative provisions on this issue some weeks ago in the Dáil but, unfortunately, they were not supported by the Government parties. If it is all about saving money, or giving an impression to the public that we are saving money in the current austere times, it would be far better to reduce allowances and salaries rather than reducing the number of Deputies.

A reduction in numbers, and all of the challenges it would bring in terms of boundary changes and so on, will only create unnecessary distractions from more pressing issues. I made the point in a somewhat tongue-in-cheek fashion to the Minister, Deputy Phil Hogan, that if my own constituency of Waterford, which I share with the Leader, is to remain a four-seat constituency, parts of south Kilkenny may have to be brought into it. As the Leader will agree, that is a political hot potato in the area. Such unnecessary distractions are likely to arise throughout the State.

An Leas-Chathaoirleach: It might improve Waterford's hurling skills.

Senator David Cullinane: It certainly might. However, that is the point I am making — it then comes down to the issue of jerseys and the GAA rather than what is best for the country. This is being done in the context of the type of clientelist political system we have, whereby national politicians, unfortunately, end up having to watch their back in terms of other elected representatives in their area. The Minister said he has played the game himself. If that is the game to be played, we all have to play it. Nevertheless, there should be a genuine commitment from all political parties to move away from that type of system of governance. National politicians should have national responsibilities and local politicians should have local responsibilities. That is the point we are making in proposing this section and not wanting a reduction in the number of Deputies with local government reform. Reducing the number of Deputies by 30 or 40 will not end the culture of people coming to national politicians to sort out local problems and the nature of the clientelist system in this country. It seems ingrained in the political system in this country. All parties, including Sinn Féin, play that game and reinforce the system rather than challenging it. The Minister of State made reference to this as something that must change. All political parties must face up to the challenge and if we want to have a system of governance fit for purpose, where national politicians are legislators and do what they are elected to do and local politicians do what they are elected to do, it requires much more than what is contained in this Bill. For those reasons, I oppose this section.

Senator Maurice Cummins: The hot potato is the question the commission will grasp. The independent commission must make decisions on boundaries. Senator Cullinane wants the commission to extend the constituency boundary into the area of Kilkenny where he is living.

Senator David Cullinane: I am not that far away.

Senator Maurice Cummins: I do not think the Bill goes far enough. We should reduce the number of Deputies to 120 but I will go along with the provisions in the Bill.

Senator Paschal Mooney: Much of this debate is the reaction to a populist view. I could not help but be amused by, and agree with, my good friend and colleague, the Minister of State, when he talked about the man sitting in the bar who did not vote but was propounding on the issues of the day and criticising the elected Member. Over the past number of months, in the course of attempting to introduce valid electoral reform, the Government has been sidetracked by political spin doctors who suggest that reducing the number of Deputies, abolishing the Seanad, reforming and reducing local government and other populist views will lead to an overwhelming response from the great and the good, including the man sitting in the bar in Ballinacarrigy. He will rise up and note what a wonderful democracy and a great republic we live in now that half of the Deputies are gone, the entire Seanad has been reduced to rubble and local authorities are being dismantled. We will have nirvana, the new Jerusalem and utopia when it is all put together. That is where the Opposition is coming from and our friends and colleagues in all political endeavours in both Houses would not disagree with the broad thrust of what I am saying.

I acknowledge the help of the Oireachtas Library and Research Service. Later, I will speak on the boundaries. I refer to an article entitled *Revising Dáil Constituency Boundaries: Ireland in Comparative Perspective*, in *Administration*, 55(3) 2007, by John Coakley, associate professor at the School of Politics and International Relations, UCD, which states:

For voters, being moved from one constituency to another is potentially confusing and disconcerting and may rupture long-standing ties with the community to which people are attached. This article argues that the political turmoil, popular upset and considerable expense (in time and money) that have been associated with the process of constituency boundary revision since the early years of the state have been unnecessary.

It raises the question of whether there is a need for a constituency boundary. He goes on to say “The Irish approach to constituency boundary delimitation is an example of Irish ‘exceptionalism’: an eccentric Irish solution to a problem that is not Irish, but universal in the world of proportional representation — how to distribute parliamentary seats fairly.” He says:

The resource needed for each revision is about half an hour of the time of a junior official in the Department of the Environment who can use spreadsheets; there is no need to take up hours of Dáil time [he does not mention the Seanad] or months of work by a high-powered, multi-member constituency commission.

This is food for thought.

Progress reported; Committee to sit again.

Sitting suspended at 1.15 p.m and resumed at 2 p.m.

Business of Seanad

Senator Maurice Cummins: I wish to clarify the Order of Business. We are taking Committee and Remaining Stages now, to conclude not later than 4 p.m.

Acting Chairman (Senator Jim Walsh): Is that agreed? Agreed.

Electoral (Amendment) Bill 2011: Committee Stage (Resumed) and Remaining Stages

Debate resumed on amendment No. 3:

In page 3, before section 3, to insert the following new section:

“3.—Section 6 (amended by section 9 of the Electoral (Amendment) Act 2009) of the Act of 1997 is amended by inserting the following subsection after subsection (1):

“(1A) Prior to the publication of the report referred to in subsection (1) the Constituency Commission shall produce an interim report that shall be published for public consultation for a period that does not exceed three months.”.

- (Senator Diarmuid Wilson).

Senator Paschal Mooney: In my initial contribution I attempted to suggest that, in the context of the amendment tabled by my group proposing that an interim report be published for public consultation, I was questioning the need or desirability of having a constituency commission at all. I referred to an article by Mr. John Coakley, the detail of which I have already acknowledged in my earlier contribution.

Mr. Coakley suggests that a great deal of trouble in regard to the revision of constituencies could have been avoided by the adoption of a simple formula that is close to being universal in proportional representation systems. I refer to the definition of permanent constituency boundaries established by legislation in the early 1920s, modified by a few minor local adjustments in subsequent years with seats being reallocated between constituencies by means of a simple mathematical formula after each population census.

He goes on to argue, and I would agree, that the introduction of proportional representation by the Government of Ireland Act 1920 for the two parts of the newly-partitioned Ireland entailed the creation of multi-member constituencies and would have permitted a return to counties or groups of counties as the basis for new electoral districts. Instead, existing constituencies were grouped in peculiar ways to produce a set of 26 territorial units returning between three and eight members each.

This is the basis of my argument. If we were to adopt the basic administrative district as the boundaries of a constituency we could avoid a lot of what is happening. To illustrate the point, entities such as King’s County and Queen’s County, which are now Laois and Offaly — Offaly is the only constituency in the entire country to have retained its status as an entity since 1920—

Senator Diarmuid Wilson: With the help of north Tipperary.

Senator Paschal Mooney: —Carlow-Kilkenny and Longford-Westmeath later became familiar combinations. This resulted in peculiar combinations such as Kerry West Limerick, Waterford East Tipperary, South Mayo South Roscommon, East Mayo Sligo and Leitrim North Roscommon, which gives me some fuel for a further debate on another amendment on the reasons why I think the Leitrim should become a single entity. However, I will focus on the amendment No. 3.

Mr. Coakley’s report states two important elections took place on these boundaries. There was an election in 1921 to the House of Commons in southern Ireland, as it used to be referred to, which were regarded by Sinn Féin as part of the election of the second Dáil and in 1922 to

the provisional Parliament of the Irish Free State which was similarly interpreted by the pro-treaty group as an election to the third Dáil. The next revision happened in 1934.

The Minister for Local Government, Seán T. O’Kelly, moved sharply away from the principles of the 1923 Act because the Electoral Act 1923 replaced this system with a set of 28 territorial constituencies ranging in size from three to nine members but returned to the county as the basic unit. I do not want to go into great detail about the history of various Governments and the electoral revision of constituencies Acts.

The work done by Seán T. Kelly reduced the average size, leaving only three constituencies with more than five members. There were only three, seven-seat constituencies from that point on. The change also fractured existing boundaries liberally. Some 27 of the 34 constituencies were based on micro-units such as district electoral divisions or, in the case of Dublin, what are referred to as “complex imaginary lines” running between named points. County boundaries were also widely breached.

I am suggesting that we should have a debate on whether we should have a constituency commission, with all of the resources, personnel and expensive that it involves. Others, such as Mr. Coakley, have suggested that a junior official, with all due respect to junior officials, in the Department of the Environment, Community and Local Government would have been able within half an hour to have carried out the relevant adjustments.

I can imagine the advisers from the Department are somewhat amused by my comments. I hasten to add that I am not casting any reflections whatsoever on any civil servant. Mr. Coakley put this view forward as a justification for his argument that it did not require a substantial architecture of resources to do what the commission will do, namely, redraw constituencies. It is important to put on the record the need to at least stimulate a debate in future. The evidence would suggest that the large complex architecture we set up every time there is a census may not be necessary. When we discuss a later amendment we will have the opportunity to debate how constituencies are arranged.

I fully support the view that there be an interim report. The reason we tabled this amendment is that if one looks back over recent commission reports, when it invited public submissions nobody was sure, other than the commission, what the submissions were and what people were saying. It was not until the final report was published that one saw the number of submissions and their content, which generated further debate and did not settle the issue. Following the constituency commission report there was another series of debates which took up several hours.

We have tabled an amendment suggesting that there be an interim report. It would allow the general public to have an idea of the thinking of people who make submissions. The commission would not be required to come to an interim conclusion. All it would be asked to do would be to put all the submissions received into the public domain. It would stimulate healthy debate that would be of assistance to the commission in making its final report.

Senator Diarmuid Wilson: That is a very important point and has been eloquently headlined by my colleague. I will not discuss it in great detail.

I understand the membership of the commission will comprise a judge who will chair it, the Clerk of the Seanad, the Clerk of the Dáil, the Ombudsman and the Secretary General of the Department of the Environment, Community and Local Government. Could the Minister of State indicate whether that comprises the membership of the commission?

If it does, I have two questions. Why is the Secretary General a member and what role does he or she have to play on it? Would the Minister of State consider appointing one or two independent people from the general public to it?

