

**Social  
Democrats**

# Honest Politics

Restoring Trust in Politics and Public Life

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**Hope** for better.  
**Vote** for better.  
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## Key Points

In Government, the Social Democrats will:

- Establish an **Independent Anti-Corruption Agency**
- Strengthen **Transparency and Accountability** in decision making
- Reform the **Lobbying Process**
- Increase **Accountability in Government**
- Institute Meaningful **Oireachtas Reform**
- Rebalance **Political Funding**

## Introduction

**Trust** is vital for a healthy democracy.

If the public are to have trust in our politics and government, then **transparency** and integrity must be the defining features of all decision-making.

**Accountability** should not just be a buzz word, but a meaningful component of all our systems of governance and oversight. Individuals and organisations must pay the price for malpractice, corruption and reckless behaviour. We must develop a culture that is focused on serving the people of Ireland, not powerful interests who have the ear of ministers and officials.

It is clear that our government and our political system have not fully embraced transparent decision making or a culture of open government and good governance. The all too cosy nexus between business and politics is alive and well.

Too often, decisions on the **allocation of significant state resources** are influenced by the interests of well-connected individuals and organisations without proper recourse to evidence-based analysis, equality proofing, poverty proofing or regulatory impact.

**Inadequate governance and accountability systems are at the heart of cost overruns** involving massive amounts of public resources that could be spent elsewhere. Repeatedly, we see that questions are asked after the fact and answers are hard to find, particularly when paper trails run out and memories falter.

In addition, Ireland does not have an **effective means of preventing, detecting and prosecuting corruption and white-collar crime**. Various Tribunals and Commissions of Inquiry have come and gone with little consequences for corrupt and illegal behaviour.

The Social Democrats have a plan to open up government and improve accountability whilst also tackling corruption in politics and public life. We believe this can restore confidence and trust in our politics and our democracy while encouraging civic participation.

## Independent Anti-Corruption Agency

Ireland does not have an effective means of preventing, detecting, and prosecuting corruption and white-collar crime.

Various Tribunals, Commissions and Oireachtas inquiries have come and gone with **little consequences for corrupt and reckless behaviour.**

More than fifteen years on from the banking collapse, serious questions remain about the capacity of our criminal justice system when it comes to detecting and successfully **prosecuting white collar crime.**

Our chequered history with tribunals, ad hoc commissions of inquiry, and investigations into devastating banking practices instils little public confidence that we have an anti-corruption regime in Ireland that is **robust, effective and free from the clutches of those in power.**

There is strong public perception of a golden-circle in Irish society, the members of which are accountable to no-one and regard themselves as untouchable.

Accountability is a core pillar of the Social Democrats vision for a new republic. **Accountability matters because without accountability there can be no trust in public institutions or fair dealings in business or public life.** Lack of accountability damages the reputation of the country, undermines the authority of sound public institutions and tarnishes our image as a place to do business.

Anti-corruption law is spread across a range of legislation, and responsibility for preventing and prosecuting corruption is spread across a multitude of agencies. Piece-meal reforms in recent years have fallen short of what is needed to protect government decision-making from being unduly influenced by vested interests.

More laws are not enough without the drive and resources to vigorously and proactively police them.

The Social Democrats first proposed the setting up of an independent anti-corruption agency in a motion brought to the Dáil in December 2015.

Our detailed proposals are based on best-practice internationally and cover corruption in both the public and the private sphere. **Without a dedicated and properly resourced agency, we will continue to see a range of laws on our statute books which meet international standards, but which lead to few actual consequences for corrupt behaviour.**

We propose to establish a new **Independent Anti-Corruption Agency (IACA)**.

The IACA would:

- **Tackle white collar crime and corruption** in the corporate world and political sphere.
- Operate as a **standing Commission of Investigation**, ending the need for expensive ad hoc Tribunals.
- Assume the **anti-corruption remit** of the Standards in Public Office Commission, Office of the Director of Corporate Enforcement, Registrar of Lobbyists and the Competition and Consumer Protection Commission.
- Act as an **advisory body** to several other public bodies.
- Monitor and investigate **public procurement activities**.
- Conduct **sectoral reviews and initiate investigations** as and when necessary.
- Work with a newly established **Dáil oversight committee** (the Public Interest Committee) to oversee IACA and Ministerial resource allocation decisions.
- Propose updates to anti-corruption legislation, including:
  - setting minimum standards for eligibility to hold public office.
  - requiring serving politicians to declare significant liabilities as well as assets.
  - Further reforming the law on lobbying, and
  - Strengthening gift and hospitality rules for public servants.

