

THE SELECT COMMITTEES OF THE 24TH OIREACHTAS

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ABBREVIATIONS

AHCS	Association of Higher Civil Servants
BGE	Bord Gais Eireann
BLC	Joint Committee on Building Land
BTE	Bord Telecom Eireann
C&AG	Comptroller and Auditor General
CDCC	Joint Committee on Co-operation with Developing Countries
CIE	Coras Iompair Eireann
CLVC	Dail Committee on Crime, Lawlessness and Vandalism
DD	Dail Debates
DPS	Department of the Public Service
ESRI	Economic and Social Research Council
ESB	Electricity Supply Board
FF	Fianna Fail Party
FG	Fine Gael Party
ILAC	Irish Life Assurance Corporation
ILC	Joint Committee on the Irish Language
ISL	Irish Shipping Limited
LC	Joint Committee on Legislation
2ndLC	Joint Committee on Secondary Legislation of the EEC
Lab	Labour Party
MBC	Joint Committee on Marriage Breakdown
NBST	National Board of Science and Technology
NESC	National Economic and Social Council

OECD	Organisation for Economic Co-operation and Development
OIE	Ostlanna Iompair Eireann, Teoranta
PD	Progressive Democrat Party
PEC	Dail Committee on Public Expenditure
PPC	Committee on Procedure and Privileges
PAYE	Pay As You Earn
PRSI	Pay Related Social Insurance
SBC	Joint Committee on Small Businesses
SC	Selection Committee
SD	Seanad Debates
SSBC	Joint Committee on Commercial State-Sponsored Bodies
Teo	Teoranta
VAT	Value-Added Tax
WP	Workers Party

PREFACE

This dissertation is my own work and includes nothing which is the outcome of work done in collaboration. A report based on an earlier draft of chapter four has been published in the Irish Press, Inside Report, May 28th, 1987, and another appears in Irish Political Studies, Volume 3, (1988), pp.91-99.

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Introduction

This thesis seeks to present a detailed analysis of specific select committees at work during the 24th Oireachtas, namely the Joint Committee on State Sponsored Bodies and the Select Committee on Public Expenditure. A brief evaluative description of other select committees at work during this period is also included, and references will be made to parliamentary arrangements abroad.

Chapter one describes the factors which conditioned the extension of the Irish select committee system over the last decade and outlines the rules which have regulated their work. Chapters two and three focus on the activities of the Joint Committee on Public Expenditure and the Joint Committee on Commercial State-Sponsored Bodies between 1983 and 1987. Chapter four briefly discusses the performance of the remaining fifteen committees at work during the same period, and describes media coverage of their activities.

This dissertation is based on select committee reports and minutes of evidence published during the 24th Oireachtas, and on parliamentary debates relating to those reports. Documentary analysis has been supplemented by an extensive, informal interview programme undertaken by the author. More than twenty such interviews ranging in length from thirty minutes, to two and a half hours, were conducted with members

of the various committees, ministers, civil servants, journalists and committee advisors. A standard questionnaire format was not employed because the author favoured an informal setting which might in the long run be seen to have drawn out valuable and otherwise unavailable information. While the substance of those interviews has been incorporated throughout the dissertation, sources are unattributable, but are indicated by alphabetical lettering. This alphabetical format does not correspond to the numerical listing of interviewees in the bibliography, and is used merely to show that the author has catalogued each fact or opinion.

Parliamentary reform is a broad and complex area which encompasses electoral reform, internal/procedural reform (standing orders, parliamentary questions, order of business, debating rights and the organization of committees), reform of political parties, constitutional reform, devolution, and reform of the Senate and the Presidency. This dissertation, while focussing intermittently on broader aspects of reform, primarily looks at internal reform innovations relating to the use of select committees. An analysis of parliamentary government is not attempted, nor is the intricate relationship between the cabinet and the legislature in Ireland brought under any particular scrutiny. Instead, this dissertation is intended to account for the work of specific select committees in the 24th Oireachtas so that their usefulness might better be measured.

Note on Methodology:

Where research into parliamentary committees has been compiled in countries such as Britain, Canada, France and Germany, authors have commonly faced methodological difficulties in their efforts to evaluate committee performance. At the root of the problem lies the near impossibility of finding appropriate measures of that performance. Do we, for example, attempt to evaluate it quantitatively: by studies of output? -- i.e. the number of reports and recommendations produced; or by turnover? -- i.e. the number of meetings held and witnesses received, or by the success ratio of recommendations? -- i.e. the number which reappear in policy documents or in bills on the order paper?

Quantitative evaluations are inconsistent and crude and seldom present a true account of committee activity. A committee which reports prolifically, for example, might enjoy efficient and extensive staffing privileges which other committees do not. Likewise a high turnover of work might be dictated by factors other than a diligent membership and recommendations which reappear in later policy documents may not have originated within select committee. Quantitative measurements of output, turnover, attendance etc., can nevertheless provide an initial framework for comparison, which is useful if treated as a superficial indicator and not

as definitive evidence of a committee's success or failure. Where considered valid, therefore, minor comparative references will be made throughout this dissertation.

The author had hoped to compile comprehensive statistical data on attendance however, but decided otherwise due to the irregularity of committee publications and the frequency with which select committee meetings were held in private. Occasional tables have been included nevertheless, and these, being based on a sample range of committee meetings, are presented as indicators of membership performance. They show attendance and the number of questions posed by each member of the Dail Committee on Public Expenditure and the Joint Committee on State-Sponsored Bodies over a range of public meetings held between 1983 and 1986. Being intended strictly as indicators these tables are not used to support any argument or proposition. Membership attendance figures for the Joint Committee on Building Land are also presented in Table 3. The figures set out in this table are unique because they are drawn from every meeting held by this committee during the 24th Oireachtas.

Abstract

As a single issue, parliamentary reform has never been given priority in the Oireachtas and in the past, reform initiatives have been sporadic, minor and less than effective. Backbench TDs are prone to lament their status, which many perceive as being weak and inappropriate for tasks of scrutiny or decision-making. Ostensibly in answer to pleas for reform, a disparate assortment of ad hoc select committees was set up in 1983. Chapter One describes the background to the new committees and traces the factors which conditioned their structure and remit. Chapters Two and Three examine the activities of two select committees, their composition of membership, their structure and work methods and summarise a select sample of their reports. These chapters also endeavour to assess the achievements of the Dail Committee on Public Expenditure and the Joint Committee on State-Sponsored Bodies and suggest minor alterations which might improve their method of scrutiny and its effectiveness. Chapter Four provides a brief overview of other select committees meeting during the 24th Oireachtas. A short presentation on media coverage of select committees is also included.

The objectives of parliamentary reform are multiple and confused. So too were the expectations set for the new Oireachtas committees. This was obvious from the fractious consultations which determined their structure, the scope of their remit and their composition of membership. In concluding this review, the effects of select committees on the Oireachtas are measured against the original expectations set for their work. Finally, the overall performance of select committees as tools of parliamentary reform is discussed in relation to the political climate which governs their existence.

CHAPTER ONE

Reform of the Dail

The case for Dail reform has been espoused by a select group of politicians through a combination of public and parliamentary speeches, newspaper and journal essays at irregular intervals over the last fifteen years. Common to each contribution has been a tone of urgency which depicts the need for reform as a political or even moral imperative. Yet for a movement whose collective membership stands for a large proportion of the parliamentary world, it has, curiously, lacked the cohesion and consistency of approach from which results are produced. As one British observer remarked on the situation within the House of Commons 'knowing what is wrong with Parliament is the key to reforming it' and within the Irish context, as in many other legislatures throughout the world, there is rarely any synchronised agreement about what is wrong with parliament and how that 'wrong' should be remedied (1). An informal committee on Dail reform which met in 1972 recommended thirty-five technical measures designed to modernise Dail Standing Orders (2). Of those reforms which were implemented many have 'streamlined some utterly outmoded Dail procedures'. Overall, however, the effects have been 'minor' and as 'a long term contribution towards meeting the more serious defects of Dail procedures, the Report [of the informal committee] was not a major contribution' (3). Since

1972, pleas for reform have been made on infrequent occasions, and rarely, if ever, at the same time. Even when single, cross-party motions for reform have been tabled in the Oireachtas - and there have been only two of significance in the last fifteen years - despite attracting widespread parliamentary interest, contributions have been rambling, and unstructured (4). Without the existence of a well organised reform campaign which relies on consistent surveying and reporting facilities, such as those sponsored in the past by the Study of Parliament Group in Britain or, at present by the All Party House of Commons Reform Group, reform initiatives in Ireland will continue to be feeble and sporadic.

In his 'memorandum' to the government in 1975, Barry Desmond T.D., seeing the pressure for reform as 'drearly dispirited', acknowledged that it was never 'likely to receive much priority', possibly because the 'minds and actions of many Deputies and Senators will most likely be preoccupied with other more seemingly important political issues such as their prospects for re-election to the Dail' (5).

The message of reform, however dispirited or inconsistently put, is fairly obvious. Many of those on the Oireachtas backbenches are dissatisfied with their role within the overall scheme of government. For them, parliamentary life has been characterised in recent decades by an increasing number of complex Bills and motions which they pass,

sheeplike, without effecting any concrete input. The last five years alone have seen unprecedented rises in expenditure, emigration, unemployment and its associated social welfare business. Yet in the face of an upward spiral in constituency duties, TDs still await qualitative improvements to existing parliamentary mechanisms which will give them access to decision-making and improve their ability to scrutinise executive activity. The factors which caused Basil Chubb to depict the Dail as 'one of the worst organized, equipped and informed parliaments in the democratic world' in 1969, appeared to have remained unchanged in 1979 and may yet be seen to have been exacerbated as we approach 1989 (6).

The Rt. Hon. Julian Critchley's depiction of MPs in the House of Commons as powerlessly 'perched high on the backbenches like so many battery hens', might instantly be applied to describe their Irish counterparts, some of whom have long been searching for reform initiatives which will bring them closer to realising their elusive constitutional functions (7). Those constitutional functions, although clearly set out in Bunreacht na hEireann, bear little relation to the practical role of the backbencher. In theory, parliament exists to legislate. Article 15 (2.1) of Bunreacht na hEireann provides that the 'sole and exclusive power of making laws for the State is hereby vested in the Oireachtas: no other legislative authority has the power to make laws for the State' (8). In practice, the Westminster model of parliament adopted in Ireland finds its leadership in the

government, and over centuries, that leadership has been strengthened within parliament. Today it relies upon, and invariably receives, the support of a parliamentary majority which is invoked by means of strict party discipline.