Senator David Cullinane: I fully agree with Senator Mooney on the establishment of the commission. We see this happen far too often where powers are devolved to a quango or commission. It is a case of politicians abdicating their responsibility. The point has been well made by the Senator that the Minister has a plethora of officials available to him and his Department to do the work of the commission. I gave as an example on the Order of Business the possibility of a boundary change in Waterford which would create local tensions, to put it mildly, with some people in Kilkenny. The response from the Leader of the House was that this was a matter for the commission, that it would deal with the potential hot potato of a boundary change. The Bill provides for the abdication of responsibility by allowing the commission to make decisions in order that politicians can hide behind its recommendations. That is wrong. I question how long the commission will take to do its work and when it will come back with firm proposals. Even at that stage political decisions will still have to be made. The Cabinet will still have to sign off on the recommendations of the commission. All this means is that when a recommendation is placed before the Cabinet, Ministers or Government representatives will be able to say it was a decision of the commission to change the boundaries of a constituency. That is the reason the commission is being established. We should call a spade a spade. I do not agree with the proposal. I fully support the sentiments expressed by Senator Mooney. Therefore, I support the amendment.

Deputy Willie Penrose: I thought commissions were set up to ensure there would be no gerrymandering. I am sure they are fair. We cannot have our loaf and eat it in this regard. I was not around at the time, but perhaps the perception — which is everything — was that additions were being made to constituencies to suit a Minister with a strong vote in a certain area.

Senator David Cullinane: We are talking about the Department, not just politicians, with respect to the Minister of State.

Deputy Willie Penrose: In fairness, the commission will be independent. In reply to Senator Wilson who always asks a prescient question, the membership of the commission is set down in law. Section 7 of the Electoral (Amendment) Act 2009 reads:

A Constituency Commission shall consist of the following members:

(a) (i) a judge of the Supreme Court, or (ii) following consultation with the President of the High Court, a judge of the High Court, nominated by the Chief Justice, who shall be the chairperson of the Commission; (b) the Ombudsman;

(c) the Secretary General of the Department of the Environment, Heritage and Local Government; (d) the Clerk of the Dáil; and (e) the Clerk of the Seanad.

In reply to the points made by Senator Cullinane, the Act reads:

Upon the publication by the Central Statistics Office, following a Census of Population, of the Census Report setting out the preliminary result of the Census in respect of the total population of the State there shall be established by the Minister, by order, a commission (in this Act referred to as “a Constituency Commission”) to perform the functions assigned to it by this Part.

The Act is clear in this regard.

Submissions made to the commission were published on-line and I anticipate that will also be the case on this occasion, as we wish to ensure maximum participation. The integrity of

geographical county boundaries is absolutely sacrosanct. I should not apologise for the fact that the maroon and white jersey of County Westmeath defines me.

Senator Diarmuid Wilson: Hear, hear.

Deputy Willie Penrose: I am very proud that it is known as the Lake County and of everything we have available in Westmeath. We have tremendous facilities. If the Senator ever visits the county, he will find the finest of equestrian facilities, lakes and much more and will be very welcome.

I am a little miffed and aggrieved that part of north Westmeath was hived off in forming the constituency of Meath West. People with whom I grew up were looking for my name when in the polling booth. I received a telephone call from a person in a polling booth to ask whether I was running in the election. These are people who played football and hurling and were educated with me.

I note the case in Limerick. I was in Waterford recently and the same applies there. I am a frequent visitor to Waterford because the Penrose family has an association with the county dating back many years. I, therefore, understand the significance attached to the geographical boundaries. That is a parochial but nevertheless well held viewpoint of mine.

As a barrister, I know the phrase, “in so far as possible”, allows several outs. However, in so far as possible I hope the integrity of geographical county boundaries will be maintained.

I agree with Senator Mooney and know what being from County Leitrim means to him and what it meant to his late father, Joe, who was from Drumshanbo and represented the people of the county for many years not just in his electoral area but also in the field of music. I know what county boundaries mean to people. I, therefore, understand the antipathy and annoyance expressed when a county is severed. The Government will not have an input into the workings of the commission. That is only right if the independence of the commission is not to be compromised. However, I appreciate the points made by Senators.

On quangos, I am on the side of anyone who can reduce the number of agencies. A significant start has been made in my Department. In the next few months the number of agencies will be halved, which is only right. Agencies were established at a time when they might have had a purpose.

In early May I wrote to HSE headquarters on a number of issues and have not yet received a reply. That is not good enough, even if the reply is to get lost, which is its right if it believes my query is not appropriate. However, the issues are significant for the individuals concerned and I am their representative. They are known to me and suffering great pain. The more we can bring issues back within the area of political accountability the better and I will not change this view for anyone.

Spin doctors were mentioned. That reference could not have been directed at me because I do not even have a press officer. I do not subscribe to the view that one should have one's name attached to every tiddly event. People are more discerning than this. I am fed up with receiving press releases about Ministers welcoming this or that; it is a load of nonsense. We are here to help the people and there is no need to look around to make sure one is the greatest boy or girl in the class. It is time we moved away from this practice as it brings a degree of cynicism into the game. Deputy Penrose could be followed ten seconds later by Deputy Mooney with another press release. It is a charade. Some of what I have done as a Minister of State has been useful, as acknowledged by other speakers. However, I did not issue press statements. I hope what I do will improve the lives of others. That is the only reason I am in politics. I started in this game a long time ago when I was only 13 years and two months

[Deputy Willie Penrose.]

old, to be precise, in October 1969 and hope I have made a difference, although I admit I have made some howlers. I am sure people will say Penrose does not know what he is talking about. That is a subjective view which anyone is entitled to hold. That is the principle of democracy.

I cannot accept the two amendments proposed. I am opposed to the proposal that there be an interim stage report, notwithstanding the well expounded arguments eloquently put by Senators Wilson and Mooney whose review of the historical revisions makes for interesting reading. I know the Senator has acknowledged the help he received from the Oireachtas Library and Research Service, but he has presented the facts extremely well, as one would expect him to do.

Constituency boundaries revision is not a perfect science, no matter who undertakes the task. Flaws will always be found. Boundary changes do not suit all parties at various times. I have made the point on occasion. Leitrim is an example in this regard and Senator Mooney will confirm that I am acutely aware of what has happened there.

It is inevitable that someone's interests will be affected during the revision process. That is the price we pay for our electoral system which, in general, has served us very well. Senator Mooney made the case regarding how well it has served us more eloquently than most. When the next commission issues its recommendations — and in view of the fact that the enactment of this Bill will lead to a reduction in the number of Deputies to be returned to the Dáil — some individuals will be extremely unhappy. However, the general consensus is that it is a job which must be entrusted to an independent commission. In that context, we should allow the commission to proceed to do its job in the way it sees fit but within the terms of reference that will be set down for it by the Oireachtas. It is important that terms of reference should be laid down and these are set out, in broad terms, in the Bill.

The amendment, in respect of which Senators Wilson and Mooney put forward a number of cogent arguments, seeks to introduce a two-stage process into the revision of constituencies. That would be a regressive step. I do not want to revisit the bad old days of the 1960s and 1970s when parties and Governments decided constituency boundaries. This left everyone involved open to the charges of gerrymandering or whatever. If such a two-stage process were introduced, it is almost inevitable that the same charge would arise if and when the final report of a constituency commission differed from an interim report.

When the next constituency commission is established, it will be operating under an improved public consultation process. The new and improved consultation arrangements set out in the Electoral (Amendment) Act 2009 mean that the minimum period of three months for making submissions to the commission will apply. I hope that, at the appropriate time, people will engage to the maximum extent possible with the consultation process instead of waiting to express their views when the commission has reported. The best hurler is always the one on the ditch. People should get on the field and make their views known. I realise that such views may not be accepted and may be termed “off the wall”. I fully support and acknowledge the integrity and independence of the commission. It is vital that we should send out a message of strong support to the commission in respect of the important work it will be charged with carrying out. Said work is central to the effective functioning of democracy in this country. In that context, I cannot accept the amendment.

Senator Cullinane made a number of well-thought out arguments. However, the effect of opposing section 3 would be to retain the current arrangement of between 164 and 168 Members of Dáil Éireann to which a constituency commission must have regard in preparing its report. This is particularly at odds with the intention behind the Bill. On Second Stage, the Minister, Deputy Hogan, highlighted the current Administration's intention to reduce the size and cost of government. The changes to the constituency commission's terms of reference that

are proposed in the Bill will achieve this objective. It is not good enough for those in the political system to ask others to change and make sacrifices. We must also be prepared to make some changes.

The measures outlined in the Bill provide that the minimum number of Members of Dáil Éireann is to be recommended by the constituency commission in accordance with section 6(2)(a) of the Electoral Act 1997 and shall be not less than 153 and not more than 160. The changes proposed by the Government will allow a constituency commission to recommend constituencies based on a reduced number of Deputies. This will meet the requirements set out in the Constitution. We are acting in a timely manner to ensure that the new constituency commission, which must be established upon the publication of the census results — these were issued on 30 June last — will be able to take account of the provisions in the Bill.

If I am allowed to do so, I intend to make a submission to the commission seeking that Westmeath be restored as a full constituency. It is my view that I have a right to do so. Notwithstanding the fact that the county of Westmeath is divided between constituencies, I continue to serve the people of north Westmeath because I believe I have a duty in this regard. This is despite the fact that the entire area from Castlepollard to Collinstown to Fore to Delvin and on to Clonmellon is included in the constituency of Meath West. That correlates with the points being made by the Senators opposite. I am sure Senator Mooney or the other public representatives continue to cater for the needs of the people of north and south Leitrim, regardless of the way in which the country is divided for constituency purposes. I genuinely hope the geographical integrity of counties will be maintained in so far as is possible.

The Constitution states that representation “shall not be fixed at less than one member for each thirty thousand of the population, or at more than one member for each twenty thousand of the population”. I anticipate that a significant number of the submissions to the commission will focus on that point. I am not in a position to accept the amendment but I urge people to become involved in the consultation process relating to the commission and to make submissions before it brings forward its report. There is no point in waiting until the report has been published before complaining about various matters and stating that everything is a mess. I trust the commission will pay careful attention to the submissions made to it in this regard. After all, that is one of its functions. The commission is independent. I am of the view that we should cherish that independence.

Acting Chairman (Senator Jim Walsh): Before we proceed, I wish to remind Senators that we are dealing with amendment No. 3, which is seeking the provision of an interim report from the commission. We have engaged in a wide-ranging discussion in which contributions have bordered on being more appropriate to Second Stage. I ask Senators to focus specifically on amendment No. 3. We are to conclude our deliberations at 4 p.m. and there are other good amendments which, I am sure, Senators wish to discuss. Senators should, therefore, remain focused and keep their contributions brief.