Our full proposals for an Independent Anti-Corruption Agency are set out in a detailed policy document: <https://www.socialdemocrats.ie/wp-content/uploads/2024/03/Independent-Anti-Corruption-Agency.pdf>

## Transparency in Decision-Making

Public monies and resources have too often been used as **political slush funds** where the needs of insiders or the electoral interests of governing parties are favoured over genuine public need.

In recent years there have been revelations of **unfettered access for bidders for large state contracts to the corridors of power**. Time and time again, when state contracts were being awarded, the right questions have not been asked. And time and time again, the public has paid the price for **shoddy governance and poor administration** which has led to cost over-runs and delays, including the National Broadband Plan and the National Children's Hospital.

The Social Democrats aim to bring about an end to "Golden Circle" politics by introducing meaningful changes to the culture, practices and oversight of publicly-funded bodies.

To achieve this, we will:

- Introduce an **Oireachtas Committee vetting procedure for all senior appointments to public bodies**.

This would have the effect of introducing objectivity and oversight into the process and would ensure that appointments are made on the basis of merit, suitability and qualifications, rather than political connection.

By limiting ministerial discretion in this way, consistency and openness could be achieved and efforts made to bring about inclusivity and diversity in respect of the profiles of appointees.

- **Remove all political involvement from judicial appointments** and

promotions by establishing an independent body for this job.

- **Equality-proof** all legislative, policy and budgetary decisions.
- **Poverty-proof** all legislative, policy and budgetary decisions and introduce more **evidence-based systems of resource allocation**, based on objective, pre-constructed and evidence-based criteria.

This would be conducted in line with the new Anti-Poverty Strategy, and would involve working within clearly defined targets, timeframes and lines of responsibility that prioritise the welfare of the people of Ireland in all government decisions.

- **Replace the Official Secrets Act 1963** with legislation that strikes a better balance between maintaining state security and protecting whistle-blowers in reporting wrongdoing.

The Act was written in very broad terms and has been misused as a means of blocking public interest-led disclosures. Such broad reaching restrictions are no longer necessary.

- Actively and enthusiastically participate in the **Open Government Partnership** initiative by prioritising reforms which have the strong backing of civil society and which have the potential to be truly transformative.
- Introduce an **e-governance platform and publish more extensive data in open source** to bring about a more open and transparent form of governance and a general presumption of openness in relation to State-held data.

- Improve and urgently enact the long-delayed **Public Sector Standards Bill 2015** which would go some way towards implementing the recommendations of the Mahon Tribunal and address future conflicts of interest by TDs, Ministers and officeholders.

The Bill has not progressed beyond committee stage in almost eight years.

- Create a **'legislative footprint'** for all Acts of the Oireachtas to ensure full transparency in how our laws are influenced.

A comprehensive digital footprint would allow the public to see in one place the input of different groups and individuals in shaping legislation at different stages in its legislative journey. It would summarise all external input, including submissions received by public officials and representatives.



## Reforming the Lobbying Process

### Separating lobbying and politics

There is a need for **clear demarcation between the political arena and lobbying.**

Seamless movement between the public and private sectors **fuels distrust in the political system.** In recent years in particular, there have been several high-profile examples of ministerial advisors moving into the private sector and then often back into the public sector again, not to mention examples of ministers of state moving into jobs in sectors of the economy for which they previously had responsibility.

In government, we will take the separation of politics and lobbying further than is currently the case. At present, the rules of the Oireachtas allow all former TDs and Senators perpetual access to the Leinster House premises. This is indeed a huge privilege, and not one to be taken away lightly. However, it has allowed an insidious situation to develop whereby several former TDs and Senators use that privilege to gain undue access to sitting ministers and other influential members of the houses. Rather than needing to wait on an invitation from an Oireachtas member or a committee, many lobbyists can come and go as they please, **allowing them almost unfettered access to policymakers.**

Where someone takes up a role as a lobbyist after leaving Leinster House, **they should only be allowed access to Leinster House on the same basis** as any other member of the public or civil society.

