



Research Matters

QUARTERLY



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Note from the editors

Welcome to the second edition of the L&RS Research Matters Quarterly newsletter.

This newsletter provides Oireachtas Members and staff with an update on some areas of research being undertaken by the L&RS. Our aim is to provide you with short, topical, insights to inform and support you in your work. This time we are delighted to include a research update from our colleagues in the Parliamentary Budget Office.

As we approach the summer recess, our researchers are busy working on a diverse range of research areas. We are responding to on-demand research requests, undertaking legislative analysis, and drafting proactive research for publication. As the diagram on the next page demonstrates, this quarter we have published research on a wide range of topics and have further publications planned for the coming months.

The articles in this newsletter address a broad range of current policy challenges. Catherine Lynch provides an overview of a study of Pre-Legislative Scrutiny which we commissioned from Dr. Shane Martin. Lianne Reddy examines the role of conscientious objection in the provision of abortion services, while Anna Visser looks at measuring the Gender Pay Gap. Ann Nolan and Diarmaid O’ Sullivan explore increasing pressures on the health and care systems. Darren Lawlor describes the costs of extreme weather events, and Jason Cleary provides a comparative analysis of how European countries are responding to the challenges of demographic aging on their pensions systems through reforms to qualifying retirement ages.

Copies of recent publications can be found on the Oireachtas website at [Library & Research Service – Houses of the Oireachtas](#), and on our internal Oireachtas Library & Research [webpage](#). Print copies are available in the Members Reading Room and in various locations in Leinster House.

As always if you are interested in learning more about these, or any other topics, please do not hesitate to contact us on library.and.research@oireachtas.ie or by phone on 01 618 4701.

Jason Cleary and Anna Visser
Library & Research Service

Research for Parliament

Published research
April - June



L&RS RESEARCH UPDATE
Key Publications
(*Bill Digests, Spotlights, Notes and Infographics*)



Forthcoming research
July-September



Markets in financial instruments
Economic indicators infographics
Cost estimate – waste reduction

Economics

Data sharing and governance
Money laundering and terrorist financing
Copyright and intellectual property

Law

Money messages
PMB process infographic
Pre-legislative scrutiny impact study

Parliament and government

The Constitution – women in the home

Social policy

Economic indicators infographics
Airport capacity infographic
Capital expenditure
Energy policy
Budget 2019 (infographics)
Home Finance Building Ireland

Administrative fines / sanctions
Terrorism offences directive
Privacy and community CCTV
Removal of blasphemy from the constitution

Policy analysis and legislative scrutiny

Approved housing bodies
Education admissions
Traveller accommodation
Carers GP Card
Sex education
Health Amendment Act (HSE Board)
Gender Pay Gap (wage transparency)

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PBO RESEARCH UPDATE

Publications of note



PBO Initial Objectives & Services

Rainy day fund

Budget cycle 2018

Quarterly economic and fiscal commentary

Output gap and associated issues

The multi annual financial framework

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Update from the Parliamentary Budget Office (PBO)

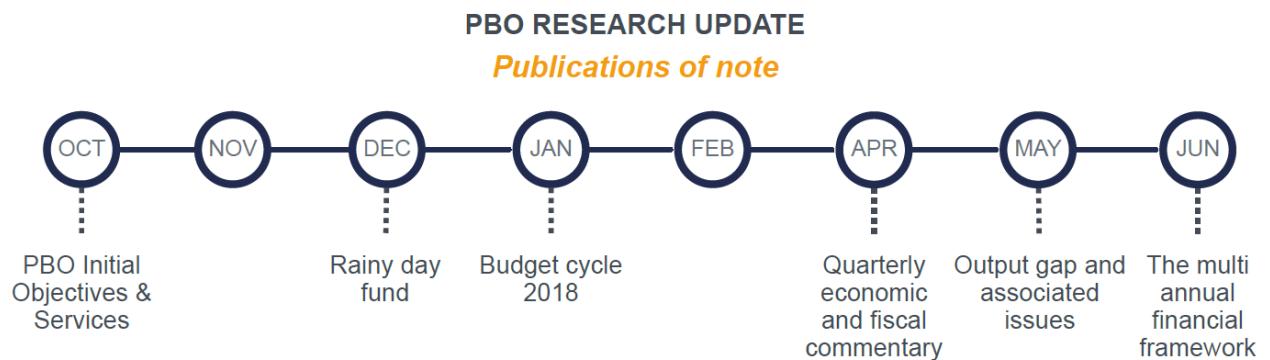
The PBO provides independent and impartial information, analysis and advice to the Houses of the Oireachtas. Established in August 2017, the PBO is a key source of financial and budgetary intelligence for Oireachtas Members, and in particular, for the Committee on Budgetary Oversight as it conducts *ex-ante* scrutiny of all budgetary matters.