Senator David Cullinane: My contribution will be very focused. I wish to put a direct question to the Minister of State. Much of the discussion to date has related to the commission, its workings and its report. I posed two questions to the Minister of State earlier but he did not reply to either. These are the most pertinent questions that have been asked. The first relates to why the number of Deputies needs to be reduced. What is the reasoning behind reducing the number of Deputies by seven or eight? What are the Government’s intentions in this regard? The Minister of State did not really provide answers in that regard.

My second question relates to the cost——

Acting Chairman (Senator Jim Walsh): The Senator's questions relate to the section as a whole rather than to amendment No. 3. They are, in fact, not related to the amendment.

Senator David Cullinane: I can return to them in any event.

Acting Chairman (Senator Jim Walsh): Fair enough.

Senator David Cullinane: I will still be obliged to ask the questions again, whether it is now or in a few moments' time.

Acting Chairman (Senator Jim Walsh): I will ask the Minister of State to make a note of the Senator's questions and then he can reply to them when we deal with the section.

Senator David Cullinane: I am seeking a direct response from the Minister of State with regard to the other question I wish to pose. Is the need to reduce costs a factor in the Government's decision to reduce the number of Deputies?

Acting Chairman (Senator Jim Walsh): Does Senator Mooney wish to say anything further?

Senator Paschal Mooney: I will reserve making any further comment until we come to deal with the section.

Amendment put:

The Committee divided: Tá, 17; Níl, 24.

Tá

Byrne, Thomas.
Cullinane, David.
Daly, Mark.
Leyden, Terry.
MacSharry, Marc.
Mooney, Paschal.
Mullen, Rónán.
Ó Clochartaigh, Trevor.
Ó Murchú, Labhrás.

O'Brien, Darragh.
O'Sullivan, Ned.
Power, Averil.
Quinn, Feargal.
Reilly, Kathryn.
Walsh, Jim.
White, Mary M.
Wilson, Diarmuid.

Níl

Bacik, Ivana.
Brennan, Terry.
Burke, Colm.
Coghlan, Paul.
Comiskey, Michael.
Conway, Martin.
Cummins, Maurice.
D'Arcy, Jim.
Gilroy, John.
Harte, Jimmy.
Hayden, Aideen.
Healy Eames, Fidelma.

Heffernan, James.
Higgins, Lorraine.
Kelly, John.
Moloney, Marie.
Moran, Mary.
Mulcahy, Tony.
Mullins, Michael.
O'Keeffe, Susan.
O'Neill, Pat.
Sheahan, Tom.
van Turnhout, Jillian.
Whelan, John.

Tellers: Tá, Senators Ned O'Sullivan and Diarmuid Wilson; Níl, Senators Paul Coghlan and Susan O'Keeffe..

Amendment declared lost.

Question proposed: "That section 3 stand part of the Bill."

Senator Paschal Mooney: I fully accept the Minister of State's bona fides, of which there is no question. We are all in agreement that the independence and integrity of the commission must be maintained. However, I will attempt to illustrate that perhaps there is a requirement for the Government to examine whether the commission model is now fit for purpose. After all, it was introduced on foot of a political decision in 1979.

I referred earlier to the second Electoral Act introduced by Sean T. O'Ceallaigh in 1934 but the next Electoral Act, introduced by Seán MacEntee, was not introduced until 1947 and it rectified the issue by not breaching county boundaries in any case. This arrangement was continued in the 1959 Act, but it had a fatal flaw. In introducing it the Minister for Local Government, Niall Blaney, argued that not only the population but also the land area of each constituency should be considered on the grounds that "it should be made as convenient as possible for a Deputy to keep in touch with his constituents." The Act thus allocated proportionately more Deputies to sparsely populated western counties than built up areas such as Dublin. Although the Act was passed, considerable controversy surrounded it. A case was taken to the High Court by Dr. John O'Donovan who contested the constitutionality of the Act which was struck down. According to Mr. Coakley, while the O'Donovan case was a landmark one in 1961, it also turned out to be an unfortunate one in that it prevented one possible form of abuse, the disproportionate allocation of seats to areas in which the governing party might have been strong, but at the cost of facilitating another, straightforward gerrymandering through boundaries manipulation. As we know, in the case of a succeeding Electoral Act in 1974, the last Act to be drafted with political direction, there were many accusations. The Kevin Boland Bill was referred to as a "Bolander", while the Bill introduced by James Tully was referred to as a "Tullymander". The three major parties were somehow seen by the public to be contributing to the manipulation of constituency boundaries for their own electoral benefit. Therefore, by 1977 the noise level had become a crescendo. There was a recognition by politicians in both Houses that there was a need for another model. In 1979 the constituency commission model was introduced.

The Minister of State and I are *ad idem* on this point. I believe politicians from all parties support the view that in so far as is possible we should retain county boundaries, but plainly this has not been the case. Statistics indicate the erosion of the argument made on the foundation of the State in the early 1920s in the Electoral Acts that county boundaries should be maintained in forming administrative units. By 1934 it was beginning to erode and by the time the commission came into being in 1979, it had been eroded to the point where we had the most extraordinary combinations.

I ask the Minister of State to convey to the Minister for the Environment, Community and Local Government my suggestion there is a need for an analysis of whether the commission model is now fit for purpose. Perhaps there should be an internal analysis in his Department subsequent to the passing of the Bill and prior to the setting up of a constituency commission in the future, on which we should make a start now.

Acting Chairman (Senator Jim Walsh): I remind Senators that this section deals specifically with one item, namely, the proposed change to the number of Members of the Dáil.

Senator David Cullinane: I will deal specifically with that point because I have made a number of charges against the Government and the Minister in earlier contributions on the basis of the reason the Government is proposing to reduce the number of Deputies to perhaps 153 or less. The Leader of House said proposal did not go far enough and that perhaps the figure should be 120. I posed a question which I will pose again to receive a direct response from the Minister of State. Why is the change being proposed now? What is the logic behind

[Senator David Cullinane.]

it? What difference would it make if we had seven or eight fewer Deputies? How would it improve the workings of the Dáil? I do not see how it would.

The charge I made was that this was simply an exercise in delivering on what was a rushed pre-election promise by the Fine Gael Party which seemed to be in competition with the Labour Party in seeking Fianna Fáil held seats. That is what this is about. I fail to see how having six or seven fewer Deputies would make any real difference in the general scheme of things. I must pose the question again because I have not received a response from the Minister of State.

We have talked about the commission, but the question of why the change has been proposed has not been addressed by the Minister of State. He might enlighten us in this regard. Is cost a factor? That is one of the reasons we hear mentioned in public commentary. There is an element of populism, that such a change would result in a reduction of costs. If that is the case, there is a great deal more that could be done to reduce costs. I made a number of points in that respect which I will not repeat, but we have brought forward proposals as to how that objective could be achieved.

Acting Chairman (Senator Jim Walsh): I call Senator Byrne and ask that he speak to the section.

Senator Thomas Byrne: The section allows considerable scope to address general issues.

Acting Chairman (Senator Jim Walsh): No, let me be clear. The section deals specifically with the proposal to change the number of Members of the Dáil.

Senator Thomas Byrne: The number of Members of the Dáil has a direct impact on the layout of constituencies, a matter which gives rise to debate. In this regard, I return to the important issue of county boundaries.

The Minister of State mentioned the constituencies of Westmeath and Meath West. After 2002 there was the ludicrous decision to include part of County Westmeath in the constituency of Meath West and instead of rectifying the matter part of the constituency of Meath East was included in the constituency of Louth. The result is highlighted by an announcement made by the Minister of State's Department yesterday on the allocation of moneys for the provision of libraries. Bettystown, the second largest town in County Meath, is completely unrepresented in the general scheme of things because it was added to the constituency of Louth taking the focus of Meath County Council off it, meaning the pressure is off it in providing services there. There is no library in the town, although there has been talk for years about providing one. People have been waiting for Government funding, the council delayed in proceeding with its provision and nothing has happened as a result. I firmly believe this is a direct result of the change in constituency boundaries because there is no longer a focus on the area. When I was the prominent person from the area representing it in the Dáil, I was able to get things done and the council would listen to me, but once the boundaries were changed, my focus changed and I believe the Deputies for County Louth are not focused on it. The omission made yesterday could be the responsibility of the Minister of State's Department or that of the council, but nothing is happening in this respect because pressure is not being applied. That is directly as a result of the provisions of this Bill, allowing a breach of county boundaries, and the fact that when county boundaries are breached they are left that way. They are never reversed and more and more breaches seem to occur. It is a point worth considering.

Acting Chairman (Senator Jim Walsh): I call the Minister on the section.

Deputy Willie Penrose: I am quite happy to speak to the section but I like to reply to each individual who makes a contribution.

Senator Cullinane, for whom I have the height of respect, is perceptive but he appears to have missed the point. In his Second Stage contribution the Minister, Deputy Hogan, highlighted the Government's intention to reduce the size and the cost of Government. The change to the constituency commission's terms of reference proposed in the Bill will achieve that objective.

In terms of reducing the size and cost of Government, we must lead by example. The political system cannot ask of others what it does not ask of itself. We are asking various bodies across the country to slim down and implement various measures. The Senator made the submission previously, which seems to be a Sinn Féin mantra, on reducing wages and so on. There have been significant reductions in the salaries of politicians and so on. It will soon reach a point where only people of a particular class will be able to become Members of these Houses. As somebody from a working class background and the eldest of ten children reared in a cottage, and I still live in the garden of the house in which I was brought up, I want to see every child have an opportunity to participate here.

A Senator: Hear, hear.

Deputy Willie Penrose: There is no use talking about the average industrial wage. I have brothers on the average industrial wage, and I will not be lectured on that. I have been there.

I set up my own business and I know the difference between being employed and being self-employed. Most people work 39 hours a week but my average working week is approximately 70 hours. If that was factored over a period per hour it makes for interesting reading, and when one gets down to the net figure it is very interesting reading. Like everybody else I support many organisations and so on, and that is another drain. I could have remained in my other job. I have colleagues the same age as me in the other profession who are doing better than me, but that is neither here nor there. As I told the Senator, I came into this Oireachtas to try to improve the lot of people. One can get down to the lowest common denominator in terms of the price of everything but the value is important as well. Everybody is talking about being available for one's constituents and so on. I always prided myself on being available up to 10 o'clock or 11 o'clock at night. I do not close down at 5 p.m. and switch off, no more than the Senator or any of my colleagues here. I look upon all the Senators as my colleagues. That is a point I have always made and I will continue to make.

