



SINN FÉIN POLITICAL REFORM PROPOSALS 2016



Introduction

Sinn Féin supports real political reform which puts the interests of citizens’ first, rather than those of the golden circles and elite in Irish society.

The Sub-committee on Dáil Reform established by the 32nd Dáil must now consider and report, with the urgency required, on the meaningful reforms which must now be introduced in order to help restore public trust and confidence in politics.

The record of the Fine Gael and Labour government in introducing real reforms was very weak - despite their lofty promises to do so back in 2011.

The outgoing Taoiseach and Tánaiste managed to in fact compound public distrust in politics through his own acts of cronyism - not least in Enda’s case his ham-fisted attempt to insert his party colleague John McNulty into the Seanad, or in Joan Burton’s case her by-passing of the public appointments system to pick her chair of the Pensions Board; and the continual breaching of wage cap for ministerial advisors.

What has now proved to be a cynical attempt to recover from that debacle, Enda Kenny announced the establishment of the Seanad Reform Working Group which all parties welcomed, yet despite their hard work and genuine effort he failed to deliver on their proposals before the General election. He also set up the welcome consultative participative democratic experiment, the Constitutional Convention, but the majority of whose findings they ignored or rejected.

This must now change and urgent action must be taken by the Dáil.

The Irish state has one of the most centralised systems of government in Europe, based largely on the British system, and a weak system of local government that has been hollowed out by successive Governments, including the last which abolished town councils and further stripped the remaining councils of vital powers This concentrates too much power in the hands of the Executive and the two Houses of the Oireachtas, which at this point are not fit for purpose in 21st century Ireland.

The Oireachtas lacks any serious political oversight, scrutiny or democratic accountability expected of the parliament. This has created the

urgent need for fundamental and real meaningful political reform of both our political culture and the political system.

In a Real Republic citizens would have rights and society would be organized around these rights on core republican and democratic values. Such a society would ensure equality for all and every sector would be regulated transparently so that all its institutions and agencies would be accountable.

This state fulfils few if any, of these criteria. The lack of regulation of our political systems, financial institutions and even the charitable sector has been exploited by a circle of greedy, corrupt and very wealthy elites who are well connected to the establishment and have enriched themselves at a huge cost, both financially and morally, to the Irish people.

In this toxic culture of corruption there is always money for the elites and none for services which some citizens are dependent on.

Sinn Féin is about dismantling the golden circle and bringing about real political reform with openness and accountability at the heart of politics.

We are about delivering a fundamental change in how our political system delivers for everyone.

Public anger and cynicism is widespread in relation to alleged corruption. What is required is the establishment of an anti-corruption agency which has the proper legislative powers to robustly investigate and prosecute wrongdoing from whatever quarter in our society, including white collar crime.

Sinn Féin’s Proposals for Political Reform are based on the party’s objective of building a New Republic on this island based on equality for all citizens.

We believe that in this historic centenary year of the 1916 Easter Rising that the project of a truly national dialogue on political reform and constitutional renewal, as another step on the road to unity, peace and reconciliation, would be a fitting tribute to the vision of the founders and signatories of the Proclamation of the Irish Republic.

Aengus Ó Snodaigh T.D

Sinn Féin Whip

The Good Friday Agreement & Political Reform

The partition of Ireland created two conservative states with a political culture weighted against the rights of citizens. Both states have been characterised by economic failure, emigration, inequality and the failure to protect the most vulnerable citizens. If we are to tackle these issues effectively then we need to have an all-Ireland view.

The Good Friday Agreement is the most significant political development since Partition. Its impact is most obvious in the North but not so obvious in the South. None of the reforms, safeguards or checks and balances of the Agreement have been inculcated into the 26 County state’s institutions and this must be urgently addressed.

The Government must actively press ahead with the full implementation of the Good Friday Agreement, including those aspects that directly involve the 26 County state’s institution. We need to see the creation of more areas of co-operation and implementation and greater harmonization across the island; the strengthening of human rights protections, including an all-Ireland charter of rights and an all-Ireland forum for the consideration of human rights, as included in the Agreement.

In the North the political institutions are deliberately constructed by the Good Friday Agreement with checks and balances to ensure that the abuses of the past can never happen again.

These checks and balances are crucial to the successful operation of both the Assembly and Executive.