The provision of an accurate, comprehensive and impartial costing service is important to ensure that parliamentarians have the required resources to engage in an informed and productive debate on policy proposals. This is particularly true in the context of the annual budget process.

The PBO recently published two notes on the **Civil Service Costing Facility**, which costs shadow budget proposals:

- [PBO Note 12](#) provides an overview of the existing costing service operated by the Department of Public Expenditure and Reform (DPER), and the Department of Finance (DFIN); and,
- [PBO Note 13](#) outlines a proposal by the PBO to add value to the existing costing service, through the provision of a quality assurance scheme in respect of shadow budget costings carried out by DPER and DFIN.

The PBO is hosting an information session on the civil service costing facility with representatives from DPER, DFIN and the PBO on **Wednesday 11th July from 12pm to 1pm in the AV Room**.



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Pre-legislative Scrutiny: real impact or window dressing?

Dr Catherine Lynch is a senior political science researcher in the L&RS. In this article, she reviews a recent study published by the L&RS on the impact of Pre-Legislative Scrutiny (PLS) on the Irish legislative process.

Parliamentary reform has been firmly on the agenda since 2011. Pre-legislative scrutiny, introduced tentatively to the legislative process in 2011, substantially in 2013 and confirmed in the Standing Orders by the 32nd Dáil, is a key feature of efforts to strengthen the capacity of Parliament to carry out its constitutional role.

PLS is the process whereby Parliament scrutinises draft Bills (known as 'general schemes') and makes observations to the Minister preparing the Bill. PLS of Government Bills can address the information imbalance between the Executive and Parliament by allowing engagement with legislative initiatives before they are formally presented as Bills. PLS is intended to result in better, more considered legislation. Except in exceptional circumstances, and on agreement by the Business Committee, Ministers must refer general schemes to Oireachtas committees for PLS before a Bill is presented or introduced to the Dáil (Dáil Standing Order 146A and Seanad Standing Order 133A). The decision on whether, and how to, conduct PLS rests with the relevant committee.



The L&RS commissioned an empirical study on the impact of pre-legislative scrutiny on legislative outcomes in June 2017. This [recently published research](#) by Dr. Shane Martin, (an expert in legislative studies) evaluates whether or not PLS *permits* engagement with, and *causes* changes to, a Government Bill that would not have happened otherwise.

The analysis found a high level of engagement with general schemes; committees made 467 unique recommendations to over 50 cases of PLS in the 31st Dáil. In the 31 cases, where a Bill was subsequently published, 146 of 350 recommendations made by committees were taken on board by the Minister. This represents an acceptance rate of 42%. Notwithstanding some individual cases where no recommendations were accepted, Dr. Martin concludes that it appears that PLS does have impact on the content of Government legislation. In this study, Dr. Martin discounts the argument that PLS simply pre-empts a committee's later role by comparing Bills with and without PLS processing.

In this study, Dr. Martin presents three in-depth case studies. He concludes that while not every Bill is altered fundamentally by PLS, some are. In addition to direct changes to a general scheme, he identifies several other indirect benefits:

- The very possibility that general schemes are considered by an Oireachtas committee, may affect the government's approach to the law-making process.
- PLS can bring greater clarity to the intentions behind legislative proposals.
- PLS continues to exert influence after a Bill is introduced into Parliament.

Concluding the study, Dr. Martin advocates that PLS be fully incorporated into the legislative process. Recognising the multiple demands on Members' and committees' time, the study recommends creating a streamlined system for recording the publication of all general schemes, along with early warning to help committees schedule and prepare for PLS. In undertaking PLS, committees must make sure they hear a wide array of view, and be mindful not to act as conduits for select interests.