I take the point made by Senator Mooney, who is well-researched on that issue. It is worth considering, and the officials are aware of the document. In the early 1980s I had to learn the Constitution off by heart. If I did not, the first examination question on constitutional law would have been bad. It states that Dáil Éireann shall be composed of members who represent a constituency determined by law and it shall be determined that there will be not less than one for each 30,000 of the population and not more than one for 20,000, but the ratio between the number of Members to be elected any time for each constituency and the population in each constituency, as ascertained in the preceding census, shall, so far as is practicable, be the same throughout the country. It is that equality of representation that is important.

In terms of Senator Mooney's point, I would like to believe it works like that. Senator Byrne made the same point, namely, that Meath should be a geographical entity, for want of a better word, and similarly Westmeath, and that if the number of representatives is fixed at three or four it can remain at that. In terms of the population changes, we would have to change the Constitution to achieve that, which is something I espouse also. I will not say it is someone else's proposal. I am thinking on my feet now, which I used to have to do in another profession,

[Deputy Willie Penrose.]

but that area might be examined as part of the constitutional convention. Irish people are reluctant to change aspects of the Constitution when they are asked to do so. I recall reading that in the 1960s two attempts were made to change the method of electing people and the Irish people resisted them. They are careful about it. I hope this constitutional convention takes place because it is worthwhile. However, it is important to get the right participation in that also to have a better outcome. From that perspective I am not able to accept the amendments but I take the points made. They are borne from years of experience on the part of people.

Senator David Cullinane: I did not lecture the Minister about his salary or that of anybody else. I made the point about costs and whether this measure would reduce costs. We are not advocating that TDs, Ministers or Senators should earn the average industrial wage. That is a decision that those of us in our party make and we invest the money in our constituencies. What we propose are modest decreases in the pay of politicians, and that is linked to the section because the Government is creating an impression that this is about cutting costs. With the greatest respect to the Minister, in the general scheme of things having seven or eight fewer TDs is not cutting costs.

The Minister talks about comparisons in terms of the salaries TDs, Senators and Ministers earn but he should put those comparisons in the context of the European Union. For example, the Government is quick to act when it comes to the joint labour committees, JLCs, and low income earners. It says people are overpaid and that it should be looked at in comparable terms yet our politicians are paid much more than our counterparts in Britain, France, Germany and the United States. Those are serious issues.

This is not about lecturing anybody. It is about stating the facts. This measure is window dressing. If the Minister wants to cut costs there are various allowances available to people in this House that are ridiculous. This is not about class or whether people from working class backgrounds will be able to get elected to these Houses. There are allowances for chairpersons, vice-chairpersons and Whips. Those allowances were put in place in a different era. That was money stuffed into the political system by Mr. Bertie Ahern when he was Taoiseach. He gave any amount of money to politicians. We had benchmarking and so on, and politicians more than benefited from benchmarking. That is the reality. I do not see how those kind of payments can be made in the current climate. That is the point I was making. That is not lecturing the Minister or anybody else. If the Minister is aware of what Sinn Féin proposes, and Fine Gael and the Labour Party are very good at misquoting and misrepresenting Sinn Féin's position, and if he had listened to what Deputy Pearse Doherty proposed in the Dáil recently in respect of a Bill we brought forward he would be aware it was a 15% decrease in the salaries for TDs and Senators and 30% for Ministers to bring us in line with the European Union. What we do in Sinn Féin in terms of the average industrial wage is a matter for my party. It is our business, not the Minister's business.

Question put and agreed to.

NEW SECTIONS

Acting Chairman (Senator Jim Walsh): Amendment No. 4 is in the name of Senator Cullinane and his colleagues. Amendments Nos. 4 to 6, inclusive, are related and may be discussed together by agreement. Is that agreed? Agreed.

Senator David Cullinane: I move amendment No. 4:

In page 3, before section 4, to insert the following new section:

“4.—Section 6 (amended by section 9 of the Electoral (Amendment) Act 2009) of the Act of 1997 is amended in subsection (2) by substituting the following paragraph for paragraph (b):

“(b) each constituency shall return four, five or six members.”.”.

I appreciate that other Members have tabled similar amendments and therefore I will be brief. I want to hear what the Minister has to say on this amendment and I reserve the right to contribute again. My view and the view of my party on multi-seat constituencies is that they have operated in the past. Senator Mooney or some other Member from Fianna Fáil gave examples of five and six seat constituencies in the 1920s and 1930s. Cathal Brugha and his wife were TDs for the then Waterford-South Tipperary constituency.

Senator Paschal Mooney: Waterford-East Tipperary.

Senator David Cullinane: That is the one. That was a six seat constituency. This country has a history of five and six seat constituencies. We should look at best practice in other countries. Many countries have multi-seat constituencies, and we pride ourselves on our PR-STV system. Its logic is to ensure good representation and diversity in the political system. If we just had four, five and six-seat constituencies, specifically the latter two, it would be the best way to address the issue of the representation in the Dáil of people from working-class backgrounds, as raised by the Minister of State. I am not being biased based on my party's position because, in the last general election, for example, Sinn Féin did very well in three-seat constituencies. It is not that my party would lose; other parties could gain. It is a question of ensuring good representation and participation. If we moved towards having three-seat constituencies, the system could become elitist. People from working class backgrounds may not have the money or opportunity to run for election. Those who are not members of political parties do not have access to the funding to run election campaigns.

This issue could be addressed in the context of this Bill. We are pressing the amendment because we believe it to be important in the context of the reforms the Minister of State is proposing. I am interested in hearing his response. I will now allow other people to contribute.

Senator John Kelly: Since my election, I have been amazed to listen to Senator Cullinane complaining about not having speaking time. He is taking over the Seanad today.

This Bill is a necessary first step, as was pointed out. I tabled my amendment purely for the purpose of debate. Debate is required. Perhaps today is not the best day to convince the House of my argument because fewer than 10% of Senators are present to discuss it. I am interested in how the debate proceeds. I hope the electoral commission will report favourably on this issue. I will withdraw amendment No. 5.

I did not get a chance to respond on some of the issues raised regarding the Bill. I will be brief in doing so. Electoral registers were very much up to date when the rate collectors were in charge. When they were removed from the equation and responsibility was handed to county councils, a nonsensical regime was put in place that made it very difficult for people to know they were on the electoral register and when they were removed therefrom.

Acting Chairman (Senator Jim Walsh): We are discussing amendments Nos. 4, 5 and 6, which are not related to what the Senator is discussing.

Senator John Kelly: I will be very brief. The PPS number does not always carry the up-to-date address of the person.

[Senator John Kelly.]

In our efforts to appease the general public by reducing the number of Members in the Dáil, closing down the Seanad and reducing the number of county councillors and all that kind of nonsense, we are actually taking power away from the people. A number of years ago when we decided to abolish the health boards, we took power away from the people and handed it over to the HSE, which resulted in the mess we are in now. I genuinely hope the general public, when examining this issue, will consider all these matters for their own sake.

Senator David Cullinane: Senator Mooney will not be happy.

Acting Chairman (Senator Jim Walsh): I call Senator Averil Power. I apologise to her for not calling her earlier given that she has her name on two of the amendments.

Senator Averil Power: The amendments propose to change the size of constituencies. Senator Cullinane spoke in general about proportionality and stated the effort to achieve a greater balance is assisted by having larger constituencies. I want to approach the issue from a different angle, namely, with a view to improving female representation in the Dáil. As Members are aware, Ireland has one of the worst records of female participation in any parliament in the world. Our female representation rate is not only one of the lowest in Europe but also lower than those of countries such as Afghanistan, Cuba and Rwanda. This is a serious issue. At no point did Ireland have a percentage of female Members in the Dáil greater than 15%. The National Women's Council produced reports suggesting that, at the current pace, it will take 300 years before we have a balanced Parliament.

There is often debate on whether it matters whether members are male or female and whether there is a balance. There is no doubt that men's and women's lives are becoming increasingly similar, yet there is a host of areas in respect of which women's lives are fundamentally different from those of men. Women are far more likely to be the primary carer in the home, either looking after a child or an elderly parent or dependant. Women are more likely to be in part-time employment and to be victims of domestic violence. There is a wide range of areas in which women's life experiences are different. Until our Parliament is more representative, certain issues will never be addressed seriously by the political system.

I welcome the Government's initiative to incentivise parties at the next election to ensure at least 30% of candidates will be female. It is the right approach to put the choice in the hands of the voter by having candidate quotas. All we are saying is that each voter, when he or she walks into a polling station, will be offered a balanced ballot paper and will have an opportunity to make a choice thereon.

I always find it incredible that, at every election, many constituencies present no choice whatsoever. Voters in the polling stations are handed a list of 15 men. In Dublin North-East, I was the only woman out of 14 or 15 candidates. This does not represent a fair choice. The legislative proposal being advocated is fair and it is right to ask parties to step up to the plate and find the right candidates. There is no doubt that there are outstanding women in every constituency. Women are heading community groups, residents' associations and chambers of commerce. If they are not involved in politics, it is the fault of the political system and the parties for not finding a way to get those women on the ticket.

The legislation represents a very positive step but, while candidate quotas will help ensure there are more women on the ballot paper, the ultimate objective, as reflected in our amendments, must be to ensure more women are actually elected. There is a wide body of international research on which system is best for women, and various academics have various

views. I have read a number of reports on Ireland and elsewhere that suggest women have a better chance of being elected in larger constituencies.

I am in favour of much more significant electoral reform. For the reasons I outlined, there is a need to have a serious debate on national political issues during election campaigns and to move away from the excessive localism to which other Senators referred. We should move towards having a national list, which would be the best way by far to ensure a gender balance. A national list makes it much easier to ensure a more favourable gender balance without having to account for the intricacies of various constituencies and whether a party member can run in one location and not another.

Ultimately, we have the system that we have. It is important to move on this issue now. I propose that we do not postpone addressing it and that we do not get into a big debate on electoral systems. We will have a 30% candidate quota for the next general election. We need to consider the electoral system now and determine whether there are changes we can make to ensure the candidate quota will lead to more female seats. Our amendments propose that three-seat constituencies be abolished in favour of four, five or six-seat constituencies.