The Social Democrats also believe there needs to be a more rigorous system around the 'cooling off' period where individuals leaving public life must observe a waiting period before taking up work in certain roles, most notably those that involve lobbying government.

While restrictions on the right of an individual to employment and a livelihood are not in themselves desirable, the public interest and the need for clear demarcation between the political arena and lobbying must trump concerns around individual rights. As noted above, the seamless movement between public and private sector often fuels distrust in the political system. It also gives many individuals unfair and undue access and influence.

### A Code of Conduct for Lobbyists

A **Code of Conduct for lobbyists** aimed at encouraging high professional standards should be produced by Standards in Public Office Commission (SIPO) following consultations with stakeholders.

That Code should be laid before the Oireachtas. SIPO, or any successor organisation, should have the authority to issue guidance on the Code and to conduct inquiries and report on breaches.

Existing public-sector codes of conduct do not provide sufficiently clear guidance on what constitutes good lobbying and how public officials should conduct their communications with external individuals and groups. This is further compounded by inadequate training on, and enforcement of, existing codes.

More emphasis must be put on training, particularly in relation to conflicts of interest and ethical business-government relationships. This should include **clear guidance to Ministers on how they are expected to engage with lobbyists**, including professional lobbyists and those who are former public officials.

### Additional Powers for SIPO

As noted earlier in this document, in government we would create an Independent Anti-Corruption Agency which would, amongst other roles, assume the anti-corruption remit of the Standards in Public Office Commission, also known as SIPO.

However, while SIPO remains in existence, it is in need of reform. It currently has **no authority to make public its investigation reports** into contraventions of the Regulation of Lobbying Act 2015. This is at odds with other ethics laws. The lack of transparency in this area undermines public confidence in SIPO's enforcement powers.

We believe that routine publication of investigation reports – **'naming and shaming' lobbyists who contravene the law** – would facilitate public scrutiny and enhance compliance.

SIPO needs **real teeth, as well as adequate staff and other resources** if it is to make a real difference. Too often in the past, SIPO has held an enquiry and made recommendations, only for nothing to happen. **It must have real power to:**

- Receive complaints.
- Inspect records and returns on the online register of lobbying activities.
- Verify information.

SIPO should also be resourced to conduct thorough spot checks of a proportion of all lobbying returns filed.

In government, we will:

- Ensure that where someone takes up a role as a lobbyist after leaving Leinster House, they will **only be allowed access to Leinster House** on the same basis as any other member of the public or civil society.
- Implement a **Code of Conduct for lobbyists** aimed at encouraging high professional standards.
- Give SIPO (and any successor organisation) authority to **make public its investigation reports** into contraventions of the Regulation of Lobbying Act 2015.
- Resource SIPO (and any successor organisation) to conduct **thorough spot checks** of a proportion of all lobbying returns filed and to 'name and shame' lobbyists who contravene the law by publishing its investigation reports.
- Give SIPO (and any successor organisation) **power to receive complaints, inspect records and returns on the online register of lobbying activities, and verify information.**
- Investigate the possibility of enshrining and enforcing certain principles in legislation, including **honesty, transparency** (which can be enshrined by creating criteria to ensure investigations are carried out in public to the greatest extent possible and that findings are published at an early date), **accountability** (laying out clear consequences for those engaged in wrongdoing) and **timeliness** (by setting out criteria for an early response to transgressions, ensuring this becomes the norm).

## Increasing Accountability in Government

The Social Democrats believe there needs to be a reform of the Ministers and Secretaries Act to **make senior civil servants accountable** for their actions.

The Act currently protects the relationship between Ministers and Secretaries General. This makes it virtually impossible to pinpoint how problems (e.g. substantial overspending) have occurred. It should certainly be possible to dismiss a senior public servant for misconduct or incompetence, but it is well known that this is rarely if ever done.