It should also have at its core the imperative of actively seeking to fulfil the constitutional obligation of bringing about the re-unification of this island and of its people, as outlined in the Good Friday Agreement. Sinn Féin believes it is time for a Border Poll. Eighteen years on from the signing of the Good Friday Agreement it is time for the people to have their say.

Sinn Féin would:

- Extend the right to vote in Presidential and Seanad elections to citizens living in the North and to Irish citizens living and working abroad, as is the norm in most modern democracies.
- Implement the Good Friday Agreement commitment of an All-Ireland Civic and Consultative Forum as a new model of public participatory engagement which contributes and informs the development of public policy and lawmaking, with 60% membership drawn from ordinary citizens North and South and 40% membership drawn from civil society and social partners North and South.
- Continue to press the British government to deliver a Bill of Rights in the North in accordance with their obligations as co-guarantors of the Good Friday Agreement.
- Introduce immediate speaking and consultative rights for Northern MPs and Assembly members in the Dáil and Seanad.
- Expand the existing number of Implementation Bodies and Areas of Co-operation under the auspices of the all-Ireland North South Ministerial Council, bringing about greater harmonization across the island in both the integration and delivery of services, trade, tourism and economic development.
- Hold a referendum on Irish unity through a Border Poll North and South. The Irish Government should be pressing the British Government to set a date for a poll as provided for in the Good Friday Agreement and to commit to holding a simultaneous poll in the 26 Counties on Irish unity.

Political Reform

Sinn Féin strongly believes in political reform which is based on sovereignty, democracy, accountability and transparency – where citizens come first.

Sinn Féin is committed to;

- Ensuring that the powers and functions vested in the president, parliament and the executive are exercised in a way which ensures they act in the national interest and the interests of citizens first and which avoids undue influence or interference from the vested interests of a powerful elite.
- Increased parliamentary oversight including a new model of public participatory engagement which contributes and informs the development of public policy and law making which empowers both citizens’ and parliament.
- Democratic representation which fosters diversity and which is fully inclusive and reflective of modern Irish society, including our most marginalised citizens as well as those living in the North and the Diaspora.
- Devising new governance structures which can achieve a strong parliamentary democracy which is accountable to the public it serves and which pro-actively embraces a new culture of openness and transparency.



Sinn Féin would deliver:

Better Democratic Representation

- Establish an independent Electoral Commission that registers all political parties and regulates electoral standards including around financial donations and interests, that runs elections and referendums, voter registration and takes proactive measures to increase voter participation.
- Simplify voter registration by automatically registering voters as soon as they become eligible to vote, using PPS numbers to avoid fraud. This would be complemented by an information awareness program in all schools to ensure students are aware they are registered and how to go about exercising their vote.
- Improve the constitutional protection of the right to vote, and the responsibility of the State to take positive measures to maximise, and to not unreasonably or disproportionately restrict, exercise of the franchise.
- Build incrementally on the gender quota in Dáil elections towards 50%.
- Reduce the voting age to 16.
- Extend the right to vote in Dáil, Seanad and Presidential elections to all adults of voting age and legally resident in the country for at least 5 years.
- Introduce a citizen ‘right of initiative’ (that is, a right to take legislative proposals or veto’s to referendum upon production of a specified quota of verifiable petition signatures), with appropriate safeguards to ensure the protection and non-diminution of fundamental rights.