The new research study by Dr Shane Martin is available at [Library & Research Service – Houses of the Oireachtas](#)

Abortion and conscientious objection

Lianne Meagher Reddy is a legal researcher in the L&RS. *In this piece she briefly explains conscientious objection in the context of access to abortion services.*

Freedom of thought, conscience and religion is a fundamental right which the State is obliged to vindicate (IHREC, 2017). It is long established in international human rights law and is enshrined in a wide array of texts, including the Irish Constitution.

Conscientious objection can be defined as the refusal to participate in an activity that an individual considers incompatible with their religious, moral, philosophical or ethical beliefs. It is increasingly used in the context of healthcare, where it is asserted by medical professionals who do not wish to take part in certain medical procedures with which they personally disagree. According to the *European Convention for the Protection of Human Rights and Fundamental Freedoms*, freedom of conscience is not absolute. It can be limited where those limitations are

necessary in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others. Of particular relevance for the current Irish context is conscientious objection to the provision of abortion services.

The Irish Human Rights and Equality Commission (IHREC) has pointed out that conscientious objection is part of the legal framework for access to abortion in many jurisdictions. However, findings of several international human rights bodies have made it clear that provision for conscientious objection must not act as an undue barrier to women who wish to avail of abortion services. The World Health Organisation's guidance on providing safe abortion (2012) states that while individual healthcare providers have a right to conscientious objection, this "does not entitle them to impede or deny access to lawful abortion services because it delays care for women, putting their health and life at risk". Balancing competing rights poses obvious difficulties when designing a regulatory regime.

A comparative study by Chavkin et al (2017) of the regulation of conscientious objection to abortion found that, in order for a health system to provide for conscientious objection while also ensuring abortion access, several features appeared to be necessary:

1. Clarity about who can object, and to what;
2. Either mandatory referrals or direct access to services; and
3. Ensuring abortion services through either directly providing them or by contracting to abortion providers.

In practice, this means that while individual healthcare professionals should be entitled to conscientiously object, they must refer women to a non-objecting practitioner and the State must ensure that there are enough non-objecting practitioners to guarantee meaningful access to abortion services for women.

Measuring the Gender Pay Gap



Dr Anna Visser is a senior social science researcher in the L&RS. In this article she explains the gender pay gap and draws attention to emerging research which finds that Ireland's adjusted pay gap is higher than the widely referenced unadjusted rate.

The gender pay gap is the difference between women and men's pay based on the gross hourly earnings of all employees. It is not a measure of pay discrimination between women and men doing the same job with similar experience levels, but rather provides an overall picture of how women are paid, in

comparison with men across a company, sector or society. The unadjusted gender pay gap in Ireland was 13.9% in 2014 (the EU average was 16.4%). This widely quoted EU figure measures the **unadjusted** pay gap - the unadjusted rate does not attempt to take into account the myriad of complex factors which might help to explain the gap.

The EU statistics agency (Eurostat) has recently started to develop a measure for the **adjusted** gender pay gap. The adjusted pay gap measure is an attempt to take into account some of the complex reasons why there is a pay gap, such as occupational gender segregation or part-time working. By accounting for these factors, the adjusted pay gap gets closer to explaining the role of gender discrimination in the difference in pay between men and women. Working documents produced by Eurostat suggest that Ireland's adjusted pay gap is 15.3% (higher than the unadjusted figure).

Interestingly, in 18 EU countries the adjusted rate is lower than the unadjusted rate.

The introduction of gender pay gap transparency legislation in the UK, and the emergence of high profile examples of pay inequality, has fuelled discussion of how pay differences manifest between women and men, in Ireland and internationally. A recent survey by Mercer (May 2018), a global consulting firm, found that very few companies in Ireland currently collect or analyse gender pay gap data. The Government will shortly publish gender pay gap transparency legislation and this should transform understanding of gender pay discrimination in Ireland.

For more see the L&RS Bills Tracker page on the Gender Pay Gap (Wage Transparency) Bill.

Exporting our doctors and importing theirs: The transnational dimensions of policy for the recruitment of health workers



Dr Ann Nolan is a senior social science researcher in the L&RS. In this article she looks at research examining the relationship between Ireland's export and simultaneous import of non-consultant hospital doctors.

Irish and international medical graduates report that they leave Ireland primarily because of poor working conditions, inadequate training and lack of career opportunities. A recent synthesis of research undertaken by the Royal College of Surgeons of Ireland confirmed that 14% of non-consultant hospital doctors intend to leave and not return to Ireland on completion of their training. A further 42% say that they plan to leave and return to Ireland. Their

research cites a lack of improvement in conditions in the Irish healthcare system as a key factor in Irish-trained doctors' decision to remain abroad.