Inside the Dail

Parliamentary reform invariably commences with the Dail, while reform of the Senate is usually seen in relation to the Dail as the dominant partner. Thus, parliamentary reform essentially comes to mean Dail reform which can be summarised as a quest by TDs for improved working conditions which might bring them closer to realising evasive theoretical and constitutional powers.

The nature of power within the Oireachtas is relatively simplified. Power is not within the scope of the backbencher; it does not lie in choosing the executive, for ministers are promoted from a list of the deserving drawn up by the party whips. Nor does it lie in formulating legislation. A TD can amend or very occasionally influence legislation before it is formally presented to the Dail, but Bills are by the manifesto out of the civil service. Power does not really lie in dismissing the executive, for to do so would be to cultivate political and electoral repercussions which many backbench politicians might not survive.

Debates in the Oireachtas involve a constant exchange between the government and the governed, through their elected representatives. The executive states its policy, and

individual members or groups of members are free to compel a full disclosure and explanation, but not to legislate, merely to accept or reject a government's proposals. The limitations which prevent it from doing so are a combination of a number of factors; such as the strict party discipline which is a by-product of adversarial politics, or the increasing complexity of government business which sees a greater volume of highly technical information concentrated within the area of the executive. TDs become progressively less well informed and their generalist skills become inadequate for the exacting task of scrutinising the executive. This situation is possibly exacerbated by the traditional Irish routes to the Dail, which, tending to predispose candidates towards local issues rather than matters of national policy as they do, may not develop professional competence in understanding and supporting the legislative process.

The movement for Dail reform in Ireland - if it may be called that, for very few politicians actually pursued the issue as a lobby interest - arose primarily in response to a perceived lack of parliamentary powers. While it seeks to improve many areas of Oireachtas affairs, including practical aspects of the work environment, such as secretarial facilities, provision of accommodation, restaurant services and so on, its ultimate objective relates to closer scrutiny of the executive and increasing backbencher influence over policy formulation and decision making. In pursuit of this, those who cared to look abroad for inspiration and instruction

instantly recognised that other legislatures had long since initiated extensive reforms: Canada and Great Britain started in the late 1960s and Germany, Switzerland, France and Italy even earlier. After only elementary investigation, it became apparent that the conduct of business in the Oireachtas was archaic when compared with practices abroad.

The late 1960s and ^{the} 1970s in Britain witnessed a general remodelling of parliamentary procedures: staffing and secretarial facilities were improved; radio broadcasting was introduced into the House of Commons, later to be developed into edited television broadcasting for the House of Lords; Standing Orders were amended in the area of Parliamentary Questions and so on. But what can be seen to be the most significant development lay in the extension of the use of select committees (9). Members of the House of Commons in Britain were broadly impressed with the achievements of the American congressional and senatorial committees which are 'industrious, numerous, self-contained, permanent and influential' (10). The House of Representatives and the Senate are often viewed as though made up of a great number of self-reliant machines, operating independently of one another. These machines have proven useful and even indispensable in the American context and elsewhere. Hence a network of committees examining vast areas of governmental affairs, ranging from nationalised industries to race relations, was set up in Britain. After decades of experimentation, modern committee systems have been moulded to accomodate the interests of those occupying the

backbenches in Britain, New Zealand, Australia and Canada. Those interested in committees as a tool of parliamentary reform in Ireland have had ample opportunity to study precedents set abroad in an effort to avoid mistakes.

A definite, permanent structure was only properly devised in Britain in 1979 when twelve departmentally-related select committees replaced most of the existing committees in the House of Commons (11). For nearly twenty years, select committees in Britain had trailed haphazardly along without any proper co-ordination. They were commonly referred to as a 'hotch-potch' without any systematic pattern, and were once described as 'a patchwork quilt which covers part of the administrative bed much more completely than is needed and does not cover other parts at all' (12). In 1979, the Conservative Government in Britain - never traditionally considered a friend to select committees - introduced a more structured system which was departmentally related. In practice, the new system results in the appointment at the beginning of each new term of a Commons select committee to monitor each government department. On announcing the new reforms in 1979, Mr St John-Stevas, the then Leader of the Commons, declared the House of Commons to be 'embarking on a series of changes which could constitute the most important parliamentary reforms of the century' (13).

The merits of the 'departmentally related' system, which are said to be coherence and continuity, are considered irrelevant within the Irish context for a number of reasons.

Firstly, because few ministers would tolerate a single committee dogging their movements. Secondly, because the nature of the relationship which might develop between a minister and a departmentally related select committee is commonly feared (14). It is anticipated that such relationships would probably tilt between antagonism on the one hand, in which case committee work would not progress, or sympathy and fraternity on the other. Both situations would impair a committee's ability to be impartial and exacting.

Aside from the merits of the specific type of systems, i.e. departmentally related or not, which might have been considered for adoption by the Oireachtas, it seemed inevitable that select committees of any type would produce very different results in Ireland to those achieved in Britain or elsewhere. Apart from the different political contexts in which legislatures operate, the institutional structures and other factors which condition their work are quite divergent. The Oireachtas is far smaller than the House of Commons for example, and the electoral preconditions in each country, both in terms of the system and the influences, differ greatly. The traditional role for MPs and TDs are dissimilar as are party demands and inter-party relationships. Career structures for MPs in Britain follow different paths to their Irish counterparts; whereas many MPs might not aspire to a cabinet role, choosing instead to become professional parliamentarians, Irish TDs would retain an open mind wherever possible.

Other structural and demographic factors distinguish these particular two parliaments from each other. Government machinery is more extensive in Britain. Being a larger country it has far greater administrative workloads. The prospect of delegating small responsibilities to committees, standing or select, in areas where there is minimum contention, is often welcomed by the executive in Britain, while in Ireland cabinet supremacy is cautiously guarded against any slight erosion. The system in Britain has had centuries of growth and development to sustain it, and the gradualness with which modernization has been controlled, has eased an accommodation of the needs and demands, if not of its people, then at least of its politicians. The parliamentary system in Ireland might benefit more from indigenous development and experimentation than from wholesale adoption of British mechanisms.

Advantages of Select Committees

Irish politicians, predominantly from the Fine Gael and Labour parties, have long advocated the use of select committees in the Dail as a means of equipping the backbencher with information which could improve the range of his influence. The proposing of an efficient committee system supportive of the legislative process, while possibly of great advantage to government in the long run, may in the short term be viewed suspiciously as a potential threat to

the executive supremacy so inherent in the Westminster model of government. Strong select committees do not blend easily with this constitutional model which sees cabinet as the centre of power. In their search for information, they utilise powers of scrutiny which inevitably inhibit government behaviour.

Measured against a background of feasible internal parliamentary reforms, select committees were nevertheless seen to have considerable merits to commend them. It is evident from contributions to a debate on reform held in January 1983, and in the occasional policy documents addressing the issue, that the choice to extend the use of select committees in the Oireachtas was made with high expectations for their work (15). In summary, they were as follows:

-- that the Dail should be able to off-load more and more of its work to them, in particular that they could be a device for regional devolution, where TDs from each region gather to discuss issues relevant to their province,

-- that access to detailed information, interrogation of departmental officials and other witnesses would have an educative value for backbench members of the Oireachtas, which would effect an improvement in the quality of participation on the floor of the House, where ministers might be challenged on a near equal footing,

-- that a more sophisticated form of accountability would be achieved and that the public service would be seen to be directly answerable to the public, through parliament,

-- that ministers would have to account for their actions doubly, i.e. not only to the Dail, but also to committee,

-- that committees would provide a forum for discussion without the party political complications which affect debates within the Dail,

-- that, as a consequence, the parliamentary process would take on a more professional image and TDs would feel greater dignity and esteem in the performance of their duties.

Ultimately it was expected that in reporting and making recommendations, the committees would play a significant role in policy formulation, thus allowing TDs to exercise their constitutional rights as legislators.

The realisation of such expectations rests on a number of assumptions: namely that the executive are prepared to extend full support and co-operation commencing with instant improvements in staffing and secretarial facilities. This alone would require a substantial increase in the appropriation to the Houses of the Oireachtas. The effective use of a vast range of new committees also presupposes the physical/logistical availability of membership; general

parliamentary support for their work; backing for recommendations and a non partisan approach by the membership who in turn would require a minimum of electoral recognition for their work. Experience in legislatures abroad suggests that the hallmarks of an effective select committee is its non partisan approach; the examination of detail; the disclosing of facts of a case and its ability to advise members of parliament. Usually it performs duties for which the body of the House - in Ireland's case, all 166 members - is unsuited to do, and it should do so in a manner which tends to mute party differences. Without the essential preconditions listed above, any attempts to develop an effective committee system would be thwarted.

Significant debates on Dail reform, held in 1973, 1976 and 1983, revealed a consensus which favoured the expansion of the Oireachtas system of select committees. The most adventurous initiative in their use began in 1983. The factors which influenced the origin of each committee are described below.

Terms of Reference

The scope of any select committee investigation is determined by the orders of reference or rules by which it works. These are framed by the executive and not by a committee's membership. Apart from one exception, the Joint Committee on

Womens Rights, which was developed in its early stages by Nuala Fennell, Minister of State at the Department of the Taoiseach, the administrative responsibilities for the committees set up in 1983 fell mostly to John Bruton's staff at the Department of Industry and Commerce. Their role was to conceive a structure and purpose for each one within a timespan of only a few months: the relevant debate on Dail reform took place in January 1983, and the committees were expected to be in operation before June of that year. The troublesome preparatory work for so many committees at once was exacerbated by the haste in which it was conducted.

