

## **GENERAL ELECTION 2016**

**A SUMMARY OF PARTY COMMITMENTS ON CORRUPTION,  
TRANSPARENCY/ACCOUNTABILITY,  
WHITE COLLAR CRIME AND DEMOCRATIC REFORM**

Most political parties and many independent candidates have laid out reform proposals in their manifestos and on their websites that vary greatly in detail and ambition. We hope you will find the short summary of party/candidate positions of some use when considering the strength of their commitments to tackling corruption and promoting democratic accountability.

Party/candidate proposals and commitments were organised under four main headings that are relevant to the work we do at Transparency International Ireland:

- Corruption
- Transparency and Public Sector Accountability
- White Collar Crime
- Democratic Reform

### Number of Party Commitments on Corruption, Transparency/Accountability, White Collar Crime and Democratic Reform

Party	Corruption	Transparency/ Accountability	White Collar Crime	Democratic Reform
Anti-Austerity Alliance/ People Before Profit	0	0	0	0
Fianna Fáil	0	4	0	8
Fine Gael	2	1	1	4
Green Party	0	3	0	16
Independent Alliance	1	2	0	5
Labour	2	7	5	5
RENUA Ireland	2	7	7	3
Sinn Féin	2	8	1	5
Social Democrats	3	6	1	8
Socialist Party	0	0	0	0

The number of proposals listed in the table above is not intended to be an indication of the strength of any party's commitments. Likewise, the lack of any reference to a commitment implies that a party's policies were not presented in its manifesto or clearly on its website. It should not be viewed as a conclusion that the party or its candidates do not have a policy in this area.

This summary was prepared for TI Ireland by John Devitt and Jim Clune between 18 and 24 February 2016. Any corrections or comments can be sent to [info@transparency.ie](mailto:info@transparency.ie).

[http://transparency.ie/news\\_events/election\\_2016](http://transparency.ie/news_events/election_2016)

## Corruption

Specific proposals on how Fianna Fáil, Anti-Austerity Alliance/People Before Profit, the Green Party and the Socialist Party intend to stop corruption were not available at the time of writing either on their websites or election manifestos.

### Fine Gael

1. Update Ireland's laws to tackle 'new and emerging trends, in areas such as gambling, gaming, corruption, white-collar crime and with regard to the proceeds of crime'.
2. Introduce a new code of ethics for local government to build on the legislative frameworks that have been developed across the public service.

### Independent Alliance

1. Will tackle cronyism by ending the right of Ministers to make public appointments (see Transparency/Public Sector Accountability).

### Labour

1. Enact the Public Sector Standards Bill, establishing a Public Sector Standards Commissioner, to oversee a new framework of ethical standards for public representative and public officials.
2. Create a Garda Serious and Organised Crime Unit (See also White Collar Crime).

### RENUA Ireland

1. Provide for an automatic bye-election where a TD or Senator has been cited in the Revenue's tax defaulter's list for a sum of not less than €50,000 Euros; had adverse findings of fact made against them in a tribunal of inquiry or commission of investigation; been found guilty of fraud in the courts; or been found to have acted in a wilful and consistently improper fashion by SIPO under the current ethics legislation; subject to a failed appeals process.
2. See also White Collar Crime

### Sinn Féin

1. Provide for the making of anonymous and oral complaints to the Public Sector Standards Commissioner, as recommended by the Mahon Tribunal.
2. Ensure 'the State acts on the findings of Tribunals of Inquiry and Commissions of Investigation within the Statute of Limitations available for criminal prosecutions.

### The Social Democrats

1. Establish a new law enforcement body, an Independent Anti-Corruption Agency (IACA), to tackle white collar crime and corruption in the corporate world and political spheres.

2. Establish a new Dáil oversight committee, called the Public Interest Committee, to oversee IACA and Ministerial resource allocation decisions;
3. Update anti-corruption legislation, to include, among other things, minimum standards for eligibility to hold public office.

## Transparency and Public Sector Accountability

Specific proposals on how Anti-Austerity Alliance/People Before Profit and the Socialist Party intend to promote transparency and public sector accountability were not available at the time of writing either on their websites or election manifestos.

### Fianna Fáil

1. Initiate clear performance reviews for secretary generals and assistant secretary generals.
2. Allow for greater flexibility of staff across Departments and agencies as required.
3. Standardise customer service charters across the public service.
4. Extend the remit of the Office of the Ombudsman to semi-state monopolies.