At the same time that Ireland is losing highly specialised personnel in whom 10-15 years of training has been invested, international medical graduates make up the staff numbers for on-call cover. As many of these are neither specialist nor training posts, international graduates are a transient and unsustainable workforce as they are 2-3 times more likely than locally trained doctors to migrate onwards. The proportion of international graduates registered with the Irish Medical Council has risen from 13.4% in 2000 to 33.4% in 2010 to 37.9% in 2015. Most of the increase is due to recruitment of doctors from outside the EU, primarily from low and middle countries with high burdens of disease and health worker shortages of their own.

Ireland, no less than other western countries, is struggling to ensure adequate staffing levels within the Health Service Executive, while simultaneously trying to strengthen health systems in low and middle income countries through its overseas development assistance programme.

Ann will examine the transnational dimensions of policy underpinning health worker migration in the L&RS Spotlight series later in 2018.

Mind the 'Care Gap'

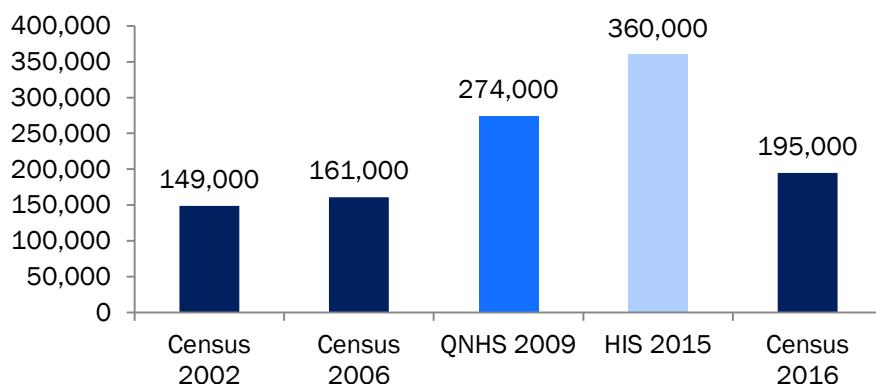
Diarmuid O'Sullivan is a senior social science researcher in the L&RS. In this article he explains the widening 'care gap' between increasing demands for home care and a narrowing pool of available family carers.

Family carers are the main source of care provision for those in need of care due to a long-term illness, disability or frailty. The demand for care at home is set to increase while the potential pool of available family carers may be narrowing significantly. This may lead to an unpaid 'care gap'.

The 2016 census recorded 195,263 family carers providing 6,608,515 hours of care each week – an average of 38.7 hours of unpaid care per carer. This represents 4.1% of the population, the same proportion as in the 2011 census. 60.5% of carers are women and there is a particular caring demand on women in the 40 to 59 age group. Over half of all carers are in the 40 to 59 age group, the majority of who are between 50 and 54 years old.

As illustrated in Figure 1, other major surveys such as the Quarterly National Household Survey (QNHS) and the Irish Health Survey (HIS) suggest much larger numbers of people engaged in unpaid care and a greater cumulative contribution of unpaid caring hours; however, demographic and social indicators suggest a narrowing pool of unpaid care providers.

Figure 1: Family carers in Ireland



With an ageing population and stronger emphasis on home-based care, it is likely that the demand for family care will grow dramatically. Census 2016 revealed a growing number of people aged over 85. The male population increased by 24.8 per cent to 23,062 from the preceding 2011 Census, while the female population increased by 11.4 per cent to 44,493.

While demand is growing, there is evidence that the potential pool of available family carers may be narrowing. The labour market participation rates of women has increased significantly in recent decades, in parallel women are having children later in life. The average age of mothers giving birth increased from 30.3 years in 2001 to 32.8 years in 2018. In Census 2016, 65% of first time mothers were aged between 30 and 39. A particular challenge is that there is a growing generation of 'sandwiched carers' – carers who are simultaneously carers for older relatives and dependent children (McGarrigle and Kenny, 2013).

The 'care gap' presents a significant challenge for a care system which is heavily reliant on unpaid family carers and will need to be taken into account as we grapple with the future of care policy.