Although committees have been used intermittently in the Oireachtas since 1922, only seven are reappointed by standing order at the start of each new Dail. They are the Public Accounts Committee (PAC), the Dail and Seanad Procedure and Privileges (PPC) and Selection (SC) Committees and the Joint Committee on Secondary Legislation of the EEC (2ndLC) which was provided for under the European Communities (Amendment) Act, 1973. The potential for using the structures of such traditional committees as precedent for the new models was limited. The coalition government, having agreed to improve outmoded parliamentary mechanisms in 1983, were not encouraged to adopt old procedures under new titles. The ad hoc manner in which the system was to be extended complicated the task of devising useful structures and orders of reference. The search for powers and structures which would help meet the multiple expectations set for each committee was a much debated and controversial process. Although

ultimately the cabinet had the final veto, there was extensive consultation with the opposition parties through the whips and the leaders of both Houses.

Functions

Unlike standing committees, which are set up to carry out duties in a fixed way and without the power to display initiative, select committees are largely masters of their own proceedings: they devise their own agenda and decide how to set about the task they have been given. While all select committees share common characteristics, the Oireachtas distinguishes between them in deciding how much freedom each receives through the powers delegated to it. Examination by select committee is additional to the legislative process. It covers a broad variety of subject matters which can be summarised as follows:

Investigative -- to establish the facts of a matter and make recommendations,

Overseeing -- a special subject such as commercial state-sponsored bodies, women's rights, or building land,

Quasi judicial -- to consider a case of privilege and receive witnesses,

Domestic -- to make arrangements for the greater convenience of members,

Legislative -- to examine the finer details of a bill and recommend amendments.

The principal characteristic of all select committees is the power to send for persons, papers and records. This enables them to investigate, to hear witnesses, to assemble facts and generally to conduct the inquiry with which they have been charged. A committee will consult with anyone it thinks may help it. Recent innovations allow it to set up sub-committees, appoint specialists, sit when the House is in recess, and adjourn from place to place, including abroad if it sees fit. Select committees are competent to deal with organizations and individuals outside the House.

Sending for papers and records can prove difficult, insofar as access can be restricted to documents which do not concern policy or other matters considered to be 'secret' or important to national security. Internal departmental files or minutes are usually not made available unless by express permission of the relevant minister, in observance of the Official Secrets Act, 1963 which states that

A person shall not communicate any official information to any other person unless he is duly authorised to do so or does so in the course of and in accordance with his duties as the holder of a public office or when it is his duty in the interest of the State to communicate it (16).

In such circumstances 'official information' is defined as:

any secret official code word or password, and any sketch, plan, model, article, note, document

or information which is secret or confidential or which is expressed to be either (17).

In practice these limitations translate into information being made available to committee only with ministerial sanction, which in turn ensures that committees consider administrative matters sooner than policy. Some committees are excluded from considering policy as a natural consequence of their function, i.e. the PAC exists to examine departmental accounts, not the policy which determines them. But other committees do not have this natural limitation and their work often enables them to look equally at policy and administration. It is such committees which the executive sometimes attempts to confound.

Even though the consideration of policy issues does not have the sanction of express statutory provision and the executive would in principle oppose any attempts to do so, certain committees have nevertheless developed their own in-house style of inquiry which tentatively borders on policy evaluation. For example, the Public Expenditure Committee (PEC), which was set up to review public expenditure planning and management, has at times expanded its remit to review factors which condition expenditure. Likewise, the Joint Committee on State-Sponsored Bodies (SSBC) often extends its inquiries beyond the day-to-day operations of the commercial state sector to include policy issues relating to their administration. As a rule, however, policy and its scrutiny remains firmly within the grasp of the government and committees are free only to examine its effects.

All select committees are empowered to report, some from time to time on their progress and others to conclude their specialist inquiry. Unlike in Britain, Irish select committees are not entitled to official governmental responses to their reports, except the PAC which receives a somewhat informal reply to their recommendations entitled the 'Minute from the Minister of Finance'. This 'Minute' which includes fairly general commentary from the department of finance, is published as an appendix to later PAC reports. The PEC have occasionally prevailed upon government departments to reply to their recommendations and criticisms by continuously requesting a formal or informal response. All other committees are free to pursue similar responses, and, in the event of refusal, their members might choose to table parliamentary questions as an alternative. Left to themselves, select committees have a certain influence but little power. To have real success, a committee depends on the Dail to endorse its findings and lobby in support of its recommendations.

Power to Recommend

In very general terms each committee receives a remit which reflects cabinet expectations for its work. Naturally those expectations vary from individual to individual. Even at senior party level, diverse and ambiguous motives often lie behind the appointment of new committees. The widespread confusion which surrounded the framing of the terms of reference for committees set up in 1983 was inevitable. Interview evidence suggests that elements within the cabinet expected the new committees to act as a measure of political opinion (18). They sought to withhold the power to appoint specialists so that committee members would return verdicts based on political judgement rather than expert advice. This strategy was resisted by committee members whose duty it was to carry out the actual work. Already the work of a backbencher was conditioned by great party and constituency pressures. Aside from fundamental limits on time and resources, many of the specialist issues arising for examination by committee were steeped in technical complexities which would hamper those with only rudimentary expertise. Understandably the view was adopted that any experiment with select committees would fail without adequate specialist help and guidance.

This preference, expressed by the executive, for a network of committees deprived of specialist assistance, betrays a degree of distrust in their relationship with the Dail. A

cynical interpretation might suggest that the executive considers committee members to be impressionable targets for persuasive experts. Another view might question whether the executive itself is apprehensive of defending policy to House members who are well briefed on the facts of a case. Either interpretation gives credence to the old adage which sees knowledge as power.

Not every participant in the 1983 reforms favoured an extensive delegation of powers to select committees. More than a few shared the government's conservative expectations for their work, and a minority were fearful of the adopted reform strategy which they considered to be overgenerous. Many feared possible intrusions into policy matters and sought to avoid harmful precedents which might affect them in office later or lead to policy changes which they disagreed with. Those on the Marriage Breakdown Committee (MBC) who held a principled opposition to divorce wanted only limited terms of reference to condition their work; in particular they resisted the introduction of powers of recommendation. On 3 October, 1984 there was a hastily assembled meeting of the committee. There were 5 members present including the chairman, Willie O'Brien. Deputies Padraig Flynn, Maire Geoghan-Quinn, Rory O'Hanlon, and Senator Tom Hussey, made up the Quorum. It was the first time there was a Fianna Fail majority present. A motion was rushed through debarring the committee from making recommendations at all. The original official terms of reference had enabled the committee 'to

consider every aspect of the matter including whether any legislation or constitutional changes were necessary' (19). The effect of the Fianna Fail motion was to limit the committees' powers. Where previously it might have issued recommendations now it could only express opinions and observations.

The general ambiguity of approach displayed by the Fianna Fail party as a whole, and its representatives on the MBC, suggests that many of its members would have preferred the issue of marriage breakdown to remain out of the spotlight altogether. Charles Haughey as leader of the opposition was in open disagreement with the then Taoiseach, Garret Fitzgerald, over whether the committee had been empowered to make recommendations. It is not inconceivable that certain members of the MBC committee had enlisted for the inquiry solely to counter and oppose any pro divorce sentiment which might emerge from proceedings. Against a background of constant media coverage and acute public awareness, the terms of reference received by the MBC and the expectations set for its work, could not but give rise to controversy.

Disputes about terms of reference were not confined to the MBC. Several members of the Joint Committee on Legislation (LC) lobbied strenuously for powers of recommendation which the cabinet preferred to withhold (20). A minority within the Public Expenditure Committee (PEC), while not contesting the powers enshrined in its terms of reference, certainly disputed their interpretation. Those who opposed what the

experiment with select committees was trying to achieve, and many did, condemned all aspects of its work which might intrude on matters of policy.

General Powers

The following is a brief overview of the powers delegated to the select committees set up in 1983. Of the ten newly established committees at work during the 24th Oireachtas, the Joint Committee on State-Sponsored Bodies (SSBC), the Women's Rights Committee (WRC), the Public Expenditure Committee (PEC), the Joint Committee on Small Businesses, (SBC), the Crime, Lawlessness and Vandalism Committee (CLVC), the Joint Committee on Co-operation with Developing Countries (CDCC), the Marriage Breakdown Committee (MBC), the Joint Committee on Building Land (BLC), the Joint Committee on the Irish Language (ILC), and the Joint Committee on Legislation (LC), all received the following general powers:

- to send for persons, papers, and records,
- to meet in public,
- to appoint specialists,
- to report to both Houses,
- to recommend,
- to print and publish documents as they saw fit.

The PEC, LC, and the BLC, like the Joint Committee on Secondary Legislation of the EEC (2ndLC), which was set up in 1973, and the longstanding Joint Services Committee (JSC),

received the power to appoint subcommittees. An additional provision guaranteed that each PEC report would be debated in the Dail within twelve sitting days, that it should produce a progress report annually, and that members of the government and Ministers of State be notified of meetings and be allowed to attend and take part in proceedings without having a right to vote. Such provisions were unprecedented.

The CLVC and the CDCC, like the 2ndLC before them, received the power to appoint substitutes who could vote in place of full-time members.

The CLVC, WRC, BLC and the LC received the express power to examine or propose legislative measures which related to their remit.

Both the BLC and the MBC were given specific time limits by which to report back to the House. Both extended their reporting-back dates considerably.

These powers were agreed upon immediately prior to the appointment of each new committee in 1983 in a hasty and confusing preparatory process which went through several stages, each a modification of the last. The original blueprint of powers devised by John Bruton was apparently different to anything that had gone before. The finer details of his proposals were never published, but the content might be surmised from commentary emerging from the Dail and Seanad. Evidently the original document floundered somewhere

between cabinet and senior civil service appraisals and the floor of the House. Michael Begley, looking at a final draft in the Dail asked why 'there are many gaps in this document, [meaning the proposals for the extension of the committee system], as compared with the original document. Has the dentist got at it? Have the main teeth been pulled from the original document?' (21). Interview evidence suggests that teeth had indeed been pulled from John Bruton's original proposal, and not by a single dentist (22).

The nature of what was excised had probably to do with reform of backup services to committees rather than delegation of powers. John Bruton, Minister for Industry and Commerce, supported by the Labour party and Fine Gael junior ministers sought sanction from the cabinet to cushion the new committees with a large pool of essential resources from which they could draw staffing, research and publicity services. He was also concerned with establishing a guarantee of returns for those who invested time and effort. With this in mind, the commitments and assurances for co-operation sought from cabinet colleagues and their senior civil service staff were not entirely successful and compromise on the original proposals was unavoidable if the reforms in general were to be implemented.