Too often, Ministerial interactions with lobbyists take place in informal settings or in meetings without civil servants present. Hidden and informal influence by a cosy circle of ‘insiders’ **damages public trust in how important decisions are made at the highest levels**. Ministers and senior civil servants should **proactively publish online details of all meetings and interactions with lobbyists** – including calendars and meeting agendas.

There must also be an end to ‘No Minutes’ policies for key meetings and decisions. The reasons for important decisions made by Ministers and senior officials are often not properly documented in official files. Public officials should be obliged to keep accurate records of key government decisions and actions – and to keep these for as long as they are needed for accountability purposes.

In government, we will:

- Reform the Ministers and Secretaries Act, to **make senior civil servants accountable for their actions**.
- Ensure that ministers and senior civil servants **proactively publish online details of all meetings and interactions with lobbyists**. There must also be an end to ‘No Minutes’ policies for key meetings and decisions. The reasons for important decisions made by Ministers and senior officials are often not properly documented in official files.
- **Oblige public officials to keep accurate records** of key government decisions and actions – and to keep these for as long as they are needed for accountability purposes.

## Meaningful Oireachtas Reform

The Irish Oireachtas is one of the weaker parliaments in liberal democracy.

While much needed reform has happened over the last number of years in the Oireachtas to strengthen the ability of members and the institution itself in carrying out the fundamental functions of parliament, we believe there is still much to be done.

In government, we will:

- **Redistribute power to a reformed local government system** to remove localism from national politics.
- **Reform the whip system** to rebalance the power dynamic between Parties and members of parliament.

We would investigate the introduction of a lined whipping system similar to the British Houses of Parliament. This system helps parties and government to distinguish between policy positions that members are absolutely bound to support, issues they are strongly advised to support, and issues the party would prefer they support.

In adopting such a tiered approach, it may be possible to maintain the stability of parliament on urgent matters of confidence and supply, while also respecting the voting rights of individual members.

These potential reforms could have the effect of increasing the accountability of individual parliamentarians for their voting choices and is aimed at strengthening the role of the Dáil and Seanad as deliberative forums.

This will only improve the workings of the Oireachtas as a whole, if these measures are adopted on a cross party basis.

- **Strengthen Oireachtas Committees and place them at the centre of the legislative process.**
- Require that **public representatives declare significant liabilities as well as assets.** This would be introduced as part of improvements to the Public Sector Standards Bill 2015.
- **Eliminate salary top-up payments** made to committee chairpersons, whips, and members of the Houses of the Oireachtas Commission.

- **Reform and make appropriate, accountable and transparent all expenses and allowances paid to members of parliament.**
- The legislative process should not end with enactment. Legislation must be subject to **post-enactment scrutiny** to ensure it operates as originally intended.

This is to be achieved by attaching a brief outcome report to all new

legislation setting out the precise intention of the legislation and identifying an appropriate Oireachtas Committee to conduct the assessment.

Reviews would take place approximately one year after enactment and, where amendments are identified as necessary, committees would appropriate action.

## Rebalance Political Funding

Politics is currently funded in such a way as to protect the established parties and this makes it extremely difficult for new alternatives to emerge.

Our political funding model therefore acts as a barrier to the on-going development and evolution of our political system, making the system less responsive to the needs and wishes of the voters of Ireland.

It is vital that this problem be addressed. We propose to **reform the two streams of political funding** – parliamentary and electorally-based – as follows:

- Change the distribution mechanism for parliamentary funding and resourcing to be much more transparent and accountable in how resources are used.
  - Give members better access to and control over how such resources are used.
  - This would safeguard the equal capacity of members to do their jobs and would rebalance the power dynamic between Parties and members of parliament.
- Change the distribution mechanism for funding provided under the Electoral Acts to prevent qualifying parties from receiving a proportion of the shared fund that is larger than the proportion of 1<sup>st</sup> preference votes received in the preceding general election.
  - This proposed reform would divert political funding to the Irish Electoral Commission to fund political education and outreach work aimed at providing support and voter engagement for small parties, new parties and under-represented groups.



[www.socialdemocrats.ie](http://www.socialdemocrats.ie)

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