Better oversight and accountability

- The government must be accountable to the Oireachtas. We would introduce a new joint Oireachtas committee which would scrutinise the Department of An Taoiseach comprising Opposition Party leaders, TDs and Senators.
- Introduce a referendum to remove the constitutional restriction on money bills legislation or amendments with financial impacts or reference to, being tabled by Opposition TDs.
- Give Dáil committees more power to not only scrutinise but to introduce legislation by its members and to hold accessible public consultation and expert witness hearings including around the country, to garner public input in the process of gathering relevant evidence to inform members and committee decisions around such legislation or discussions.
- Introduce family friendly sittings in common with modern and best parliamentary practice in other jurisdictions.
- Standardise Dáil political groupings to include no less than five TDs who would be afforded speaking time.
- Shift the balance of control of the Dáil agenda. Under Standing Order 26, the order of Dáil business is determined by the Taoiseach. We will amend Standing Orders so that the Whips’ of each party group would have greater influence in the determination of the weekly agenda.
- Introduce written replies to Parliamentary Questions during the summer recess period.
- There should be at least two week-long Dáil sitting on the North on annual basis.
- That all replies, including deferred or delayed replies from HSE, etc be published on the Dáil record with link to original parliamentary question.
- End the practice where Ministers do not answer for their state and arms-length bodies, where deferral on policy and spending would no longer be accepted before the Dáil, Committees and in response to Parliamentary Questions.
- We want an end to the guillotine of legislation. Rushed legislation equals poor legislation, and this is not good enough from a democratic institution.
- There should be no additional allowance for those TDs who chair Oireachtas Committees, or also to those who are appointed to the Houses of the Oireachtas Commission, which we support being allocated on the basis of proportional representation and use of the d’Hondt formula.
- There should be at least two annual week-long Dáil sitting dedicated to issues pertaining to the North including reports on progress on implementing the Good Friday Agreement and other such agreements; reports on the work of the all-island North-South Ministerial Council, the all-island Parliamentary Assembly; the cross-border institutions and progress in relation to the production and implementation of a Green Paper on Irish Unity.



Better Governance

- Reverse the practice of cabinet sub-committees taking executive decisions exclusively and separate from to formal meetings of the government itself, as in the case of the four man Economic Management Council under the previous Government.
- That in line with the general election guidelines regarding gender equality that at least 30% of all Ministers and Junior Ministers are men and women.
- We will reduce TDs' salaries to €75,000 and Senators' salaries to €60,000.
- We will reduceReduce the salary top-ups of An Taoiseach and Ministers by 50%.
- We will reduceReduce excessive pension payments to former Taoisigh, Ministers and top civil servants.
- We will cap the pay of special advisors to the Taoiseach and Ministers at same scale of TDs, €75,000.
- The Commission for Public Service Appointments Commission should regulate the public appointments process for appointments onto

state and public bodies based on agreed standards, to ensure that it is fully open to the public, on the basis of merit and qualifications, which promotes diversity to reflect Irish society. Ministers should not override this process or have a get out clause in order to make political appointments of their personal choosing.

- Re-establish the Constitutional Convention to enable a fresh membership to consider issues including: 1) a Bill of Rights Amendment, to enhance the ability of citizens to protect themselves from the actions or inactions of the State when their human rights are infringed, and to better hold the government to account for its actions or inactions in violation of the constitution; and 2) comprehensive reform of the political institutions, their powers and functions and much-needed oversight mechanisms.
- We support the establishment of an independent costing of policy, but fundamentally we will propose the equality proofing of policy and spending plans. This means introducing a process of participatory budgeting, which includes publishing a draft budget for full public consultation. Also introduce Equality Impact Assessments and ensuring the equality proofing into of allthe policy and spending priorities of the Parliament and Executive and all public bodies.
- Further enhance the public outreach programme and information communications strategy to promote political education and the active inclusion of the public, communities and schools in the democratic process, including through more exercises in deliberative democracy.
- Introduce social clauses into all government and Oireachtas public procurement contracts to maximise public benefit and achieve greater value for money.



Seanad

The need for reform of the Seanad is overwhelming and must now be a priority for all those committed to real change moving forward.

In October 2013 the government's referendum proposal to abolish the Seanad was rejected by the people. However, all participants and parties involved in the referendum campaign were clear in saying that the Seanad in its current form is elitist, undemocratic and unacceptable.

The result cannot be viewed as a vote to retain the Seanad in its present form and piecemeal reforms are not enough.

The Seanad must become a fully inclusive, representative, relevant and accountable institution. Post-Referendum the previous Government committed to reform the political system and to ensure the Seanad is a modern and effective second chamber, yet despite establishing the Seanad Reform Working Group in December 2014, they failed to implement its common sense recommendations which were reported back in April 2015.

This must now be a priority.

Today's Seanad was created by the 1937 Constitution and in the decades since, with a few honourable exceptions, it has become synonymous with cronyism.

At no point has the Seanad acted as a real check on the actions of the government.

A case in point is the fact that the Seanad supported the previous government on almost every occasion, including the imposition of the Pproperty Ttax and household Wwater Ccharges.