Staffing and General Resources

The provision of staffing and general resources, such as accommodation, secretarial, recording, editing and publishing, created administrative difficulties primarily for the staff within Leinster House and for their sponsor at the Department of the Public Service. Even prior to the introduction of the new committees, existing resources in Leinster House were strained and overutilised. Moreover, there was an acute shortage in manpower from which to draw committee staff. Consequently officials were 'borrowed' from civil service departments and seconded to particular committees. But there were limits to the number of staff who could be recruited in this way. Few departments wanted to volunteer or relinquish their own officials, especially if committee work might involve conducting controversial investigative research into their parent department (23).

Against a background of scarce resources and departmental sensitivities, not every new committee received its ideal complement of staff. In the main, however, most did quite well, especially compared with longrunning select committees like the PAC. However, although chronically understaffed, that committee has not suffered 'in its ... atrophied and antiquated condition' a 'complete eclipse' by the 'new parliamentary committees, with their ostensibly relevant remits and their eager membership', ^{as the writer mentioned might happen.} (24). The PACs performance for 1983 to 1987 will be developed in a later chapter.

Immunity

The power to send for persons, papers and records does not equip a committee to sub-poena those witnesses who are reluctant to attend, for this is a complicated issue which is bound up with the question of privilege. The 1976 'Committees of the Houses of the Oireachtas (Privilege and Procedures) Act' provided members of the Dail and Seanad with the same immunity and privilege in committee as they enjoy in the House. The issue of immunity for witnesses in committees was never clarified, however, even for those committees which are governed by statute. In 1970/71 the proceedings of the PAC inquiry into alleged arms purchases became the subject of a High Court ruling which convicted a witness for refusing to co-operate with a PAC inquiry (25). Even though the Supreme Court overruled the High Court judgement and the witness was not sentenced, the case may have had lasting discouraging effects for future witnesses, particularly civil servants who fear the publicity surrounding controversial committee inquiries. In the event of a witness refusing to attend, select committees do not have the power to sub-poena evidence.

Many civil servants regard the submission of oral evidence to committees with suspicion, and developments in recent years have not served to allay their fears. In 1981, when allegations of phone tapping in the Oireachtas became the subject of a select committee inquiry, the issue of immunity

for witnesses raised its head once again. On this occasion the Dail Committee on Procedure and Privileges (PPC) sought evidence from senior civil servants at the Department of the Taoiseach concerning the installation of SL-1 telephone consoles with override facilities in government buildings. Soon after the 1981 election, incoming ministers noticed a new telephone facility which allowed them to tap into conversations from other cabinet offices. A new system had been installed during the previous administration with the alleged purpose of monitoring cabinet offices. It fell to the PPC to establish the true origin and objective of the telephone facility. Officials who were called to give evidence were concerned about their status as witnesses: would their evidence be admissible in a personal or professional capacity, and could they expect immunity from prosecution if their actions were deemed to have been illegal? The Association of Higher Civil Servants (AHCS) sought clarification from the PPC, which despite its eagerness to accommodate AHCS interests, could not guarantee immunity for witnesses. Acting on legal advice the AHCS instructed its members not to attend the hearings (26).

It was not by accident that witnesses were excluded from immunity in committee, for the 1976 Committees of the Houses of the Oireachtas, (Procedures and Privileges) Bill, as originally introduced, did include them among the identifiable groups of persons protected by privilege and immunity. The 1976 Act as passed does not. It provides that any utterance in or before a committee, or any document,

including official reports and publications, should be privileged. The reference to witnesses was specifically removed during the passage of the Bill through the Dail. To include them now would require the amendment of existing legislation.

Fear of giving evidence to select committees affected witnesses other than civil servants. Several private businessmen and public servants sought legal advice when requested to submit evidence to the Joint Committee on State Sponsored Bodies (SSBC) during the inquiry into Udaras na Gaeltachta. They, like the civil servants before them, were advised not to attend hearings (27).

It is not clear how widely the case for amending the 1976 Act is supported in the Oireachtas, but those who oppose select committee investigative work might welcome the legal loopholes which restrict access to evidence and therefore obstruct a committee's power of scrutiny. Even prior to the 1983 experiment, the Dail had been warned by Michael Begley who spoke in favour of amending the 1976 Act. He predicted that 'the select committees which are to be set up will not be worth anything unless immunity is given to key witnesses who attend the hearings. By that I mean that they will not suffer because they have the guts to come forward and tell a select committee that money is being misappropriated in certain areas' (28). Begley was at that time awaiting valuable evidence from a man in Kerry who is prepared to give me classified information on how he sees money being

spent'. Begley sought 'assurance that he will not be victimised the minute the findings of the committee are completed. That assurance will have to be written into the workings of these select committees' (29). It was not, and although John Bruton, ^{As Minister} Minister for Industry and Commerce, had taken steps to introduce a Bill to amend the 1976 Act, it had not appeared before the dissolution of the 24th Dail.

After provisional drafts of Bruton's new Bill were completed, it became clear that reforms were envisaged which went further than affording immunity to witnesses. The most important of these related to a committee's need to sub-poena reluctant witnesses. Such a provision was highly contentious due to its quasi-judicial nature, for compelling a witness to attend implies the power to punish those who do not. In an effort to offset probable contention, it was proposed that all requests to sub-poena witnesses would be made, on advice from the Attorney General, to the Dail itself, and that witnesses would receive immunity only after formal request (30).

Although minor, it is likely that such reforms would have faced a difficult passage through the Dail. The sheer practicalities of applying directly to the Dail for permission to sub-poena witnesses would undoubtedly prove time-consuming and open to party-political manipulation. Nevertheless, such a Bill, if passed into law, would have contributed in some way to resolving the uncertain status of select committees.

Membership

Appointments to committees - specialist and investigative - are formally channelled through the two Selection Committees, one in either house, which are composed of party whips and others linked to party organisation. During the 24th Oireachtas for example, the chief whips of the three leading parties: Bertie Ahern, Fianna Fail, Sean Barrett, Fine Gael, and Mervyn Taylor, Labour, played a vital role in the proceedings of the Dail Selection Committee (DSC), which is traditionally chaired by a Minister of State from the Department of the Taoiseach. Select Committee chairmen, together with the whips, liaise with the executive on matters concerning the composition, remit and staffing of committees. It is through such consultations that the cabinet endeavour to protect their interests.

The Dail and Seanad committees work in tandem, performing similar duties in nominating their House members to serve on standing or select committees. Formal nomination is brought forward by the Leaders in both Houses. Although selection committees are empowered to discharge members for poor attendance, in practice those with low attendance records are likely to ask to leave before proceedings are brought against them. Evidence suggests that selection committees typically fail to exercise the power to discharge members when they might. In his article on the PAC, Eunan O'Halpin referred to one senior PAC member who served between 1973 and 1980, during which time the committee held one hundred and two

meetings, of which 'he attended a total of twenty seven, and for three years running did not come to a single one' (31).

Attendance and participation tables set out in chapters two, three and four provide some indication of the participation habits of select committee members (32). These 'tables' are based on limited data derived from those minutes of evidence which were actually published. Due to considerable staffing and editorial difficulties affecting the new committees, huge discrepancies exist in the sequence of their publications, which are in any case only ever available for public hearings. Private hearings, while usually recorded, are never reported on in Oireachtas literature. The figures set out in tables 1-4 should be seen therefore as basic indicators and not as absolute attendance and participation records.

Evidence set out in these tables also suggests that both the Dail and the Seanad selection committees failed to exercise their powers of discharge when they might have. There were seventeen committees at work during the 24th Oireachtas, however: inevitably this caused difficulties for those members with multiple committee assignments as well as generally overtaxing staffing and even accomodation resources.

The committees reflect the party political breakdown of the House. Party membership is thus the primary determinant of committee assignments. The government party(ies) will always

occupy the majority quota of committee seats. It is after the assignments are proportionally distributed among the parties that the more vital process of selection begins. Decisions at this stage are taken within each party without reference to the selection committees. These internal party appointments are of great importance in determining the quality of membership received by each committee. A provisional list of prospective committees is circulated by the party whip and candidates then present themselves for the areas of their choice.

The new system, being experimental, was fraught with difficulties, especially since official statements were often unclear and sometimes contradictory. Delays and confusion about the number and scope of committees to be set up led some to expect a broad investigative agenda which included their own preferences. Months later, they remained without placement having foregone other assignments in expectation of select committees which never materialised (33).

The degree of controversy and prestige attached to a committee's subject determines the level of competition for appointments. Those with a high media or parliamentary profile generate most cross party interest and competition. This injects a healthy enthusiasm into proceedings in general, for having volunteered or competed for an assignment members approach their work with a willingness which improves the quality of participation. Less popular committees sometimes fail to draw sufficient support, thus forcing the

party whip or the committee's sponsor - a Minister or prominent frontbencher - to seek out volunteers who are not slow to interpret invitations as a veiled attempt to make up the numbers. At least two TDs refused to enrol with the Irish Language Committee, despite being directly invited by the then Minister for the Gaelteacht, Patrick O'Toole (34).

Politicians have, by necessity, widely diverse interests which do not necessarily correlate to their constituency remit; yet a committee on agriculture would still attract deputies with vested interests in matters agricultural or rural. The prospects of establishing moderate objectivity or neutrality, which are essential characteristics of a politically acceptable select committee, are thus endangered. This points to the need for a careful and discriminating selection process.

Ad hoc, 'specialist' committees - which are merely alternative titles for select committees which examine specialist subjects - invariably result from parliamentary party pressure and those who express most interest in setting up a committee usually go on to compose its membership panel. Controversial issues, by their very nature, will not reach committee stage without inspiring pro and anti lobbies. Committees beset by pro and anti faction fighting can, at best, hope to achieve consensus, if they do not end in stalemate.