Diarmaid will further explore the challenges facing home care policy in the L&RS Spotlight series later in 2018. Also see the L&RS Spotlight [Home Care for Older People – Seven Policy Challenges](#) (January 2018).

Flooding in Ireland: counting the cost of clean-ups

Darren Lawlor is an economics researcher in the L&RS. In this article he examines the costs of extreme weather events in Ireland and exchequer funding allocated for flood relief/defences over the next 10 years.



The prevalence of unprecedented and extreme weather events in Ireland has increased significantly since the turn of the century. Flooding is becoming Ireland's natural disaster of primary concern, and the probability of these weather events is predicted to increase in the future. It is river flooding (rather than flooding caused by proximity to lakes or seas, or caused by excessive rainfall overland), which poses the greatest risk to residents, businesses and infrastructure (mainly roads and telecommunications). This increased risk is noted in the Government's National Adaption Framework (2018).

With increased risk, comes increasing problems for households and businesses to access flood insurance. While 83% of property insurance policies (in areas which recently completed flood defences) include cover against flood risk, the provision of insurance relies on reducing exposure to flooding. This, according to Government, is best achieved by committing €1bn under Project Ireland 2040 to complete a comprehensive programme of flood defence and relief schemes over 10 years to 2028. Since 2014, 12 major schemes have been completed (see www.opw.ie). Currently, 10 flood defences schemes are under construction and a further 25 schemes are at design and planning stage.

Oireachtas scrutiny of flooding

A number of Oireachtas Joint Committee reports have been published on the topic of flooding and flood insurance provision, as follows:

- Joint Committee on the Environment, Heritage and Local Government (July 2010), [Fourth Report of the Joint Committee: The Management of Severe Weather Events in Ireland and Related Matter](#).
- Joint Committee on Finance, Public Expenditure and Reform (May 2015), [Report on hearings in relation to the provision of insurance in areas at risk of flooding](#).
- Joint Committee on Environment, Culture and the Gaeltacht (January 2016), [Report of the Committee on Flooding and Property Insurance in Ireland](#).

The latter two reports refer specifically to the provision of flood insurance. Fianna Fáil has introduced a Private Members' Bill (PMB) – the [Flood Insurance Bill 2016](#). A detailed scrutiny report of the Joint Committee on Finance, Public Expenditure and Reform and Taoiseach is expected to be published this year.

Key flooding statistics

Of the 14 extreme weather events in Ireland since 2000, eight related to flooding (Joint Committee on Finance, Public Expenditure and Reform, 2015).

The estimated cost of the damage caused by extreme climate events (including flooding) in the period 1980-2013 is €3bn; €750m-€800m in the period 2000-2015 (European Environmental Agency, 2017).

During Storm Ophelia alone, the estimated damage was assessed at just over €7m (OPW, 2018).

Current direct damage cost from flooding, per year (based on recent years) is €192m per year.

The forecast direct damage cost from flooding by 2050 is €1.15bn per year: (without adaption measures).

Total humanitarian aid provided (since end-2015) to those unable to secure flood insurance is €4m+.

Pensions systems – statutory retirement ages

Jason Cleary is a senior economics researcher in the L&RS. In this article he briefly looks at comparison of retirement ages in EU Member States, which are being used as a means to control increases in spending on pensions systems.

Demographic developments (growth in numbers aged 65 and over, and the old age dependency ratio) are increasingly a challenge for a country's pensions system.

A report by the Interdepartmental Group on Fuller Working Lives (August 2016) indicates that, in Ireland, expenditure on State pension payments and relevant supplementary payments has been estimated to rise from over €6.5 billion in 2015 to €8.7 billion in 2026. A KPMG actuarial review of the Social Insurance Fund (November 2017) forecasts that pension expenditure as a proportion of total social insurance expenditure will rise from roughly 69% in 2015 to 80% in 2071.

EU Member States have adopted many pension reforms to control the increase in public spending on pensions. For example, Member States have put more emphasis on:

- Postponing retirement (by restricting access to early retirement and by raising the pensionable age); and
- Creating incentives to work longer by aligning pension levels to life expectancy.

By 2040, sixty-seven or more could become the new norm for the most common age at which people in EU Member States will be able to claim their full pension. Table 1 shows the effect of reforms (those legislated by the end of 2014) in terms of pensionable age in EU countries.