One of our amendments concerns the constituency commission. When deciding whether to recommend in favour of a constituency with four, five or six seats, it should have regard to the fact that larger constituencies afford a better opportunity for women to be represented. It would have to have regard to county boundaries and other factors but gender would be one factor in its deliberations.

It is worth noting that the Joint Committee on the Constitution, which examined a wide range of issues, not just gender, recommended that all constituencies have at least four seats. It drew attention to feasibility in urban areas in particular. The committee was a cross-party group that examined the electoral system and recommended against having three-seat constituencies. This is one reason for our amendment.

Senator Paschal Mooney: I broadly agree with all that has been said by Senator Power. Her remarks afford me an opportunity to commend to the House *Women in Parliament: Ireland: 1918-2000*, a book I had the privilege of producing in 2001 with Maedhbh McNamara, a senior research assistant in the Oireachtas. I commend it to those Members, particularly my male colleagues, who may not be *au fait* with the history of female Irish parliamentarians. *Women in Parliament: Ireland, 1918-2000* traces the contribution women made and continue to make, from Countess Markievicz in 1918 to the present and one or two findings therein might help to support Senator Power's argument. One conclusion arrived at is that electorally, the worst position to be in is that of a female challenger, while the best is that of a male incumbent. However, I query Senator Power's point on the number of women who are involved in voluntary organisations, chambers of commerce and so on. While our conclusions also agree, there is a wide gap in the step-up from involvement in voluntary organisations to active political participation and women were reluctant to take that jump. This reluctance came about as a result of many factors, some to which Senator Power referred, regarding family commitments, the hours of work and the need to ensure the manner in which parliamentary duties are assigned was not inimical to the mothering nature of women to be with their families. I note strides have been made in Leinster House in this regard with the provision of crèches and so on. However, the most important factor of all was the lack of finance. In general, women getting involved in political activity found it was more difficult for them to raise money than it was for men.

While I do not wish to widen the argument on the gender issue, I will conclude this point with one statistic. When I started out on this odyssey, it was as a member of the Steering Committee for Equality between Women and Men in the Council of Europe, at which I was

[Senator Paschal Mooney.]

asked to be a rapporteur on women's participation in politics. This first exposed me to the Europe-wide experience of women across many societies and subsequently was the motivation for the book. In fact, there was a gap in the market here, in that there was no extant textbook that defined the contribution made by Irish women to the Irish political system. This led to the publication of *Women in Parliament: Ireland, 1918-2000*, which I am glad to note now is used as a school text. One conclusion to emerge about Scandinavia, which usually is held up as a model where participation rates for women are at 40% plus, is that despite or in spite of the advances women have made in the political culture and system within Sweden, a glass ceiling still exists in that country's commercial life. Consequently, issues arise in this regard.

In the context of greater gender balance, although I understand Senator Power's motivation in tabling the amendment, which I support, the onus ultimately lies with political parties. While I understand the Government's motives in holding back money if a party fails to put a certain percentage of women on an election slate, I do not consider this to be the way forward. It is a matter for political parties to grasp. I acknowledge that they have failed miserably to so do in Ireland in recent decades, despite the excellent work done, for example, by Senator Bacik to highlight this issue since she became a Member in 2007 and to have established a corpus of female politicians who keep this issue on the agenda. Nevertheless, I still believe it is down to the political parties, their structures and the manner in which they do it. One need only consider what happened across the water. There is a 50:50 split in the National Assembly for Wales, primarily because it was insisted that women would stand in certain constituencies. In the wider United Kingdom, the Labour Party in 1997 insisted that as male MPs retired, female candidates be chosen to stand in those constituencies. Moreover, they primarily were constituencies the party could win because there is no point in putting up women to stand in constituencies or electoral areas in which they will not win, as often has been the case. My final point in this regard is that Europe has managed to be more advanced than we are here because list systems are used. However, women there also have been obliged to fight to get as high as possible a position on such lists. It is not sufficient to be simply placed on the list as they must secure as high a place as possible and this has been a challenge for many female politicians across Europe. I make this point in the wider context of the subject under discussion and the reasons Senator Power has advanced the view that there should be larger constituencies.

In the context of the commission, I believe the terms of reference are inherently flawed. The Minister of State might agree with me and others regarding the maintenance and the sanctity of county boundaries. However, I am strongly of the opinion that when setting up a commission, use of terms of reference that refer to maintaining county boundaries in so far as is possible, has resulted in practical terms in the splitting of counties throughout the country. This goes back not to the commission but to 1921 and 1922. The Electoral Act 1923 replaced a system that was in itself flawed and Senator Cullinane referred to the constituency of Waterford-Tipperary East. Under the 1920 Act, county boundaries already had been breached with examples such as one to which I have referred previously, Mayo South-Roscommon South. However, in the Electoral Act 1923, our founding fathers replaced this system with a set of 28 territorial constituencies ranging in size from three to nine Members but returning to the county as the basic unit.

It was because the Electoral Act stated the county boundaries had to be maintained that it was possible to accommodate this position by extending the number of members per constituency and allowing a flexibility in the system between three Members and nine. Such flexibility has been absent from all subsequent constituency commissions, simply because the wording has allowed a commission to get under this requirement and to breach county boundaries on the pretext that its obligation to adhere to the constitutional requirement in respect of numbers

means it must do so. This is the reason I have argued consistently throughout this debate that if there is to be a return to county boundaries, the constituency commission's terms of reference must be strengthened to include this proviso as it will not work otherwise.

In this context, it is interesting to consider the revision made in 1934. Incidentally, as I noted earlier, it marked the beginning of the erosion of the maintenance of county boundaries by the then Minister for Local Government and Public Health, Mr. Seán T. O'Kelly. He moved away sharply, according to Professor Coakley's dissertation, from the principles of the 1923 Act. As for the combinations that emerged therefrom in respect of County Westmeath in particular, a Meath-Westmeath constituency was created that excluded a sizeable portion of the latter county. As people will say in footballing circles, Meath always is the dominant partner but it even happened in electoral terms in 1934. However, the commission did not finish whatever it was at in respect of Westmeath, because part of it was included, together with part of Roscommon, in a new constituency of Athlone-Longford. How the commission came up with that configuration beats me and there were many further instances like that. The next electoral Act was passed in 1947, followed by the 1959 Act. Thereafter, from 1979 onwards, a series of reports has been made.

I wish to discuss briefly the extremely important issue of the system of constituency commissions and the number of seats allocated per constituency as it affects my own county in Leitrim and other less populated counties. Arising from the shift of population to the east of the country, there will be a loss of Deputy representation west of a line drawn from Derry to Cork despite the best efforts of the constituency commission. This simply is because the shift in population has been so evident and something like two thirds of the country's population now lives in Leinster. However, I revert to the 1988 report, which was based on the results of the 1986 census but its terms of reference required a set of three and four seat constituencies, permitting five seats only "if necessary to avoid the breaching of county boundaries". However, this was perceived by the then Opposition as an attempt to undermine proportionality and to reinforce Fianna Fáil's position. Has anything ever changed? It depends on which side of the fence one is on. The Opposition threats to vote against any Bill based on this principle were sufficient to ensure that no such measure was brought forward because at the time, the argument was that it constituted an effort by Fianna Fáil to shore up its political majority. The same argument was used against Mr. James Tully when he introduced it, as well as against Mr. Kevin Boland, with clichés such as "Tullymandering" and "Bolanders" being used.

In the wake of the 1988 report, a new commission was appointed instead and its report became the basis of the Electoral (Amendment) Act 1990. The final stage of the depoliticisation of constituency boundary revision came with the Electoral Act 1997, to which this Bill refers. It placed the boundary commission on a statutory basis, thereby reducing the role of the Minister for the Environment. This is rather interesting in the context of Members' overall discussions on political accountability as up to the present day, the role of the Minister for the Environment, Community and Local Government is purely formal. All he or she does is establish a constituency commission with predetermined membership and terms of reference after which the five-person commission gets down to work. I note the commission is given certain terms of reference. These stated each constituency shall return three, four or five Members and that the breaching of county boundaries shall be avoided as far as is practicable. That was the get-out clause. The terms of reference that will be given to this commission will not change this. Even with all the rhetoric about maintaining county boundaries, the model is inherently flawed. It has replaced the founding fathers' aspirations, as contained in the 1923 Act, that irrespective of anything the county boundary determined the constituency boundary. They took the administrative territory — the county council area — as being the constituency and put together combinations such as Sligo-Leitrim-Roscommon as a seven-seat constituency.

[Senator Paschal Mooney.]

However, due to the terms of reference given to electoral commissions since 1979 that has not been the case. I do not believe the reunification of Leitrim will happen under this one either. The Minister of State is correct in quoting the provisions in the 1937 Constitution. Successive Governments up to the establishment of the independent electoral commission were able to mess around with the counties and come up with some weird combinations.

Mr. Coakley's report concluded by stating it highlighted the difficulties that have confronted those charged with revising constituency boundaries in Ireland. In the early years of the State, politicians were not particularly preoccupied with this aspect of electoral law. Once the 1959 Electoral (Amendment) Act appeared to discriminate against Dublin and in favour of rural areas, Opposition anger spilled over into a court challenge. The High Court challenge that Mr. O'Donovan took on the grounds the Act was unconstitutional and subsequent insistence on a Deputy: population ratio as set down in the Constitution, ruled out the practice for the future.

Mr. Coakley claimed, however, it also unintentionally provided a cloak for gerrymandering by encouraging, if not forcing, Governments to micromanage constituency boundaries. He believed that while the introduction of an independent constituency commission in 1980 depoliticised the process, boundaries have continued to be amended as vigorously as ever. By contrast, he pointed out, continental European proportional representation systems meet the principle of suffrage equality by periodic reallocation of seats to stable administrative districts, the equivalent of which in Ireland would be counties.

This could easily be applied to Ireland by a junior official in the Department, as I stated earlier. There is a need for a fundamental change in the approach to constituency boundaries. The current model has become deeply ingrained in our political culture, however. Due to the discredited gerrymandering of electoral boundaries by successive Governments in the eyes of the public, all political parties were quick and anxious to subscribe to a new model to determine electoral boundaries with minimal ministerial involvement. This was the basis of the establishment of the constituency commission. It was to prevent politicians manipulating the electoral system for their own ends.