The selection duties facing whips are not straightforward. Usually they act on instructions from the party leaders, who are engaged in sometimes fitful 'consultation' with the opposition. Three factors dominate such consultations: the content of each remit, the choice of chairman and the scope of powers to be delegated. John Bruton, the then Minister for Industry and Commerce, heading the negotiations for the coalition government in 1983, received numerous demands from Fianna Fail in exchange for their support. Privately, Fianna Fail were apprehensive of the prospect of investigative committees, particularly those on Marriage Breakdown and Public Expenditure. Charles Haughey, TD and leader of the opposition, who was eager to participate in the proposed review of Womens Rights (WRC), offered to exchange full co-operation from his party for the Marriage Breakdown Committee if he could chair the former. Prior to any agreement being finalised, details were leaked to the Sunday Tribune, and the ensuing controversy necessitated an entirely new arrangement (35). Eventually Maire Geoghegan-Quinn, Fianna Fail, was appointed chairperson of the WRC, and an additional two committees, one investigating the role of the Irish Language, the other on Crime, Lawlessness and Vandalism, were set up at FF's insistence (36).

The great importance attached to the selection of chairperson - appointments are dictated at senior party level and the election procedure within committee is purely formal - confirms the assumption that his/her input can influence the

outcome of a committee's work significantly. Compared with the American, German or even British models, however, Irish chairmen exercise little power. While they enjoy similar rights, such as the right to direct proceedings, set the agenda, meet privately with witnesses, liaise with the executive, the media and other committees and to control expenditure, they do so in an environment which lacks the degree of respect and deference to their office which is enjoyed elsewhere.

Because a committee has virtually no influence over the selection of its chairperson, the office can become a strategic tool for the party leadership. Usually the chair of a select committee is highly sought after, particularly amongst parliamentary specialists in the area of finance, legislation and family law. Hence numerous candidates present themselves for a single office, and certain selection or eliminatory criteria are brought to bear. Out of seventeen committees in the 24th Oireachtas, eleven chairmen were from government parties and six from the opposition. Certain committees, such as the PAC, and the Joint Committee on Secondary Legislation of the EEC, are traditionally chaired by a member from the opposition. Government party(ies) have no influence over appointees from the opposition and vice versa. Selection, therefore, remains an internal party affair. The criteria used to select candidates are diverse and difficult to pinpoint; opposition parties are concerned to deploy their shadow cabinet strategically, while governing party(ies) can use appointments to select committees as a

reward to deserving backbenchers. Obvious factors such as parliamentary experience and seniority, so important in American committees, hardly feature in the Oireachtas. Party loyalty, constituency origin, qualities of leadership, association with lobby issues, expertise and sex are contributory factors which vary from party to party and depend on the nature of the subject at hand. Usually a chairman gets appointed if it is considered to be his turn and in exceptional circumstances if all other candidates are seen to be too fervently involved with the subject under inquiry.

With specialist committees, those who have most expertise or association with pro or anti lobby groups are the least likely to be appointed to the chair, for to do so would possibly impair a committee's reputation for objectivity before it tackled its remit. Consequently, such individuals - often seeing themselves as the natural chairman - uneasily make do with a backbench role. This augurs badly for the appointed chairman who may require great skill, diplomacy and patience to deal with frequent challenges to his authority and leadership.

Many committee chairmen, despite their pre-selection by the party leaders, approach their work as objectively and independently as possible. By all accounts, most committees determine their agenda collectively; they make decisions on how to conduct inquiries and judge which witnesses to call and when. While chairmen introduce and lead proceedings,

they always defer to their colleagues or else face frequent interruption. To each committee come a core group of dedicated and consistent participants who structure and co-ordinate inquiries up to report stage. Several versions of a report, which may or may not have been compiled by the chairman working with committee advisory staff, are discussed at great length. All committee members are free to present their own reports for discussion and they often do. Nevertheless, each chairman enjoys considerable advantage over his colleagues, for, having invested more time with advisory personnel, he is usually better briefed. Should he choose to do so, and many do not, he has ample opportunity to stamp his personality onto committee work until it becomes indelibly associated with his political career.

As committees adapt to their environment so too do chairmen and each brings a different style and approach to similar work; some assume 'groupleader' roles whilst others sit back to adjudicate or mediate. In general, most become leaders rather than mediators, which betrays more about the selection process than it does about the individual politician. Two chairmen may be responsible for committees with identical powers yet choose to use them differently. However restricting the terms of reference available to him, a chairman can exert great dominance over committee inquiries. Likewise, his political successes or failures may become synonymous with a committee's reputation. One active and committed chairman, Michael Keating T.D., who recorded one of the highest attendance and participation ratios in committees

evaluated during the 24th Oireachtas, fell from favour within his own party and defected to another. Party-political differences may have reflected badly on the PEC itself. Despite a high output and ^{a comparatively} thorough approach to its remit, it was not reconstituted in the 25th Oireachtas.

Expertise

It is not clear whether those responsible for allocating assignments to the new select committees gave priority to professional expertise. In his study of appointments to the PAC, O'Halpin could draw 'only one conclusion: membership is imposed upon TDs by the party whips on a basis of strict rotation qualified by internal party exigency' (37). The availability of membership for select committees is largely affected by the nature of their remit. If the whips are obliged to impose assignments on reluctant deputies due to a lack of suitable volunteers it is indicative of that committee's prestige. Where competition for places on committees does exist, expertise becomes an important criteria for selection.

Larger parties have, by definition, a bigger pool of resources from which to draw the necessary expertise. Smaller parties experience particular difficulties if they happen also to be members of a coalition government. In this instance, the party leadership, who tend also to be the most experienced and professionally qualified, are caught up in ministerial duties and so unavailable for committee work.

There were notable exceptions where ministers did participate on committees; Ruari Quinn, Minister of State at the Department of the Environment during the 24th Oireachtas, was also a member of the Joint Committee on Building Land, while the Minister for Industry and Commerce, John Bruton, ^{was} a member of the Dail committee on Procedure and Privileges. Specific provisions were written into the terms of reference in each of these cases, mostly because both individuals were closely involved with the specific area of interest and their presence was deemed essential (38).

Smaller parties have no difficulties meeting their quota of places on committees, which is proportional to the size of the parliamentary party. The dilemma lies in finding candidates with a relevant expertise and sufficient interest to participate.

Membership on a committee, particularly one with a specialist remit, compels a degree of commitment beyond the usual call of duty. Certain complex and technical investigations test the skills if not the patience of all involved. At such times most rely on consultancy or advisory staff, but such assistance is relevant only insofar as the member himself can make it so. A professional qualification is of added value both to the deliberations and hearings of the committee and to the use to which conclusions are put politically. While a committee's performance is enhanced by the degree of professional expertise possessed by its membership, this is neither overriding nor indispensable. Often the most

valuable qualities brought to any inquiry are objectivity and flexibility of approach, none of which bear immediate relation to professional credentials. Other general factors such as enthusiasm and political orientation can be of greater relevance than specialist knowledge of the subject, and evidence does not suggest that professional expertise improves the quality of participation.

Thirty to fifty percent of a committee's membership make up an active, dedicated nucleus, only part of which will possess relevant professional expertise. Members without professional qualifications, or one specifically relating to a committee's remit, do not appear to be disadvantaged or less capable of contributing than their colleagues who have. While they may rely more on guidance from committee staff, this does not imply an inability to draw personal conclusions. In discussion about the merits of hiring consultants to assist with select committee inquiries, reservations were expressed about the value of their work (39). The Irish public representative is not highly paid and understandably registers disdain at consultancy fees of three hundred pounds per person, per day, for work which they themselves have volunteered to do in committee, at no extra charge to the exchequer. Aside from financial reservations a consultant's business interests are often seen to be in conflict with the objectives of committee inquiries, since they pertain largely to the very government departments and agencies which comprise the most profitable source of income for domestic consultancy firms.

Incentives for Participation

If the subject of an inquiry is controversial members of the Oireachtas rarely need inducement to take on select committee duties. Problems arise where select committee work occupies a lower profile, politically and otherwise. Longstanding lobby-group affiliation predisposes most to inquire into or discuss certain issues readily. In such cases the incentive for participation on committees lies firmly with the hope that change will be effected in their favour; hence feminists will always compete for placement on inquiries into the status of women as will farmers where agricultural issues are at stake.

Politicians attach themselves to lobby groups and select committees for broadly similar motives which relate to electoral and professional/political career orientation; members of the Joint Committee on Crime, Lawlessness and Vandalism (CLVC) for example, drew predominantly from constituencies where issues relating to crime were seen as important. In similar vein, the CLVC chairman, Deputy Michael Woods, Fianna Fail spokesman on Justice during the 24th Oireachtas, asserted his party's policy when crime-related issues were under discussion. The same pattern is evident among the membership of other specialist select committees, i.e. members rarely participate without an obvious incentive and the participation ratios scored by each member betrays the level of commitment on all sides. Those

most involved with an issue under examination comprise a small nucleus which attends a large percentage of meetings and usually interrogates witnesses at length. Dedicated participation in committee combined with resourceful application of information gleaned from hearings, can transform a backbencher's style and profile in the Oireachtas. In particular, it can provide him with formidable ammunition when challenging someone in debate.

Factors other than constituency mandate or direct party responsibilities draw politicians to select committee work. Motives vary a great deal according to age and status within each parliamentary party. Younger or newly elected members, who find Dail proceedings slow moving or frustrating, are keen to enter the political fast lane. They view select committees as progressive fora in which to demonstrate their strengths, professional or otherwise. In competition for places on the high profile committees, they encounter older, more established politicians for whom committee life can represent many things, such as a preparation for cabinet responsibilities, a compensation for lack of same or an opportunity to take parliamentary life easier in the years approaching retirement (40).

Others, who by their own account object to innovations in the use of select committees, take part with the intention of blocking unwanted change. Recognising that younger more ambitious parliamentarians may gain advantage if left to themselves, they endeavour to bring restraint and moderation

to proceedings. Mostly they are concerned to reassert parliament's traditional subservience to the executive (41).

If motives for participation were manifestations of constituency, political and professional interests, they would still never explain why certain TDs accept multiple and diversely different committee assignments at once. Some enrol in as many as five different committees - all meeting during the same months, some on the same days at the same time. Such participation defies categorization. Often the only possible motives might lie in impressing the party whip by filling a membership quota - for attendance and participation ratios were sometimes abysmally low and the quality of questions suggest an unimpressive knowledge of, and a lack of interest in the subject under review. Participation on multiple committees may well be discouraged in future, for the adverse affects on committees of a disparate uncommitted membership with divided loyalties are widely recognised. Moreover, it may be seen that backbenchers can serve their own promotion prospects better by acting on one committee only; constructive attention given to a single issue may, in the long term, serve to enhance their credibility.