### Fine Gael

1. Introduce a new code of ethics for local government to build on the legislative frameworks that have been developed across the public service (see also Corruption).

### The Green Party

1. Have National Lottery monies allocated by State boards in order to end ministers' powers to allocate them at will
2. Allow half of board appointments to be made by Oireachtas committees
3. End the practice of the Economic Management Council within Cabinet

### Independent Alliance

1. Strip politicians of power to make political appointments to State Boards and public bodies.
2. Stop excessive salaries for staff/board members in public bodies and publicly-funded charities.

### Labour

1. Remove the ban on absolute cabinet confidentiality
2. Continue participation in the Open Government Partnership
3. Make all Government data open and transparent
4. Introduce a free and secure Digital Portal for every citizen and business
5. Publish a national Open Data Action Plan
6. Substantially increase the resources available to the Office of the Government Chief Information Officer to coordinate activity across the public service.
7. Enact a Data Sharing and Governance Act 'to ensure that the highest modern standards of data protection apply to information sharing between public service bodies'.

## **RENUA Ireland**

1. Follow 'the Swedish model' and provide for the online publication of Cabinet and Ministerial minutes, Government Offices minutes, Draft government decisions, Registers and Cabinet files and Cabinet ministers' correspondence.
2. Introduce social impact clauses under the new procurement directives, requiring Government Buyers to consider the economic, social and environmental impacts of their purchasing.
3. Reform and develop new systems of procurement which will favour the development of a regionally orientated tendering process over national framework agreements.
4. Implement a policy of mandatory training, under which all public buyers will have to develop a personal e-tendering profile and complete a training module before they can contract on behalf of the State.
5. Extend the duties of the current Ombudsman to include public procurement. The duties will be based on the effective Canadian review system which costs €2.6m to oversee expenditure of €52bn.
6. Follow the example of Barcelona's municipal authority by ensuring that public procurement focuses on 'contracting for outcomes' rather than contracting for services.
7. Introduce full e-procurement in Ireland, which will mean that all expenditure and contracts are traceable and will be eligible for monitoring and review.

## **Sinn Féin**

1. Overhaul appointments to State boards to ensure multiple directorships are limited.
2. Advertise all public appointments on public jobs; and made through a competitive interview process.
3. Ensure directors of State Boards' salaries are fair.
4. Implement gender quotas on State Boards.
5. Provide for timely provision of annual accounts of State Boards.
6. Provide for a cooling-off period for NAMA employees so they are not entering the private sector with valuable information.
7. Establish a Commission of Inquiry into the management and operation of NAMA.
8. Amend the Public Standards legislation to ensure all public sector officials from Principal Officer grade upwards in the civil and public service are required to make public comprehensive declarations of interests on assets and debts to the value of €25,000 and above, excluding the family home.

## **The Social Democrats**

1. Abolish the Economic Management Council.
2. Abolish the Official Secrets Act which they believe is inconsistent with whistle-blowers legislation.
3. Introduce a clear and transparent system of resource allocation, where allocations are based on objective, pre-constructed and evidence-based criteria.

4. Publish extensive data in open source as part of the introduction of a general presumption of openness in relation to State-held data.
5. End the political appointment of judges and introduce a new system of judicial appointments so that qualification is based on an exam/open competition.
6. Vet all senior appointments by Oireachtas Committees.

## **White Collar Crime**

Specific proposals on how Anti-Austerity Alliance/People Before Profit, Fianna Fáil, the Green Party, the Independent Alliance and the Socialist Party intend to stop white collar crime were not available at the time of writing either on their websites or election manifestos.

### **Fine Gael**

1. Update Ireland's laws to tackle new and emerging trends, in areas such as gambling, gaming, corruption, white-collar crime and with regard to the proceeds of crime.

### **Labour**

1. Create a Garda Serious and Organised Crime Unit, to tackle organised crime, cybercrime, serious fraud and suspicious financial transactions in both the public and private sector
2. Allocate the resources to prosecute white collar crime
3. Create a specialist division within the Office of the Director of Public Prosecutions.
4. Legislate for a formal structure for granting immunity to those suspected of white collar crime
5. Legislate for a pre-trial process that enables the court to ensure that the issues are clarified in advance of trial and to direct how they should be explained to a jury.

