

Submission – Seanad Reform Working Group

by Daniel Griffin, BCL

Overview:

As a brief introduction, my name is Daniel Griffin and I am a 22 year old graduate of UCD Law School from Dunboyne, Co. Meath. I maintain an active interest in the subject of Seanad reform and am delighted to have the opportunity to make this submission which I make simply as an interested citizen. I have divided the submission into separate relevant headings.

Seanad Sitings & Public Consultation:

While Article 15 of the Constitution requires the Houses of the Oireachtas to sit in or near the City of Dublin, it does allow for it to sit elsewhere from time to time, as it may determine.

I believe that this provision provides a valuable opportunity for the Seanad to sit outside of Dublin, perhaps on a biannual basis and bring democracy truly to the people. After the referendum, it is important that people actually see and hear what Senators do and witness first-hand the kind of contributions they make. By holding at least two Seanad sittings outside of Dublin per year, each province should have the opportunity to witness the workings of the Seanad at greater proximity.

The Seanad Public Consultation Committee could also convene a meeting beforehand in the area that the sitting is scheduled to be held in. This would allow people from the region to contribute on the chosen topic of the Committee. The consultation could then be discussed during a full sitting of the Seanad in the chosen region.

In a time which is doused in cynicism towards politics, I believe that this presents a good opportunity to allow people not only an insight into our legislative process, but also to make some form of tangible contribution to the process itself.

The Seanad & the European Union:

Given the extension of powers granted to the Seanad as a result of the European Union Act 2009, I believe that the Seanad should replicate the House of Lords by creating its own version of the European Scrutiny Committee to assess proposed European legislative measures.

I also submit that MEP's are granted sitting rights in the Seanad during debates relating to European legislative proposals. While MEP's have in the past been invited to speak in the Seanad during the Irish Presidency of the Council of the European Union, I think it is more important that we allow our MEP's a physical presence right in the heart of the debate. This can only act to enhance the contribution to relevant legislation and draft proposals and bring Europe closer to home.

Taoiseach's Nominees

While Constitutional amendments are not on the agenda of the Working Group, I believe that the area of Taoiseach's Nominees to the Seanad can still be addressed while not seeking to amend the Constitution.

I propose that a criteria be drawn up, to be agreed upon by all major party leaders, with respect to the nomination of Senators by the Taoiseach. I do not propose that this criteria be set down in legislation as I would suspect it would be deemed unconstitutional.

However, if an agreed criteria was set down with respect to the nomination of Senators, it would nevertheless add greater scrutiny to the choices of the Taoiseach after making his/her decision on who to nominate.

Alternatively, an All Party Oireachtas Committee could agree the criteria with the same aim of adding greater scrutiny to the Taoiseach's decision on who to nominate. Again, I do not suggest that the criteria have a legal dimension.

Cathaoirleach & Leader of the Seanad:

I submit that the Cathaoirleach should be elected by means of secret ballot in line with the traditions of many other European parliaments. The Seanad is known for its more bipartisan

atmosphere and I believe that in order for the Cathaoirleach to be elected in a truly bipartisan fashion, the method of his/her election should be done through secret ballot.

With respect to Leader of the Seanad, while it is important that the Seanad is not dominated by the will of the Government, the Leader of the Seanad nevertheless represents the Government. Therefore, it is important that the Leader should be able to effectively communicate the voice of the Government and in turn, communicate the voice of the Seanad to the Government.

I propose that the Leader of the Seanad have a right to attend Cabinet meetings either in his/her own capacity, simply as Leader or as a Minister without Portfolio.

Electoral System:

I believe that this is the most important area that needs to be addressed with respect to Seanad reform. My parents gave me everything, they pay their taxes, they work incredibly hard, they're good and active citizens, so it absolutely astounds me that I get a Seanad vote and they do not and it is simply by virtue of the fact that I hold a degree from the National University of Ireland. I do not believe the status quo is acceptable in the 21st century and resembles a time when one could only vote if they owned property.

If the 7th Amendment to the Constitution were to be implemented, while simultaneously failing to grant all other citizens a Seanad vote, I believe it would be an insult to all Irish citizens and true rebuke of the concept of modern democracy.

I submit that all citizens should have the right to vote in a Seanad election, by registering to vote for one panel and one panel only, thereby making the Seanad panels truly vocational with the registered voter for the respective panel having a true interest in the vocational area. If this is done, I believe that the 7th Amendment should be implemented with a new six seat higher education panel formed.

The nomination procedure to contest a Seanad election needs to be made accessible to the average citizen and not remain a vestige of political parties. There should also be a review and expansion of the nominating bodies for each vocational panel.

Furthermore, I think that the idea of allowing citizens from outside the Republic to vote in Seanad elections should be actively explored, particularly those living within Northern Ireland as this would appear to be quite workable. A voice for the diaspora and recently emigrated should also be incorporated into the composition of the Seanad.

- I thank the Working Group for your time and consideration of my submission.