Its inherent flaw, however, is in its terms of reference which will result in part of the Minister of State's county, the wonderful Westmeath, remaining in Meath while my county, Leitrim, will be split in two along Lough Allen. There must be a fundamental reappraisal of the model used by the constituency commission. We must refer to the founding fathers, as Senator Cullinane often does, the people who forged this State who realised the importance of county boundaries. As they were close to the people, they saw the confusion and anger caused by splitting counties for electoral purposes. That is why the 1923 Act stuck to the county model. Sadly, subsequent Governments have made changes which have resulted in the current model. We need to return to the county model and have five, six or even seven-seater constituencies. Ultimately, it will give fairer representation and avoids all the problems I outlined in my argument.

Senator Ivana Bacik: It is always an education to listen to Senator Mooney. His was a *tour de force* through the fascinating history of constituency boundaries.

It is useful we debate the issue of increased women's representation in the context of Senator Power's amendment. As Senator Mooney said, I have had a long interest in this issue since I was elected in 2007 and authored a report for the Oireachtas justice committee on women's participation in politics in 2009. It was subsequently debated in the House and Senators Mooney and White were supportive of my recommendations, as were all parties.

As Senator Power said so eloquently, we have an appallingly low level of women's representation in politics. We languish around the 70 and 80 mark on the world league tables, well below the European average. We never took positive action to address this. That is why I am delighted the Minister for the Environment, Community and Local Government recently announced legislation will be forthcoming to ensure political parties will be required to field a minimum proportion of candidates of each gender, as recommended in our 2009 report. Will the Minister of State give more details about the timeline for the legislation's publication?

The main obstacles to women's participation, known as the five "Cs", have been well rehearsed in this debate. Women tend to have less access to cash, lack confidence, less access to child care and run up against the old boy's culture and candidate selection procedures in political parties. As Senator Power pointed out, in some constituencies party activists are often presented with a restricted choice of all-male candidates. The legislation announced by the Minister will facilitate greater voter choice by allowing more women candidates go to the electorate. In Belgium and Spain, the introduction of such provisions increased the number of women elected to parliament.

I must pay tribute to Senator Mooney for his book with Maedhbh McNamara, *Women in Parliament: The Irish Experience 1918-2000*, an excellent resource. This Seanad has the highest representation of women of any Seanad with one third of Members women. Six out of 12 Members of the Labour grouping are women. This is a sign of how a positive will to change can be successful.

While I am grateful to Senator Power for tabling this amendment, I am not sure it addresses the real cause of the problem of women's participation in elections. A Council of Europe report on the impact of different electoral systems on gender representation pointed out no particular one disadvantages women notably. Somewhat surprisingly, because I certainly thought our electoral system might be an obstacle, that was not the finding of the Council of Europe. The national list system, that Senators Power and Mooney have mentioned and that I would also favour, might provide a better vehicle for women, but there is no strong evidence that larger constituencies within the current electoral system would provide a greater opportunity for women. The far more significantly important reform is the one to which the Government is committed, that is, the reform to provide for political parties to select more women.

The evidence is less clear-cut for reforming the electoral system to increase the numbers of women elected. Short of providing for the national list system described, the evidence is certainly not clear that larger constituencies, in themselves, would have the result that Senator Power and I, and I think all of us, want to see, which is, increased numbers of women elected to the Dáil and to the Seanad.

I do not want to prolong the debate unnecessarily, but I am glad we are having this debate. I hope we will have more debate on this topic in the autumn.

Others have mentioned the glass ceiling. I always prefer the phrase "the sticky floor", to which women tend to be stuck in the political system as elsewhere. Our mission is to try to unstick women from that floor and get women raised up through the echelons of power.

Senator Mary M. White: I welcome the Minister of State, Deputy Penrose, here this afternoon.

Having been first elected as a political activist to the Fianna Fáil National Executive by all of Fianna Fáil in Dublin across the then 11 constituencies, I believe that Irish women must be firing on all cylinders and have a passion for it. That is what it is about, having the passion to feel part of what is happening in one's country. I was frustrated until I got involved politically

[Senator Mary M. White.]

and I felt I could participate. I looked at everything much more rosily because I was participating.

In schools, we need to encourage women to believe that they should be there equally with the men. It will not be a true republic until there is an equal number of men and women in the Parliament.

I draw attention to a survey, “Power to the People? Assessing Democracy in Ireland”, in 2007. Of the 14 European countries surveyed, a councillor represents 2,500 people in Ireland, only 118 people in France, 256 in Germany and 350 in Sweden. Contrary to conventional wisdom that we must reduce the numbers, just as Senator Mac Congaile and Professor David Farrell of We the Citizens group say, it is about participation and boring down into the communities and getting people more involved. I am sure nobody in this Chamber is aware that in Ireland 2,500 people are looked after by each councillor whereas in France, 118 people are, and in Sweden and Germany, 256 and 350, respectively, are. Sweden is supposed to be the model democracy and here we are attempting to cut back on the number of politicians.

The We the Citizens group wants people to be asked for their views on the issues. I totally agree with that vision and philosophy. What if we had a much depleted democracy? It is a very poor democracy, really. If there were more opportunities, more women would get involved at community level. Women are driving the child care facilities as board members, and the volunteer groups. They are very active in communities. It is all down to the leaders of the parties calling for more women to be involved.

Leitrim is the least populated county in the country. No doubt it has very bad land, but its people are the most charming in Ireland as far as I am concerned.

Senator Paschal Mooney: Senator White married one.

Senator Mary M. White: I married my husband in 1969. All the people I meet in Leitrim remember everything about me if I meet them six months or two years later. They are charming and courteous all of the time. I plead here today that Leitrim should be one administrative county to give it self-confidence so that the people can fight for their rights as a county, rather than be split with Sligo and Roscommon. As Senator Mooney stated, it is divided by Lough Allen into Sligo-Leitrim and Leitrim-Roscommon. We need to give the people in Leitrim self-confidence. During the last recession, the population in my husband’s village of 150 people built 300 new houses because the population was growing but the demise of the Celtic tiger set poor ol’ County Leitrim back again.

Senator Mooney who would be pleased to be the TD for Leitrim.

Senator Paschal Mooney: And Senator Comiskey.

Senator Mary M. White: One needs an identity.

(Interruptions).

Senator Mary M. White: There is a bit of a difference between north and south Leitrim. They are far more strident in south Leitrim.

An Leas-Chathaoirleach: I remind Senator White we are on section 4.

Senator Mary M. White: Senator Comiskey, like my husband, is from north Leitrim. I give them the accolade of being the gentle and gallant people in the county.

This is a serious matter. Leitrim needs to be one administrative area that can fight for its rights, fight for employment and for everything to which it is entitled.

Senator Averil Power: Returning to an issue on which Senator Mooney touched in terms of the difficulty of getting women involved, particularly the double burden for women who are working hard at a career, be it politics or business, and also having a family, there is quite interesting work being done on that in the corporate field. McKinsey & Company conducted a study on women and men who had achieved considerable success in the corporate world and found that while both groups put their careers ahead of their families, the choice between professional success and work-life balance had far greater consequences for women, who had to pay a higher price for success than their male counterparts.

It is quite interesting to look at two statistics in that respect. McKinsey & Company found that 54% of the women surveyed — these were women who had done well in their professional careers — did not have children compared to only 29% of men. Almost twice as many of the women who had got ahead did not have children. In respect of men and women who were married, the survey found that 33% of women who were in top management positions were single compared to 18% of men. If one looks back at women who have made it through to the Dáil, one finds that many more of the female Ministers do not have children and that trend is in politics as well.

In fairness, in the business world smart corporations are increasingly starting to realise that diversity in the workforce is not only right from an egalitarian point of view, but that it also benefits the bottom line. I refer particularly to manufacturing and marketing companies which found that there is a strong correlation between gender diversity and economic benefits, attributed in part to the fact that the more closely a company reflects its market demographic, the more likely it is to understand its customers. If one has a marketing team half of which is made up of women, particularly if it is trying to sell products to women, it is more likely to understand how women will see its advertisements and view the company's products.

The same argument applies to politics. If one does not have a balance of people, if 85% of those who make decisions are male and only 15%, or one in seven, are female, then the perspective brought to debate is seriously lacking something. It has been particularly difficult, not only in Ireland but elsewhere, to encourage women with families to get involved in politics. Many of the decisions made, in this House and in the Lower House, affect people with families. That perspective should be fed in before the decisions are made and it is a great loss to politics and to public service in general that it is not heard. I agree with Senator Mooney that quotas are only one part of the solution. The electoral system is important in making sure that women get in but a broader debate must also be had about whether the parliamentary system is family friendly. Change will only come about when there is a critical mass. Other countries' success in increasing female participation came about as the result of significant numbers of women, rather than two or three, pushing for change. The only way to reach that critical mass is through candidate quotas and changing the electoral system to provide greater opportunities in larger constituencies. I hope Members will support my party's amendments.

Senator David Cullinane: I support the arguments made by previous speakers regarding the introduction of a list system. Such a system would deal with many of the issues arising in terms of women's participation in politics. There appears to be cross-party support for the principle of a list system and perhaps this House could return to the proposal in the form of a motion or a Bill. In the 2007 general election, one party won eight seats on 3% of the vote, while another won five seats on 7% of the vote. A list system would address that problem.

Deputy Willie Penrose: I pay tribute to Senators for their contributions. They ranged far and wide and there were no barriers.

Senator Paschal Mooney: Senator Mooney is not finished yet.

Deputy Willie Penrose: I learned more today than in 40 years of participation in politics.

Senator Paschal Mooney: I was only a day ahead of the Minister of State in learning the same facts.

Senator David Cullinane: There is no glass ceiling in here.

Deputy Willie Penrose: I compliment Senators for the depth of their knowledge compared to the ignorance I must profess. Their contributions are well meaning and thoroughly researched. My praise is genuine. I do not engage in patronising speech and people will hear from me quicker than they might like if I think something is wrong.

Senator Mooney spoke about the fundamental reappraisal of the constituency commission model and reverting to the ethos of the founding fathers. His point is well made but the Constitution circumscribes his noble aspiration. Senator Mary White clearly missed the commitment Senator Mooney and I gave regarding the geographical integrity of counties. I feel as strongly about this subject as anybody and I have outlined my views on why it is important. Being told that a voter could not find a candidate's name in the polling booth reinforces the point. We would have to forego the constitutional provision on equality of representation to achieve that objective, however.