Many members, even those with single committee assignments, attend meetings infrequently and display a consistent lack of interest in the subject under investigation. The factors which separate the dedicated from the unenthusiastic often depend on the expectations each member holds for committee

work in general. Many, particularly those without ministerial experience, cultivate unrealistically high expectations and anticipate instant reforms from reports and recommendations. Those with medium to low expectations tend to have ministerial experience or enough years of public representation behind them to know that committee recommendations are not a priority at senior departmental or cabinet level. Undoubtedly an inverse relation exists between those who hold high expectations for committees and lack ministerial experience and vice versa. Younger, newly-elected representatives are sometimes unaware of, or choose to ignore the limitations implicit in executive office.

Five years after the launch of the new committees it would seem that many overambitious hopes were invested into what they could achieve. Of all the select committees set up since 1978 only four are still in existence. Those who saw the committees as tools of instant parliamentary reform seem now to be somewhat disillusioned. Yet a thorough account of select committee activity in the Oireachtas has still to be undertaken, and the absence of such an account prevents us from making a useful assessment of committee achievements. The following two chapters, which describe the activities of the Dail Committee on Public Expenditure and the Joint Committee on State-Sponsored Bodies in some detail, while not providing an exhaustive compendium on their work, may go some way towards describing their modus operandi, and possibly,

evaluating their worth. A brief account of other select committees appointed during the 24th Oireachtas is set out in chapter four.

CHAPTER TWOThe Dail Committee on Public Expenditure

The debate surrounding public expenditure has been of increasing relevance to Irish politicians, especially during the nineteen-eighties. Discrepancies between income and expenditure which caused an unprecedented growth in borrowing lie at the root of Ireland's current economic dilemma. Stringent corrective measures, previously criticised as doom and gloom economics, are now acceptable criteria for government policy formulation. Meanwhile, on his own doorstep, the backbench TD is called to account for the economic crisis. Why, it is asked, have recent recessions left us more devastated than any other European nation, and exactly who do the leadership refer to when they suggest that people are living beyond their means? Under such interrogation no appropriate line of defence can be offered. In truth, the policy decisions which led to a situation approaching national bankruptcy were the miscalculations of a few, albeit in collective party guises. In theory at least, such policy was, and is, formulated in the name of the mainstream government party and with the support of the Dail. In practice those occupying the back benches have little input into monetary or fiscal policy.

The inadequacy of existing mechanisms by which parliament monitors or influences state expenditure led deputy Mervyn Taylor to comment that:

This House has virtually no control over public finances ... The key matters are determined by the executive and backbenchers on either side of the House have very little input into the control or analysis of public finances. Debates take place on the Estimates and voluminous figures are produced, but debates are phrased in general terms and it is not possible for a Deputy to find out in detail how the money voted by this House is being expended (1).

Quite apart from the secretive and confusing process by which annual Estimates are determined, backbenchers are denied access to financial decision-making by extraneous factors such as the lack of appropriate investigative resources, the absence of a forum in which to discuss state finances and time-consuming constituency work. Typically, TDs seeking to alter specific appropriations are concerned with increasing rather than cutting back expenditure and such factors have probably deterred successive governments from increasing parliament's influence over financial matters.

Faced with an ever increasing balance of payments deficit, rising unemployment and the harshest fiscal policies in the European Community, a core group of prominent politicians, such as deputies John Bruton, Alan Dukes, Mervyn Taylor, and Michael Keating, to name but a few, argued for reform of parliament's control over expenditure. It was felt that:

Unless steps are taken to bring the executive branch of Government under some kind of answerability to this House [it] will devolve even more than it is now into little more than a grand.....debating society where backbenchers serve their

constituencies but have little input into the real control of finances (2).

The Coalition Government discussion document A Better Way to Plan the Nation's Finances, published in 1982, set out a blueprint for improving existing parliamentary controls over expenditure. Three options were envisaged as part of the overall programme for reform of financial procedures. First, an institutional approach to expenditure evaluation was sought. This related to systematic analysis and evaluation of departmental programmes. A new Committee on Public Expenditure (PEC), was intended to consider not only financial efficiencies but also social and economic considerations. An expanded role for the Comptroller and Auditor General (C&AG), who would co-operate with both the Public Accounts Committee (PAC), and the new PEC was forecast. Unlike the PAC, which is mainly concerned with regularity and propriety of expenditure 'in other words its concern is principally with whether spending was properly authorised, not with whether it was wise', the PEC would concentrate on the justification for and effectiveness of ongoing expenditure programmes (3).

Remit

The structure for the PEC was planned along a similar framework to the Joint Committee on Commercial State Sponsored Bodies, (SSBC). Originally, John Bruton initiated

the proposal at senior level within FG. As leader of the House with special responsibility for Dail reform, he instigated a series of new committees. On 21 June 1983, as Minister for Industry and Commerce, he proposed that 'a Select Committee, (which shall be called the Committee on Public Expenditure), consisting of seventeen members, be appointed to review the justification for and effectiveness of, ongoing expenditure of Government departments and offices, and of non-commercial State-Sponsored Bodies, in such areas as it may select'. He moved that it would also 'report thereon to the House, recommending cost-effective alternatives and/or the elimination of wasteful or obsolete programmes, where desirable' (4). The PEC's comprehensive terms of reference, reproduced in Appendix A, included the right to:

- appoint sub-committees
- meet in public, unless they decide otherwise
- send for persons, papers and records, subject to the consent of the Minister for the Public Service
- engage the services of experts/specialists
- print and publish reports and such documents as it thinks fit
- present an annual progress report to Dail Eireann
- have its reports debated in the Dail within 12 sitting days of presentation.

The PEC remit is best described as multi-purpose. On the one hand it was empowered to monitor those non-commercial state sponsored bodies excluded from the schedule for investigation by the SSBC, while on the other, it was prescribed the gargantuan task of reviewing the 'justification for and the effectiveness of, ongoing expenditure of Government Departments' (5). Put in context, the new committee was expected to review the spending of more than six billion pounds.

Each new select committee received terms of reference which were framed by the executive. The PEC was no exception. Due perhaps to Bruton's personal interest in its structures and remit, his experience as Minister for Finance and to his personal standing within FG, the PEC received greater privileges than other new select committees. Separate additional factors may have determined the special status and powers conferred upon the PEC. It originated against a background of uncertainty and controversy regarding the cost-effectiveness of government expenditure. To the more optimistic politician it heralded a radical departure from executive dominance over financial matters. Others responded more sceptically, not least of whom was the prospective PEC chairman, deputy Michael Keating. Once a Minister of State at the Department of Education, his failure to be appointed to the 1982 coalition cabinet was greeted with general surprise. His later appointment as chairman of the PEC was interpreted by some as compensatory

or consolatory. Keating, despite the earlier disappointment, welcomed his new role, insistent however, that the PEC would not provide window dressing for the coalition, nor would it accept the fate of obscurity which had shrouded the work of the SSBC since its establishment in 1976. (Of all the reports produced by that committee, none had ever been debated in the Dail). He remarked:

If these committees are set up they should be meaningful, accountable, publicly accessible and should be doing their work openly and subject to scrutiny. They should not be a forum into which a recalcitrant Minister can kick an issue simply to evade responsibility or accountability in this House (6).

Opinions such as this may have influenced the scope of powers delegated to the PEC in its terms of reference. The final document enshrined liberal powers which were not enjoyed by other committees. Similarly the receipt of staff and accommodation resources were also unrivalled. The first of many significant differences between the PEC and its sister committees, the PAC and the SSBC, was the number and source of members appointed. The seventeen PEC members, exclusively drawn from the Dail, were empowered to appoint sub-committees. This helped create more efficient working habits which broadened the scope of inquiries and increased output. An additional provision, included as an appendix to the terms of reference, allowed that 'three hours be set aside for a debate on a motion, that Dail Eireann takes note of the report, to be taken not later than the twelfth day on which the Dail shall sit after the day on which the report

shall have been laid before the Dail' (7). This particular privilege guaranteed the PEC a degree of parliamentary exposure beyond the scope of other select committees.

A clause providing for the annual submission of progress reports gave incentive to produce and report on actual results. Each year, a progress report summarised the PEC's main recommendations and discussed the official feedback to its proposals. This process became known as a 'follow-up action' strategy, and the committee regarded it as the only tool it had to sustain the pressure for action (8). In practice this strategy involved contacting those departments and agencies which had received recommendations from the PEC six months after a report had been issued, to request an account of their progress in the areas on which proposals had been made. Thereafter, a department's or agency's formal reply to those proposals was published in the annual report.

Despite concessions made to the PEC, it still could not compel reluctant witnesses to give oral evidence. Thus, ministers were under no obligation to appear before the committee and civil service officials who chose not to attend were acting within their rights. Empowering a committee to sub-poena witnesses is a complicated issue which is bound up with the question of immunity or privilege. The delegation of such powers would first require appropriate legislation to be passed in the Oireachtas.

If the PEC received greater privileges than other committees it also faced sterner obstructions to its work. It was one thing for the SSBC to investigate commercial state enterprises, and quite another for the PEC to attempt to make accountable the centre of government and power. At all levels the SSBC traversed a smoother path and generally ruffled fewer administrative feathers. The PEC on the other hand probed and questioned at every level of the civil and non commercial public service, and generally became a source of irritation to many departments and agencies -- a factor which possibly influenced Fianna Fail (FF) in their decision not to reinstate it for the 25th Oireachtas.