### **RENUA Ireland**

1. Introduce criminal liability for reckless lending
2. Impose criminal sanctions for company directors who act recklessly or dishonestly
3. Remove ignorance as a defence for directors
4. Erase the white collar culture of mitigation via new sentencing guidelines where white collar criminals cannot fall back on an absence of prior convictions or a "good character".
5. Take account of the impacts on other companies, tax compliance and purchasers of their services will count towards creating a tougher sentencing regime.
6. Provide amnesties from prosecution for people disclosing corporate malfeasance.
7. Provide incentives along the lines of the 'American system' where whistleblowers are accorded a percentage of asset seizures.

### **Sinn Fein**

1. Undertake an independent audit of the State's oversight agencies to combat white-collar crime.

## **The Social Democrats**

1. Tackle all white collar crime through the establishment of an Independent Anti-Corruption Commission.

## **Democratic Reform**

Specific proposals on how Anti-Austerity Alliance/People Before Profit and the Socialist Party intend to promote democratic reform were not available at the time of writing either on their websites or election manifestos.

## **Fianna Fáil**

1. Establish a new office of Policy and Economic Oversight under the auspices of the Fiscal Advisory Council to independently cost party policy proposals.
2. Amend legislation to allow non-members of the Oireachtas to hold the position of Minister of State
3. Strengthen the Office of the Legal Counsel and empower it to publish independent opinions on matters where the Attorney General's is not available to the Dáil.
4. Revamp Standing Orders for Dáil business to strengthen its independence of government.
5. Ensure that chairpersons of all committees are allocated between groups on the basis of the d'Hondt proportional allocation process.
6. Propose a referendum to introduce a mixed list/PR-STV system.
7. Allow outside experts be appointed as Ministers and enable Ministers to be replaced in the Oireachtas by an alternate.
8. Implement the recommendations of the Working Group on Seanad Reform 2015.

## **Fine Gael**

1. Allow for the election of the next Ceann Comhairle through secret ballot.
2. Establish a Parliamentary Investigation Unit to carry out preliminary investigations in advance of the Oireachtas establishing any Commission of Inquiry or as part of the investigation phase of any Oireachtas Committee of Inquiry.
3. Strengthen Oireachtas Committees by asking government ministers to appear before their relevant Oireachtas Committee to update them on a quarterly basis.
4. Establish a Citizens' Assembly which will be composed solely of randomly selected citizens and will be asked to undertake a detailed review of a limited number of key issues including Seanad Reform, Climate Change and the 8<sup>th</sup> Amendment of the Constitution.

## **The Green Party**

1. Allow citizens to directly initiate referendums to amend the Constitution, overturn legislation or propose new legislation

2. Allow citizens to nominate Presidential candidates
3. Create a constitution that uses gender-neutral language and upholds equality between all genders
4. Lower the voting age to 16
5. Provide for election to the Seanad using an open list system with d'Hondt distribution
6. Prevent members of one Seanad standing for election to the next Dáil
7. Give the Seanad an enhanced role of scrutiny over EU legislation and affairs and the hearing of MEPs
8. Create fewer but bigger constituencies; setting the minimum number of TDs per constituency to 5 and the maximum to 8.
9. Introduce a more flexible whip system such as the three-whip system
10. Appoint Oireachtas committee chairs and their memberships proportionally using the D'Hondt method
11. Revise the portion of public funding that political parties receive for TDs and Senators yearly so that it reflects on the actual number of TDs and Senators each party had in that year
12. Hold a referendum for a fixed-term Dáil, similar to the recent reforms in the United Kingdom, so that the date of general elections is not decided by the Taoiseach
13. Place citizens on the electoral register automatically.
14. Hold elections at weekends with provision for an absentee ballot facility for any eligible voters currently living overseas.
15. Allow homeless people and travellers should also be accommodated by being allowed to register at an address that is convenient for them.
16. Support educational reforms that will engage young people in politics through school and community programmes.

### **Independent Alliance**

1. Ensure that no party whip is imposed on its own members.
2. Allocating more time given to questions in Dáil Éireann.
3. Ending the abuse of the guillotine.
4. Improved Dáil interaction with Seanad Éireann.
5. Require any incoming government to implement the Seanad Reform Bill.