Table 1: Statutory retirement ages and (early retirement ages)

Country	Men				Women			
	2013	2020	2040	2060	2013	2020	2040	2060
Belgium	65(60.5)	65(62)	65(62)	65(62)	65(60.5)	65(62)	65(62)	65(62)
Bulgaria	63.8(63.8)	65(65)	65(65)	65(65)	60.8(60.8)	62.8(62.8)	65(63)	63(63)
Czech Rep.	62.7(59.7)	63.7(60)	66.5(61.5)	69.3(64.3)	59.7(56.7)	61.7(58.7)	66.5(61.5)	69.3(64.3)
Denmark	65(60)	66(63)	70(67)	72.5(69.5)	65(60)	66(63)	70(67)	72.5(69.5)
Germany	65.3(63)	65.8(63)	67(63)	67(63)	65.3(63)	65.8(63)	67(63)	67(63)
Estonia	63(60)	63.8(60.8)	65(62)	65(62)	62(59)	63.8(60.8)	65(62)	65(62)
Ireland	65(65)	66(66)	68(68)	68(68)	65(65)	66(66)	68(68)	68(68)
Greece	67(62)	67(62)	69.9(64.9)	71.9(66.9)	67(62)	67(62)	69.9(64.9)	71.9(66.9)
Spain	65(61)	65.8(61.8)	67(63)	67(63)	65(61)	65.8(61.8)	67(63)	67(63)
France	65.8(60.8)	67(62)	67(62)	67(62)	65.8(60.8)	67(62)	67(62)	67(62)
Croatia	65(60)	65(60)	67(62)	67(62)	60.8(55.8)	62.5(57.5)	67(62)	67(62)
Italy	66.3	66.8	68.4(65.4)	70(67)	62.3	66.8	68.4(65.4)	70(67)
Cyprus	65(63.5)	65(65)	67(67)	69(69)	65(63.5)	65(65)	67(67)	69(69)
Latvia	62(60)	63.8(61.8)	65(63)	65(63)	62(60)	63.8(61.8)	65(63)	65(63)
Lithuania	62.8(57.8)	64(59)	65(60)	65(60)	60.7(55.7)	63(58)	65(60)	65(60)
Luxembourg	65(57)	65(57)	65(57)	65(57)	65(57)	65(57)	65(57)	65(57)
Hungary	62(62)	64.5(64.5)	65(65)	65(65)	62(62)	64.5(64.5)	65(65)	65(65)
Malta	62(61)	63(61)	65(61)	65(61)	62(61)	63(61)	65(61)	65(61)
Netherlands	65.1(65.1)	66.3(66.3)	69.3(69.3)	71.5(71.5)	65.1(65.1)	66.3(66.3)	69.3(69.3)	71.5(71.5)
Austria	65(62)	65(62)	65(62)	65(62)	60(58.8)	60(60)	65(62)	65(62)
Poland	65.3(65.3)	67(67)	67(67)	67(67)	60.3(60.3)	62(62)	67(67)	67(67)
Portugal	65(55)	66.4(55)	67.7(55)	68.8(55)	65(55)	66.4(55)	67.7(55)	68.8(55)
Romania	64.7(59.7)	65(60)	65(60)	65(60)	59.7(54.7)	61.4(56.4)	63(58)	63(58)
Slovenia	65(58.3)	65(60)	65(60)	65(60)	61.5(68)	65(60)	65(60)	65(60)
Slovakia	62(60)	62.8(60.8)	65.4(63.4)	67.8(65.8)	58.3(56.3)	62.8(60.8)	65.4(63.4)	67.8(65.8)
Finland	65(62)	65(63)	65(63)	65(63)	65(62)	65(63)	65(63)	65(63)
Sweden	65(61)	65(61)	65(61)	65(61)	65(61)	65(61)	65(61)	65(61)
UK	65(65)	66(66)	67(67)	68(68)	61(61)	66(66)	66.7(66.7)	68(68)

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Contact:

Houses of the Oireachtas
Leinster House
Kildare Street
Dublin 2
D02 XR20

www.oireachtas.ie
Tel: +353 (0)1 6183000 or 076 1001700
Twitter: @OireachtasNews

Library & Research Service
<http://library>
Tel: +353 (0)1 6184701
Email: library.and.research@oireachtas.ie

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