The constitutional convention may sound like a sop but it is more important than many of us think and we ought to start paying attention to it. As someone who sits at the Cabinet table, I am eager to see this happen because the commission's terms of reference are subordinate to the relevant constitutional provisions. We have to start there, irrespective of the points so clearly articulated by Senators. There is no reference to county boundaries in the Constitution. I could make a number of criticisms of the Constitution, apart altogether from trying to learn and remember it. I took the Constitution examination after returning from watching Everton play Liverpool in a cup final. I was a big Liverpool supporter but I did well on the Monday morning. The moral of the story is to relax before examinations. Perhaps we should start with the question of county boundaries.

Senator Cullinane asked a number of questions. The political funding Bill is being drafted and we hope to have it ready by autumn. It is time for politics to be taught as a real subject in our schools. That would include modules on how taxes are raised and spent and why a bicameral Legislature may be preferable to a unicameral one. The civic, social and political education syllabus is very good but it should be broadened to include lectures and tours.

Longford-Westmeath has no problem with candidate selection and gender quotas. I would not be miffed if I was defeated by a women in convention. My late mother, who propelled me into politics and who died unexpectedly, and my grandmother, who goes back to the Lockout, were never proponents of the gender quota. My mother was fiercely opposed to the idea of tokenism and she always believed that people would emerge. When I started in 1969, the chance of me standing before Senators today was minus 20, never mind zero. but we often discussed the issue as we sat on the aeroplane going on holiday to visit my uncles in England. I encourage women to get involved with my local party branch in County Westmeath. I will not stand in their way. Senator Mooney referred to the obstacles incumbents often create.

Senator Paschal Mooney: It was statistical.

Deputy Willie Penrose: I appeal to candidates to come forward in County Westmeath. They will find a more than willing advocate.

Senator Darragh O'Brien: Get Mary O'Rourke.

Deputy Willie Penrose: I had some tough times with her.

Senator Paschal Mooney: The same statistics indicated that women do not vote for women.

Deputy Willie Penrose: That is correct. The Government has made its decision but in the last election, 86 or 15.19% of 566 candidates were women. Of the 166 Deputies returned, 25 or 15.01% were women. Senators will know where I am coming from. The proportion of men to women is approximately 50:50 but this has never been reflected in Dáil representation. In fairness to the Seanad, it has moved far ahead of the Dáil. The most recent figures indicate that there are marginally more females than males in the population. Prior to 2011, the level of representation among women in the Dáil did not exceed 14%. I am addressing the issues raised by Senators Power and Bacik. Women comprise one third of Senators and one half of Labour Party Senators. Since I was very young I have been on record as encouraging women to participate in politics because they have made a huge contribution. I started in Westmeath County Council with a former Minister and Leader of this House, Mary O'Rourke. It is as difficult to break through at local authority level as it is at Dáil level.

Senator Paschal Mooney: It is harder.

Deputy Willie Penrose: Yes, it is probably harder. I hope the legislation on political funding to be introduced by the Minister for the Environment, Community and Local Government, Deputy Hogan, will deal with it. However, I have a view that including something in a law is not necessarily the best way of dealing with it, but who am I but a small fry.

I want to address the amendments specifically because people have spent much time speaking on them. During the Second Stage debates in the Dáil and Seanad, arguments were put forward in favour of the introduction of constituencies with a greater number of seats. I must defer to Senator Mooney's historical review on constituency size which was excellent. Constituency size has been restricted to three, four or five seats since 1947. In broad terms, this strikes a reasonable balance between the considerations involved.

Arguments were made in favour of the maximum degree of proportionality in the ratio of seats to votes and I understand these arguments which are valid and well made. However, issues are raised about the practicality of constituencies larger than those we have at present. All Oireachtas Members are concerned about the alienation of citizens from politics, and this issue was raised during today's debate. We agree on the need for greater connection between the people and our parliamentary and governmental systems at national and local level. However, I am not sure constituencies with populations of up to 180,000 people, as would occur in a six-seat constituency, are the way to go. One of the successes of our electoral system is the retention of close links between elected Deputies and their localities. This is a circular argument because this brings us back to clientelism.

I will not argue with Senator Cullinane but many of my people left in the early 1950s and I am glad to say that no matter where they went, they still speak with broad Westmeath accents. However, they hardly know who their MP is. A counterargument to the point made by Senators Mooney and Wilson is that MPs have surgeries with staff and nobody knows them. It is different to here and I take the point that in the UK system is more defined by one's party allegiance to either the Conservative Party, the Labour Party or the Liberal Democrats than here where in the PR system one could vote for Sinn Féin or the Labour Party and also vote for Fianna

[Deputy Willie Penrose.]

Fáil or Fine Gael. One could write a thesis on this and we will not resolve the issue. Nevertheless, the contributions are well made. Perhaps this is why MPs are less well paid; they do not have to take part in ground level hurling to use the analogy used earlier. They deal with legislation, and perhaps that is the system they have. Some day our system will probably move to this if the people allow it, and that will be the question.

If the media say something it is the be all and end all.

Senator Paschal Mooney: It is gospel.

Deputy Willie Penrose: It is not the gospel on the ground.

Senator Paschal Mooney: No, not on the ground.

Deputy Willie Penrose: I must travel throughout the country now and people in my constituency tell me they have not seen me around. The time I spend sitting at Cabinet meetings from 9.30 a.m. or 10.00 a.m. until 1 p.m. or 1.30 p.m. is time I normally would have spent in the constituency. How does one win? I pose this question to the Senators because they are all politicians, some of whom have been practising the art for a long time.

Any move towards six or seven-seat constituencies would give rise to difficulties sustaining these links. This will be the real balancing act. In addition, the proposed amendment would not allow a constituency commission to consider the option of three seat constituencies. This would not assist the commission to meet its terms of reference. In particular, it would be impossible for the commission to maintain continuity in any of the 17 existing three-seat constituencies, despite that the census results may not require any boundary changes to be made.

Senator Power contends that larger constituencies would assist women candidates to be selected. I am not sure this would be the case. It is a quantum leap. There is no statistical evidence to back it up. The Government is being proactive in this regard. Notwithstanding what my late mother would have argued, everybody gets through based on ability and competence. All of the problems Senator Bacik mentioned regarding the five Cs exist but when I started off one could have argued many issues would have meant I would not have got through. I accept we have moved on and it is a different era.

On 8 June, the Minister, Deputy Hogan, published the general scheme of the electoral (amendment) (political funding) Bill 2011 which includes a measure to encourage and improve gender balance among candidates of political parties in general elections. The general scheme includes provision for a requirement that to qualify for full State funding under Part III of the Electoral Act 1997 a qualified political party must have at least 30% female candidates and at least 30% male candidates at the next general election. This will increase to 40% after seven years. Half of every payment to a qualified political party is to be made contingent on meeting these new requirements. Only 15% of candidates in the recent general election were women so a 30% threshold would double the number. The new legislative provisions are a proportional response to address a significant challenge in Ireland's democratic system, which is to increase the number of women in politics. The approach of the political funding legislation is practical and sound and it is intended to proceed in this manner rather than amend the terms of reference of the constituency commission as suggested by Senator Power. Overall, I am satisfied the present requirement of three, four or five seat constituencies strikes the correct balance. I do not support the amendments being proposed and ask Senators to consider not pressing them.

Senator Paschal Mooney: I am grateful to the Minister of State for his openness and frankness and the honesty with which he brings his considerable experience, which is very understated and shows the humility of the man I know.

I appreciate this issue will not change overnight. All I attempted to do was stimulate debate based on historical evidence which suggests that under the current terms of reference, and those that will be proposed, and subject to constitutional provisions, the retention of county boundaries will not be as guaranteed as we would like. Therefore, I agree with the Minister of State on the need to bring this debate to the constitutional convention because it affects us all. As the Minister of State correctly stated, the adherence to county boundaries is very strong and deep in the culture and psyche of the Irish people. I am firmly of the opinion that even with the best will in the world, the language used creates a let out clause as it states “in so far as is practicable” which is also used in the Constitution but not referred to in the previous Acts. I will not labour the point but I am grateful to the Minister of State for giving time and his considerable experience and expertise to this matter.

Senator Averil Power: To respond to the comments of the Minister of State, one of the country’s foremost and well-respected experts on electoral systems, Professor David Farrell of UCD, made the point that an increase in district magnitude would lead to improvements in women’s representation. Fiona Buckley of UCC, who specialises in women in politics, has made similar arguments. A report was also published in the US on the effect of district magnitude there on female representation. It has been examined in Ireland and people have argued that women have a better chance in larger constituencies, and international research shows that, in general, larger constituencies are more proportional with regard to smaller parties and provide greater opportunities for women. Whether in economics or politics, there will always be differing opinions and experts but quite strong research backs up the argument that larger constituencies offer better opportunities for women.

An Leas-Chathaoirleach: According to my stopwatch, it is now 4 p.m. and, in accordance with the order of the Seanad of this day, I am required to put the following question: “That amendment No. 4 is hereby negatived, in respect of each of the sections undisposed of that the section is hereby agreed to, that the Title is hereby agreed to, that the Bill is hereby reported to the House without amendment, that the Bill is received for final consideration and that the Bill do now pass.”

Question put:

The Seanad divided: Tá, 26; Níl, 16.

Tá

Bacik, Ivana.
Bradford, Paul.
Brennan, Terry.
Burke, Colm.
Coghlan, Paul.
Comiskey, Michael.
Conway, Martin.
Cummins, Maurice.
D’Arcy, Jim.
D’Arcy, Michael.
Harte, Jimmy.
Hayden, Aideen.
Healy Eames, Fidelma.
Heffernan, James.

Henry, Imelda.
Higgins, Lorraine.
Kelly, John.
Moloney, Marie.
Moran, Mary.
Mulcahy, Tony.
Mullins, Michael.
Noone, Catherine.
O’Keeffe, Susan.
O’Neill, Pat.
van Turnhout, Jillian.
Whelan, John.

Nil

Byrne, Thomas.
Cullinane, David.
Daly, Mark.
MacSharry, Marc.
Mooney, Paschal.
Mullen, Rónán.
Norris, David.
Ó Clochartaigh, Trevor.

Ó Murchú, Labhrás.
O'Brien, Darragh.
O'Sullivan, Ned.
Power, Averil.
Reilly, Kathryn.
Walsh, Jim.
White, Mary M.
Wilson, Diarmuid.

Tellers: Tá, Senators Paul Coghlan and Susan O'Keeffe; Níl, Senators David Cullinane and Diarmuid Wilson.