### **Labour**

1. Create an independent Electoral and Public Offices Commission
2. Allow 16 year olds to vote in local elections and European Elections
3. Allow the people of Dublin to decide whether they want a directly elected Mayor and establish a new layer of local democracy in communities across the country
4. Place an obligation on ministers to ensure that questions are answered properly and fully (including an obligation to provide redress and correction if the House is misled), and introduce rules covering the standard of replies.

5. Introduce rules covering the passage of legislation to ensure the provision of adequate time for debate

### **RENUA Ireland**

1. Loosen the rules on cabinet confidentiality. All matters discussed and presented at cabinet including memos and a précis of Ministerial positions will be published within a week of each cabinet meeting unless it relates to (narrowly defined) issues of national security.
2. Legislate that Dáil members represent the whole country as well as the constituencies from which they were elected. This would be done through a Governing in the Public Interest Act.
3. Draft a new Oath of Allegiance to the institutions of the state where politicians would pledge to govern in and uphold the national interest.

### **Sinn Féin**

1. Provide for the direct election to the Seanad by way of universal franchise of all Irish citizens on the same day as the Dáil vote; Northern and Diaspora representation; 50% women members; and representation of marginalised minority groups within Irish society.
2. Introduce a partial list system, electing one third of the Dáil from party lists and the remainder from seven-seat constituencies
3. Reduce the voting age and extend voting rights to citizens in the North and to the Diaspora.
4. Establish a fresh citizens' convention to discuss political reform, including of the Dáil and Seanad.
5. Introduce equality budgeting through amendments to existing legislation and provide for equality proofing of all government policy, budgets and public bodies through impact assessments.

### **The Social Democrats**

1. Establish an Electoral Commission
2. Relax the whip system
3. Introduce an open nomination system and secret ballot for the election of the Ceann Comhairle
4. Undertake a consultation process aimed at revising the current Standing Orders.
5. Expand the number of Oireachtas Committees, removing additional allowances for Chairpersons of the Committees and introducing a new system for appointing the Chairpersons.
6. Increase pre and post legislative scrutiny by the Oireachtas
7. Establish a Dáil Business Committee and a Seanad Business Committee to schedule the business of each house
8. Appoint new members of the Houses of the Oireachtas Commission by proportional representation determined under the d'Hondt system.

## References

### Anti-Austerity Alliance

- Election Manifesto - <http://antiausterityalliance.ie/wp-content/uploads/2016/02/AAA-manifesto.pdf>

### Fianna Fáil

- Election Manifesto - <https://www.fiannafail.ie/download/An-Ireland-for-all-Fianna-FaCC81il-Manifesto.pdf>

### Fine Gael

- Election Manifesto - [http://www.finegael.ie/\\_\\_uuid/b5055220-ec96-4f03-b18a-4506e8d3119c/manifesto.pdf](http://www.finegael.ie/__uuid/b5055220-ec96-4f03-b18a-4506e8d3119c/manifesto.pdf)

### Green Party

- Election Manifesto - <https://greenparty.ie/wp-content/uploads/2016/02/Manifesto-Reads-3mm-marked-bleed.pdf>

### Independent Alliance

- Charter for Change - <http://www.independentalliance.ie/charter-for-change/>

### Renua

- Election Manifesto - Election Manifesto <http://www.renuaireland.com/wp-content/uploads/2016/01/RENUA-Manifesto.pdf>
- Government in the Sunshine Bill - <http://www.renuaireland.com/wp-content/uploads/2015/10/REFORM-1.pdf>
- Statement on White Collar Crime - <http://www.renuaireland.com/2016/02/07/renua-ireland-will-collar-the-white-collar-criminals/>
- Reforming Public Procurement Policy - <http://www.renuaireland.com/wp-content/uploads/2015/10/Reforming-Public-Procurement.pdf>

## **Sinn Féin**

- Election Manifesto - <https://www.sinnfein.ie/files/2016/GE2016ElectionManifesto.pdf>

## **Social Democrats**

- Election Manifesto - [https://drive.google.com/file/d/0B7hTX\\_nop6XkRGdURzVoendyQzQ/view?pref=2&pli=1](https://drive.google.com/file/d/0B7hTX_nop6XkRGdURzVoendyQzQ/view?pref=2&pli=1)
- Policy on Anti-Corruption Agency - <https://socialdemocrats.ie/policies/tackle-corruption-independent-anti-corruption-agency/>

## **The Socialist Party**

- Campaigns web page - <http://socialistparty.ie/category/campaigns/>