Sinn Féin Proposals for Seanad Reform

Despite numerous promises over the decades by all of the establishment parties that they would reform the Seanad, this has not happened. On twelve 12 successive occasions reports have now been produced proposing reform yet none were ever implemented. The fact is that no government has ever been prepared to allow the second chambers to scrutinise in a meaningful and effective manner its legislative programme.

Representing the public interest: Proposals for change

There can be no place in a democratic system for an elected institution to which only a small minority of people have the right to vote. All citizens must be treated equally. It is also clearly unjust and entirely undemocratic that a citizens' right to vote is determined by their level of education.

Reform of Seanad Éireann requires:

- Direct election by way of universal franchise of all Irish citizens, on the same day as the Dáil vote.
- Northern and diasporic representation.
- Fifty percent representation of women.
- Representation of traditionally marginalised groups within Irish society.

For the Seanad to truly fulfil its potential as having a 'balancing' function in the Oireachtas, its powers must be increased and it must also have a distinct and complementary role and functions that do not merely replicate those of the Dáil in a weaker form. In particular, the primary role of the Seanad should be independent initial scrutiny of EU legislation from proposal stage; of Statutory Instruments and Ministerial appointments; and to ensure equality proofing of all legislation.

To best represent the general public interest and reflect the priority of public accountability in decision-making, the Seanad should also:

- Act as a forum for dialogue between the many interests in Irish society, ensuring the inclusion of those sectors with less power and influence.
- Use public consultation for enhanced citizen participation.
- Have a specific focus on consulting with children and young people about the impact of proposed decisions directly affecting them.
- Consider proposals from the all-island North-South Ministerial Council proposals.



In a unitary state it is right if the electorate’s political and geographic interests are represented in the lower chamber on a population basis, that their social, economic and cultural interests should be represented through the upper chamber, on a sectoral basis.

This is an important distinction that should not only be retained, but strengthened in a new Seanad. Finally, the Seanad should also include the representation of regional interests on a non-population basis to redress the power imbalance for those currently marginalised by reason of residence in the North, the west, Gaeltacht areas and the diaspora.

Conclusion

Public trust and confidence in the political system has been shattered as a consequence of the disastrous mismanagement of the economy, public services and state finances by the previous Fianna Fáil-led administration and the inaction of the Fine Gael/Labour government in delivering on their promise of political reform which was piecemeal, minimalist - all spin and no substance.

Sinn Féin’s political reform proposals, while not exclusive, are based on the principles of sovereignty, democracy, accountability, transparency and the creation of a political system where citizens come first in the decision-making process.

Sinn Féin believes that these proposals have significant potential to fulfil an urgent need and desire among citizens to bring our political system into the 21st Century. The party brings them forward in the genuine hope that they will contribute positively towards the work of the sub-committee on Dáil Reform in delivering upon a modern and genuine democracy, which is fit for purpose.

Annex: Procedural changes to running of the Dáil Business

Sinn Féin believes even within the current Dáil arrangements that much could be done to ensure greater participation by all TDs in the business of the Dáil.

Tuesday morning Vs Friday sittings

Friday sitting should only be held in the case of emergency legislation and that the current business transacted on a Friday, be moved to a Tuesday morning, with a minister or ministers of state being in attendance from the government side if a Cabinet minister is not available.

Reports and Private Members Bills shall be dealt with on Tuesday mornings between 10-1 and any divisions be taken at the resumption of business that day at 2pm.

Private Members Business

That Private Members Business debate be re-scheduled so for Tuesday evenings at 7 to 8.30 and on Wednesdays between 3 to 4.30pm to ensure greater focus on the debate in the house which gets greatest TDs’ participation weekly.

Topical Issues

That the number of Topical Issues be increase to six and the time for each be as follows: 4 minutes to introduce it, 4 minutes for the minister to respond and then 1 minute supplementary slot for each.

Topical Issues shall be taken at 6-7pm on Tuesday; 2-3 on Wednesday and 12.30-1.30 on Thursday.

Order of Business

Order of Business shall be on Tuesday 5.30-6pm; 11.30-12 on Wednesday and 11.30-12noon on Thursday.

Legislative Programme

A new slot will be introduced on Thursday to be taken by the Government Whip to answer questions in relation to the Legislative Programme for 30mins from 12-12.30pm.