Section 6 of the terms of reference contained a clause ordering the committee to protect the confidentiality of departments and agencies investigated (9). This clause did have an inhibiting influence on PEC work. Mostly it caused meetings to be conducted in private which would otherwise have been public, and it created difficulties when access to corporate plans or relevant official documentation was sought. Interview evidence suggests that the need for confidentiality was exaggerated, especially since the PEC was prepared to accept amended or censored documentation (10). The Forestry and Wildlife Services Agency, who were acting on the advice of the Attorney General, refused to reveal the terms of their tender agreements for the sale of pulpwood, on the grounds that such contracts 'specifically debarred disclosure of confidential information to third

parties' (11). The PEC looking elsewhere found the same information freely and without legal difficulty. A later PEC report questioned

whether it is reasonable and appropriate for a Government Department or agency to undertake a commercial contract on a basis which excludes the right of the Dail and in particular the Dail Committee on Public Expenditure to examine it. Whether in the particular case the Dail can be considered a third party in a contract between a Government Department and a private firm (12).

The PEC considered it 'to be inappropriate gamesmanship to be drawn into an argument about whether it had the right to a document which it has in fact been able to procure independently of its appropriate and direct line of access' (13).

The scope of PEC work was conditioned by factors other than the terms of reference. A set of largely 'restrictive' guidelines had been devised by the Department of the Public Service for all officials giving evidence (14). Of those PEC members interviewed during the course of this research, all agreed that these guidelines should be modified to allow greater flexibility. One commentator remarked that full adherence to them would leave a witness free only to state his name, and that in itself might be deemed incriminating. 'There is no doubt that a very literal interpretation of these guidelines could scuttle the work of the Committee' (15).

Membership

With a membership of seventeen, the PEC was the second largest committee of the 24th Oireachtas. But while the largest, the Joint Committee on the Secondary Legislation of the EEC, had twenty-eight members, as a joint committee it drew membership from both the Dail and the Seanad. The seventeen PEC members were, on the other hand, drawn exclusively from the Dail in line with the proportional representation of the parliamentary parties. Fine Gael and Labour, the coalition partners, appointed eight and two members respectively. One FG deputy, John Kelly, apart from his experience as Attorney General had also acted as Minister for Industry and Commerce, whilst one other, Michael Keating, had served as a junior minister at the Department of Education for a short period. Two of the eight FF deputies appointed, Michael Kennedy and John Wilson, had also served in government. No Independent or Workers Party deputies were members of the PEC, nor were any female TDs. The absence of female representation was raised informally at a PEC meeting on 13 March, 1984, and it was suggested during interview that female deputies had not asked to participate on the PEC through lack of interest, evidenced by the fact that none had ever contributed to debates on PEC reports in the Dail (16).

Members were recruited in different ways and for various reasons. Unlike some of the new committees, those assigned

to the PEC invariably requested the appointment. Thus we can conclude that the majority of the membership were there by choice. However, it is impossible to ascertain clearcut motives for participation. Naturally the PEC attracted those deputies most interested in assessing expenditure efficiencies and control.

Work Procedures

Over sixty agencies and government departments fell within the PEC's brief. Such a great number necessitated rationalised and systematic working habits. Those adopted in the early stages represented a compromise between various styles and ideas held within the committee. Substantial differences in approach existed between the younger, less experienced, PEC delegates and their older more conservative colleagues. A two-tiered plan of action was devised in an effort to reconcile these. Richard Bruton described this compromise as 'a balance between major Agency reviews and once-off studies of waste' (17).

The first approach was characterised by the use of a single overall strategy of investigation. Together with consultants Craig Gardner and Associates and the clerk to the PEC, a comprehensive list of questions on current and capital expenditure programmes was drawn up and despatched to all government departments and non-commercial state-sponsored bodies. Extracts from this questionnaire are outlined in the first annual progress report. Focussing

loosely on the financial data published in the annual list of Comprehensive Public Expenditure Programmes, it enshrined twenty-three specific but in-depth questions of which the first two read:

1.1 Identify the Public Expenditure Programmes for which your Department is responsible in whole or in part. The 'Tentative Programme Listing' contained in the book entitled 'Comprehensive Public Expenditure Programmes' should be used as a basis in answering this question.

2.1 Provide a copy of the statement of overall aims, policies and objectives for each programme identified at 1.1 above. Alternatively if the aims, policies and objectives are clearly understood, although unwritten, please state them (18).

The investment of civil service work-hours in replying to these questionnaires is not easily estimated. Judging by general comments made by officials when giving evidence to the committee, it involved far more than they wanted to give. The PEC used this approach in an effort to rationalise its work procedures and thereby highlight the weaknesses common to all government departments and agencies. It also sought to establish an immediate overview of all public expenditure programmes, or 'to flush out objectives, performance, systems of control and areas of weakness' (19). Replies were used as 'the starting point of the investigation', which was seen as the 'first peep the

public has had in years into some of the darker corners of Government activity' (20).

The PEC used a second work method which, looking at 'once-off studies', was more ad hoc and less systematic. It depended, unreliably, on the particular interests of the membership, and to an extent on the publicity potential of the subject matter. The annual progress report described such ad hoc inquiries as a 'consideration of specific expenditure items or policies which would be suggested for review'. It provided that 'such items could be brought up for inclusion on the agenda at short notice, if considered sufficiently urgent by Members' (21). Such 'items' usually came to the attention of individual deputies on the committee as complaints from constituents or through media reports highlighting incidents of expenditure waste. A review was undertaken if the PEC felt the situation warranted one. The reports on the Faults in Buildings Occupied by the Public Service and the Review of Procedures Relating to Road Openings by Utilities are but two examples of once-off studies which arose incidentally. In the case of the former report, the PEC inquired into faults in Kildare House, a Department of the Public Service building, because a member of the PEC happened to observe repair work on a building which he knew to have been purchased only recently.

Appendix B which lists the title of each PEC report indicates the diverse range of the committee's work. Despite this versatility, however, the central thrust of the

inquiries remained consistent, i.e. to encourage the optimum utilisation of state funds. The criteria used to set the agenda for inquiry varied greatly according to the work methods outlined above. Those criteria can be summarised as follows:

(i) perceived discrepancies or incomplete information in the questionnaires returned to the committee, (i.e. those questionnaires which the PEC submitted to all the departments and agencies under their remit),

(ii) submissions received from members of the public or from representatives of private institutions which highlighted occasions of malpractice or expenditure waste, (such submissions are usually sent in reply to advertisements posted by the PEC prior to each inquiry),

(iii) specific incidences of extravagance or general mishaps which directly caught the attention of members of the committee, (i.e. through news items, constituency work or personal encounters).

Numerous inquiries were sparked off by submissions, news reports, or specific incidents which caught the interest or imagination of the membership. John Bruton, and certain members of the PEC, had not envisaged this style or approach to its work and found it to be unsatisfactory (22). Those who did favour this unsystematic and rather sensationalist approach, foresaw a particularist role for the PEC, which

only impromptu, ad hoc inquiries could fulfil. This outlook betrayed the modest and conservative expectations which some held for the new committee. It conveyed an inherent scepticism towards select committees and what they could achieve in general, which possibly stemmed from long years of experience in a hostile parliamentary setting. To a degree, those who held pessimistic expectations for select committee prospects doubted the competence of the all-party membership either to grapple with the technical and complicated issues of government and policy, or to make recommendations based on sound judgement. The assumption that a select group of backbenchers with limited access to professional expertise, working under considerable party political and constituency pressure, could cope with ambitious investigations into big-spending government departments, was unacceptable to them. Instead of an ambitious investigative function they envisaged a modest role for the PEC in highlighting incidences of expenditure waste and departmental mishaps. They envisaged a media profile for the committee which would publicise expenditure inefficiencies and prompt curative action. If such publicity could in the meantime enhance the electoral profile of committee members, then this would be more than an added bonus for their efforts.

This interpretation of the PEC's role was advocated by deputy John Kelly at the committee's very first meeting. In his view the PEC should have readjusted its objectives, for, as he pointed out then, 'to take it on ourselves to be a

further control over £6,000 million worth of expenditure, reassessing departmental estimates, reassessing the need for this and that, is something quite beyond us. It would be beyond any of us individually without an entire public service behind us and will be beyond this Committee' (23). Deputy Kelly's view was a minority one, insofar as most of those acting on the PEC had considerable hopes for what it was capable of achieving. Nonetheless, a compromise was arrived at which accommodated the different approaches into the overall committee strategy. Hence the decision to follow up media-worthy leads, or modest investigations, as well as the immediate ambitious investigations for which the committee was set up.

While the publicity advantages of impromptu inquiries may have influenced the PEC's decision to incorporate both strategies, (i.e. the controversial with the more thorough systematic reviews), the negative implications of the former cannot have been foreseen until it was too late. Inquiries which deviated from a structured agenda to examine ad hoc, incidental issues, (such as the design faults in Kildare House), impaired the committee's long-term strategy as a parliamentary watchdog overseeing departmental expenditure. Ad hoc inquiries could not but result in sketchy work procedures which did nothing to engender any great confidence within the public service or the cabinet. All committees depend upon the goodwill of those who would most bear the brunt of their work, i.e. the executive. Such goodwill is conditional upon the mature and reasonable

behaviour of each committee. Media headlines attracted by certain PEC hearings, like that on the repeated excavation of Merrion Street, Dublin, (74 times over three years), gave the committee an image which did not match the executive's view of mature and coherent behaviour (24).

In general, PEC work procedures were very ill-defined during the early years, which may have been understandable given the unprecedented and experimental nature of its activities. Unfortunately, a reputation for badly organised and sensationalist work remained with the PEC throughout its short existence, possibly because it was seen to have tackled too much, too quickly and unsystematically. At one stage several investigations were in progress simultaneously, and consultants were hired overzealously. Privately, civil servants wondered why they should be held answerable to a body which they perceived as disorganised and unable to conduct its own business efficiently (25).

Nonetheless, the PEC did make significant efforts to improve and constantly update its work methods. Guidance was sought from the Comptroller and Auditor General (C&AG) and the chairman occasionally met with his opposite on the PAC to ensure that there was no overlap in their work. The PEC also liaised informally with the SSBC to maintain a 'regular exchange of views' (26). It also met with other European 'budgetary commissions' or parliamentary committees on public expenditure to 'discuss, inter alia, methods used to control and evaluate public expenditure' (27). It was hoped

that contact with experienced expenditure committees would give insights into the pitfalls of certain procedures and the benefits of others. These meetings were held in a variety of locations over a two year period: in Rome in 1984, and in Venice and Paris in 1985.