Question declared carried.

Electoral (Amendment) Bill 2011: Motion for Earlier Signature

Senator Maurice Cummins: I move:

That pursuant to subsection 2° of section 2 of Article 25 of the Constitution, Seanad Éireann concurs with the Government in a

request to the Commission constituted as provided in section 2 of Article 14 of the Constitution to sign the Electoral (Amendment) Bill 2011 on a date which is earlier than the fifth day after the date on which the Bill shall have been presented to it.

Question put and declared carried.

An Leas-Chathaoirleach: When is it proposed to sit again?

Senator Maurice Cummins: It is proposed to sit again at 10.30 a.m. next Tuesday. I have managed to arrange a debate on the Cloyne report next week, as requested by Members this morning. The only disadvantage is that the debate on the arts may have to be deferred as a result. We must await news on the availability of Ministers.

Adjournment Matter

Hospital Services

An Leas-Chathaoirleach: Senator David Norris has been given permission to raise the matter of the future of Valentia Hospital, County Kerry. I welcome the Minister of State, Deputy Kathleen Lynch.

Senator David Norris: I also welcome the Minister of State, as I know she is both passionate and caring. As she knows, I do not make a habit of raising hospital issues, but I have a track record in this regard. I direct her attention back to 8 December 2008 when I raised the question of a geriatric home in Carlow which was being closed unnecessarily by the HSE, with a report recording only minor decorative difficulties, etc. There was a considerable threat to the mental and physical welfare of the patients who were tragically moved against their will and, in my opinion, illegally.

I have visited Valentia and also Derrynane, as I have always been an admirer of Daniel O'Connell. While I was visiting friends on Valentia, half the island turned up and they were

discussing the future of the hospital. I wondered what Daniel O'Connell would think, as the people were caught in a difficult position.

What has happened as a result of the work on the Harney report? The former Minister commissioned a report and it emerged that there were three kinds of hospital which were funded separately: private hospitals, State-funded facilities and services funded by the community. The hospital on Valentia falls into the third category, but, to its immense disadvantage, it is being lumped in with private hospitals, which means it will be very difficult to keep it going without additional State support.

The hospital has a fascinating history, having opened in the 19th century in a timber building. The material used was part of the structure used in laying the transatlantic cable for which Valentia is world famous. The building was donated by the transatlantic cable company and the land was given by the Knight of Kerry, a member of the Fitzgerald family. A stone building was constructed in 1887, while the timber building became the fever hospital which burned down in 1914.

Up to the 1970s it was used as a district hospital for Valentia and Portmagee. Since the 1970s it has been used as a long stay geriatric day care centre and a hospital for about 16 to 20 patients.

It has a very good record and it is in good condition. I personally visited the hospital, which is immaculate. In recent times €500,000 was spent on upgrading and modernising it. The introduction of the fair deal scheme put the skids under it. I asked the Leader whether he could get me information, which he said he would, but nothing has materialised.

That side of the House supported me very strongly on a matter of conscience when I raised this. The then Senator John Paul Phelan from Carlow supported it. I was offered the support of Senators Tom Sheahan and my good friend Senator Moloney. I would be happy to give Senator Moloney one minute of my time if she wishes.

An Leas-Chathaoirleach: The Senator's time is almost up.

Senator David Norris: This serious matter is too close to the heart. The difficulty is that if, as proposed, this hospital is closed, there will be serious consequences for the current patients. The 20 clients of the day care centre will lose this service and a tradition going back 151 years will be gone. The hospital is the largest employer on the island, employing 35 people, in the equivalent of 20 full-time posts, who will lose their jobs. The island has suffered from the closure of the Western Union International, when it terminated its cable operations in 1966 and this led to 35 children leaving the island. The island could be devastated by this closure.

It will cost the State twice as much to close the hospital as to keep it open and I have the figures to back up that assertion. The patients will be relocated to the mainland and dispersed over three hospitals. They will not have visits and will languish there. It is inhuman. I ask the Minister of State to give a commitment to do something about it.

I seek the indulgence of the Chair to allow one minute for Senator Moloney who has a particular interest to speak on this issue.

An Leas-Chathaoirleach: In view of the fact that President Mary Robinson launched her campaign for the presidency in Allihies, does Senator Norris intend to launch his campaign in Valentia?

Senator David Norris: My campaign is well launched but I thank the Chair for those encouraging words, which I take very much to heart.

An Leas-Chathaoirleach: I will give Senator Moloney a little time.

Senator Marie Moloney: I thank the Chair and Senator Norris. Senator Norris articulated the situation of the hospital in Valentia Island and I will not repeat that. Tonight, there is a public meeting on this issue in Valentia, but unfortunately we will not make it because we are here. I lend my support to this community supported hospital, which is one of the few that exist.

Valentia is a most beautiful little island off the Kerry coast that is connected by a bridge to the mainland. The hospital is of vital importance to the small island community and they are adamant that it be kept open. As Senator Norris said, there are 25 jobs resting on this and as it is so hard to create new jobs, it is vital to maintain existing jobs. Every day we are striving to create new jobs and here we have an opportunity to retain those jobs. I ask the Minister to give this favourable consideration.

Minister of State at the Department of Health (Deputy Kathleen Lynch): Before I go to my official speech, I wish to comment on the situation. It is my understanding there is no threat to the hospital. I could be wrong, as I am not the holder of all knowledge. I will inquire about the report the Senator mentioned and will contact him.

I understand fully that any job is vital in an area as isolated as Valentia Island, which I know very well, but it is not as isolated as it used to be. It is almost a misnomer to call it an island because it is connected by a bridge to the mainland. I know the people who live on the island are very concerned that it retain its unique identity and I understand that point, but all of Kerry is unique.

This hospital is not under threat. It provides an excellent service, that is deeply needed in that community because of its isolated location. I do not think we should ever retain something simply because of the issue of jobs. That is a consideration when attracting industry, but when we come to deal with caring, we must remember the person who needs the service. I know that Senator Norris accepts that point.

Valentia Community Hospital provides long-term and respite care to older people. It is run as the Senator has already pointed out by a voluntary organisation, Valentia Community Health and Welfare Association. In the past, Valentia Community Hospital would have been allocated a lump sum annually by the HSE. As Members are aware, the nursing home support scheme, a fair deal, was introduced in October 2009, in order to address the fundamental inequity in the treatment of public and private long-term nursing home residents and to alleviate the financial hardship being experienced by long-term residents in private nursing homes. Prior to the introduction of the fair deal scheme, many people in long-term nursing home care experienced unaffordable care costs over periods of many years. The result was that many people had to sell or remortgage their houses or had to turn to family and friends in order to find the money to meet their care needs.

A fundamental purpose of the scheme therefore was to offer assurance to one of the most vulnerable groups of society, those in need of long-term nursing home care that such care would be affordable and would remain affordable for as long as they need it. In order to achieve these objectives of equality and affordability, the fair deal scheme involves a fundamental change in the way in which long-term nursing home care is funded and subsequently the way in which nursing homes and community hospitals are funded. The new scheme supports the individual in need of long-term nursing home care and not the facility providing the care. This means that money follows the patient regardless of whether he or she chooses public, private or voluntary nursing homes. It ensures that these facilities are not being funded for empty beds. In terms of long-term care, that is important because there is always a waiting list and a queue to get in. In order to qualify for the scheme, all private and voluntary nursing

homes, previously funded under section 39 of the Health Act 2004, including Valentia Community Hospital, must negotiate and agree a price for the cost of care with the National Treatment Purchase Fund. This is a necessary feature of the scheme, due to the commitment by the State to meet the full balance of the cost of care, over and above the person's own contribution. As stated, the nursing home support scheme only applies to long-term nursing home care. Valentia Community Hospital can continue to have separate agreements with the HSE for the provision of other services, such as day care, respite and convalescence.

There have been ongoing discussions between the board of management of Valentia Community Health and Welfare Association and the HSE with regard to future service provision. The Minister for Health met a delegation from Valentia hospital on 8 June and I understand following that meeting the HSE is continuing to engage with the board of management to support the process of decision making with regards to the future of the service. The HSE understands that the board of management hope to make a decision on the matter in August. The HSE has informed me that it will respect whatever decision the board of management make and hopes to work closely with them to provide services in the area into the future in a sustainable manner.

I hope this assurance that there is no threat give some comfort to both Senators Norris and Moloney.

Senator David Norris: I thank the Minister very much for her concern, in particular for her opening remarks. I know she said that she cannot be held to it, but I would like her to continue to engage with it because it is infinitely better than the bureaucratic gobbledegook that forms most of the speech, which is virtually impenetrable and could mean anything and which gives absolutely no commitment, except to the system. As far as I am concerned the previous Government got this country into one hell of a jam because it preferred to support the system above the people. There are no empty beds in Valentia Community Hospital. When I visited, I was moved by the way the elderly people were cared for, as there was not one single case of bedsores. That takes a lot of care. Many of the staff work on a voluntary basis and that must be put at a level where it is protected. I accept there is a landbridge, but it is a very different situation. I am not talking about jobs, I am talking about the impact physically, medically and socially on taking people out of their island home and dispersing them to three hospitals 100 kilometres apart. That is destructive to the community and I demand that it be examined.

I say this because I want to use the Minister of State — a wonderful person and a good friend — as a channel of communication to that bureaucracy. I did not take this up as a crusade. I took it up because I was visiting a friend and all the neighbours came around and asked me to do something for them. I told them I would go and visit their hospital because I can only talk about it passionately if I have seen the thing. I met a woman aged 100 years, and I do not believe she would survive being moved. I think there are other people there would not survive if moved either. They are wonderful people who have an active interest in life and they deserve to be kept in their community, and those without family — only a tiny number — receive visits from the relatives of the other patients. I was there when that happened.

I appeal to the Minister of State to get hold of that report for me, because it examines the injustice applied for bureaucratic reasons, squashing the community supported hospitals with the private hospitals. That must be examined because it does an injustice to our communities. I know that if anyone could address it, the Minister of State can.

Senator Sheahan would have been here, but he has managed to get down to the meeting in Valentia. Senator Moloney has also stayed here to support us. We have deployed our forces as tactically as we could.

Acting Chairman (Senator Denis O'Donovan): Thank you Senator. I think you have used a bit of poetic licence or liberty.

The Seanad adjourned at 4.35 p.m. until 10.30 a.m. on Tuesday, 26 July 2011.