Gaeilge

That a week-long sitting of the Dáil and its com-

mittees will be held annually around March to co-incide with the public Seachtain na Gaeilge dedicated to questions on the Irish language or the Gaeltacht.

All legislation shall be published simultaneously as Gaeilge and as Béarla, to uphold the rights of citizens and to allow TDs to carry out their legislative role as fully as they wish as Gaeilge.

As an interim measure, while the practicalities of such a change are being address, that all legislative Explanatory Memorandums are drafted bilingually.

That discrete headphones are supplied in the Dáil Chamber so that all TDs can listen to the simultaneous translation if they so wish.

Legislation

That the pre-legislative phase be enhanced, by the early production of the Heads of Bills.

That a post-legislative phase be introduced to ensure a report back and scrutiny of all legislation a year on from its passage, to ensure its operation, its effectiveness etc.

That all future amending legalisation be published online at minimum in a consolidated format highlighting deletions, amendments and addendums, with notions from the Explanatory Memoradums as appropriate listed in a side column.

Legislation be written in accessible format.

Speaking slots

That the Opening Slots at Second Stage be reduced to 20 minutes from 30 minutes and subsequent slots be reduced to 10 minutes to try ensure more TDs can participate.

That a 20 minute limit be put on first contributions on Report Stage amendments, and that the final slot for proposer of an amendment be limited to 20 minutes also.

Statements

That statements on EU, etc be taken on Thursdays in the slot between 1.30-2.30pm





Abstaining

That an Abstain facility be introduced to ensure Abstaining TDs are recorded rather than marked absent

Questions to Ministers/Taoiseach

That the introduction to Priority and Oral questions from questioner is ended, and that the Broadcasting Unit ensures that a side panel with the question it in be broadcast alongside the live coverage.

That Taoiseach Questions be held on Tuesday and Wednesday of Dáil sitting weeks and that any question not answered on Wednesday would be answered in writing on Wednesday evening

Extend the time for each session; on a Tuesday from 2-4; Wednesday 9.30 to 11; and Thursday 9.30 to 11, giving more opportunities for deputies to have their oral questions debated. That

That in all cases, Leaders Questions, Topical issues and questions that Standing Orders be amended to ensure equal time between Minister and questioner.

The current arrangement for Oral Questions has basically ensured that there is the equivalent of 10-12 ‘Priority’ Questions. We believe that Ceann Chomhairle should group similar questions, allow deputies to ask follow up question to the principal questioner. That with 24 hours’ notice that the submitter of a question can nominate a replacement deputy to respond to the minister in their stead.

That all replies not available in writing on the day be inserted on the Official Record with a link to the original question when they become available, eg INIS, HSE etc.

That Ministers would have to answer for all institutions and bodies under their department’s auspices.

That TDs shall be able to submit questions for written reply all year round.

Private Prayers

That similar to the Assembly in the North and to reflect the non-sectarian ethos of a Republic that there shall be a period of two minutes silent prayer or contemplation at the start of business each day.

Tuesday

10.00 – 1.00 Reports/Private Members Legislation (possible votes at resumption at 2pm)

01.00 – 2.00 SoS

02.00 – 4.00 Ministers Questions (increase to 45 if no vote, 25 if there is a vote)

04.00 – 5.00 Taoiseach Questions

05.00 – 5.30 Leaders Questions (3x10, 4x5)

05.30 – 6.00 Order of Business

06.00 – 07.00 Topical Issues (increase to 6x10mins)

07.00 – 08.30 Private Members Business

08.30 – 10.00pm Legislation

Wednesday

09.30 – 11.00 Ministers Questions (+15mins)

11.00 – 11.30 Leaders Questions (3x10, 4x8)

11.30 – 12noon Order of Business

12.00 – 01.00 Taoiseach Questions (new)

02.00 – 03.00 Topical Issues (increase to 6x10mins)

03.00 – 04.30 Private Members Business (new slot)

04.30 – 09.30pm Legislation (12hrs)

Thursday

09.30 – 11.00 Ministers Questions (+15mins)

11.00 – 11.30 Leaders Questions (legislative programme - new)

12.00 – 12.30 Order of Business

12.30 – 01.30 Topical Issues (increase)

01.30 – 02.30 Reports