In January 1985, a PEC delegation visited London to review the British select committee system. They attended a public session of the Treasury and Civil Service Committee whilst the Chancellor of the Exchequer gave evidence. Later they met with British parliamentary committees dealing with public expenditure, Public Accounts and with the Prime Minister's Efficiency Unit. In September 1986 another delegation visited the United States on a similar fact-finding mission. On the basis of such trips abroad, a report on International Comparisons of Parliamentary Accountability for Public Expenditure was compiled in January, 1987. This report included recommendations designed to improve PEC procedures in the light of the experience gained abroad.

A considerable, possibly, excessive, number of consultants was engaged under section 3 of the terms of reference during the early stages of PEC work. Members were experimenting with work procedures in an effort to devise an optimal strategy. This involved enthusiastic and somewhat over-ambitious efforts to inquire into as much as possible in a short period of time. Having engaged a full-time advisor with experience in accounting and finance,

work-practices soon settled into a coherent pattern and outside consultants were commissioned only when it was deemed essential.

On recommendation from the chairman, academics and specialists from universities and the private sector were invited to form a voluntary advisory commission which would assist and complement PEC work. Known as the Business Advisory Panel it gave the PEC access to collective opinions and advice from those who had valuable practical experience. Deputy Keating's suggestion for the advisory panel was inspired by his admiration for a similiar concept known as the Grace Commission, which was an advisory board much consulted by politicians in the United States.

In October 1986, the PEC issued a summarised report just in time for the budgetary preparation process. This report outlined a list of what were described as Immediately Implementable Public Sector Savings and Management Improvements. It contained recommendations which inclined more towards an improvements strategy than actually identifying areas in which expenditure should be decreased. Proposals concentrated on the areas which in the PEC's view were in need of increased accountability and managability, and suggested necessary changes in procedure or structure.

The PEC received a wide variety of submissions, all of which it attempted to treat fairly and without discrimination. This augured badly for coherence and systematic control,

because committees can sometimes attract cranks and interest groups, even from the business world, who seek to promote their interests. It is the responsibility of a committee to differentiate the wood from the trees when dealing with written submissions and deciding who to call for oral evidence. In the case of the PEC, the choice for inviting witnesses was undiscerning on occasion, and embarrassing situations, which otherwise could have been avoided, served to undermine the fledgling committee even more.

Specific hearings stand out as particularly inopportune, such as those concerning the use of a charge-card system for civil servants and the cost of their travel and subsistence. Both hearings, which were the result of an informal exchange between the PEC chairman and executives of both Diners Club and Lep Travel, read as little more than a trade/sales promotion by the companies involved (28). Committee members themselves registered alarm at the nature of the oral submissions. Hugh Coveney interrupted one witness to point out that the PEC was 'creating a dangerous precedent. We want to hear about the principle rather than the facts about this particular company [Diners Club]. If this chamber is to be used by individual companies to sell themselves that will be a dangerous precedent' (29). Even if such evidence was essential to an investigation, the hearings might best have been considered in private.

The committee visited Switzerland in October, 1986, by invitation of the Swiss Parliament. Their objective in

travelling was to review and experience the work of the Swiss committee empowered to review public expenditure. The preparations for the visit fell into difficulty at the last minute. Interview evidence, although unclear, suggests that these difficulties involved either a lack of official budgetary approval, or insufficient administrative preparation. The repercussions of such disorganisation might have been less serious under other circumstances. In this instance however, the failure of the delegation to arrive in Switzerland might have given rise to diplomatic problems, given that no official Irish delegation had visited Switzerland for nearly thirty years. The visit eventually went ahead when members of the PEC delegation undertook to finance themselves until such time as they were reimbursed by the Department of the Public Service.

The difficulties encountered by the committee in this instance may have resulted from a basic administrative misunderstanding. They may also have been caused deliberately by those who wished to discredit the PEC or its chairman, who shortly afterwards left Fine Gael to join the new Progressive Democratic Party.

Any evaluation of the work habits of the PEC must acknowledge the trojan efforts of certain individuals to make it successful. A determined pace was established from the outset. Every Tuesday afternoon was reserved for committee business, except during August and two weeks over the Christmas period. Members were under no obligation to

meet so frequently, other than their own concern to make their new committee effective. It is an indication of their commitment that they sustained a steady attendance level throughout the 24th Oireachtas, particularly since the committee at no stage enjoyed its full quota of members due to the cumbersome process of reappointment. (The PEC lost three members when deputy George Colley (FF) died shortly after the committee was set up in 1983, deputy John Ryan (Lab.) became Leas Ceann-Comhairle and deputy Seamus Pattison (Lab.) was appointed Minister of State at the Department of Social Welfare).

PEC Attendance and Participation

Table 1 outlines attendance and participation indicators for individual PEC members over a sample series of meetings held in 1983, 1984 and 1985. The attendance figures included in column A are out of a possible twenty-six meetings where the average was 14, while the participation figures in column B are out of a total of 2311 questions and a possible average of 136. These figures are drawn from those minutes of evidence published before 1987 and include figures for public hearings only while the minutes of private hearings remain undisclosed. These figures are intended solely as indicators of membership performance and not as definitive records of attendance and participation. Appendix A includes a list of PEC members since 1983.

TABLE 1.DAIL COMMITTEE ON PUBLIC EXPENDITURE

	<u>A</u>	<u>B</u>
	<u>Meetings</u>	<u>No. Of</u>
	<u>Attended</u>	<u>Questions</u>
Keating	23	844
O'Kennedy	12	227
Allen	17	81
Brennan	19	21
Bruton	25	346
Byrne	9	67
Colley/	--	---
Fitzgerald	2	2
Coveney	15	88
Doyle	18	138
Farrelly	14	77
Hilliard	10	59
Hyland	12	5
Kelly	15	123
Pattison/	0	---
Bell	5	30
Ryan	13	36
Treacy/	19	59
O'Sullivan	0	---
Wilson	16	108

Total number of meetings: 26
 Total number of questions: 2311
 Average number of questions: 136
 Average attendance: 14.35

Table 2.

PEC Output

Report	Number of Pages	Number of Recommendations
1	10	9
2	72	15
3	23	--
4	96	16
5	7	4
6	91	34
7	9	1
8	249	11
9	24	1
10	52	6
11	10	4
12	70	--
13	79	14
14	106	10
15	74	4
16	41	11
17	91	16
18	21	6
19	20	--
20	31	15
21	45	16
22	117	16
23	90	15
24	45	7
25	42	15
26	16	--

Reports 3, 12 and 26 are annual progress reports which summarise recommendations already included in other reports. Report 19 also includes recommendations which are considered elsewhere. Titles and publication dates of each report are outlined in Appendix B.

Reports and Recommendations

Next to the Secondary Legislation Committee of the EEC, the PEC produced the highest number of reports. The former observed different work habits, however, and with a large membership of twenty-eight it strove to keep apace of EEC legislation. The PEC on the other hand determined its own schedule and pace independently and produced twenty-six complete reports. The breakdown in output contained in Table 2 above lists the number of pages and recommendations contained in each one.

Each PEC report contained an average of eleven recommendations. A total of 246 of these were issued over a range of 23 subjects. Report 6, a Review of the Department of the Public Service, contained the highest number at 34, whilst reports 7 and 9, on the Service of the Public Debt and the Review of the Proposal to Introduce a Charge Card System for Civil Servants Travelling on Public Business, both contained only a single recommendation. The lengthiest report, number 8 on the Control of Capital Projects, dealt with a wide variety of departmental expenditure programmes. The shortest was on the Service of the Public Debt, number 7. These figures account for the appendices included in PEC reports.

By attempting to confine itself to very narrow issues and contain the number and scope of recommendations, the PEC endeavoured to stay within the bounds of what was feasibly implementable. Certain other committees, like that on Small Businesses, tended to produce voluminous recommendations, many of which were considered impractical.

In-depth evaluation of all 26 reports is not possible. A sample two, reports 2 and 15, have been selected for analysis according to particular criteria, the most important of which is availability of data. As was the case for all Oireachtas committees, great inconsistencies existed in the release of PEC publications. Whilst reports were freely available, the minutes of evidence were published in irregular and unsystematic fashion. Officially, the missing editions were either awaiting publication, or were released in limited quantities which went out of stock immediately. The PEC relied on Leinster House editorial services which, working without an appropriate increase in staff numbers, found it hard to adapt to the needs of all the new committees. Consequently several PEC 'Minutes of Evidence' are unavailable. Analysis here focusses on reports for which official government feedback was generated, for it is probable that the effectiveness of PEC work might better be gauged where overt executive replies to their recommendations exist.

Report 2The Proposal to Establish a Centralised State Agencyfor Persons Registering for Training or Employment

This investigation was initiated by the PEC at a very early stage. References to the need for a critical examination of these state services were in fact made in its first report. Multiple expert reports informed the PEC decision to pursue the issue further. An OECD examination, conducted in 1982 and published in the report Improving Youth Employment Opportunities, criticised aspects of the services provided by state agencies in the area of employment and training for young people (30). The NESC report on Manpower Policy also set out extensive recommendations for reform in this area, as did the ESRI in their document Employment and Unemployment Policy for Ireland which was published early in 1984. An evaluation of the National Manpower Services was called for, citing 'an urgent need for central co-ordination of all agencies operating in the sphere because, currently, responsibility is fragmented, accountability is difficult to enforce, inter-agency friction occurs and agencies are left to form policy which is properly the prerogative of Government Ministers and their departments' (31).

An earlier PEC report into Civil Service Commission Recruitment revealed inconsistencies which corroborated the findings of the specialist reports mentioned above. This was further confirmed by the submissions received by the PEC which indicated much 'overlap in functions and policies and a certain lack of clarity of role definition' (32). The system was seen as one 'presenting a confusing array of schemes, offices and procedures which must be an inhibiting factor in achieving the objectives for which the schemes were originally intended' (33). The committee 'having completed hearing evidence from the Departments/Agencies involved in programmes for recruitment, employment and training, confirmed its initial opinion that, in this important area, there is fragmentation, duplication and a lack of co-ordination of services that is wasteful of public expenditure and unacceptable at a time when there are unprecedented demands on Exchequer resources' (34).

In this its second report, the PEC describes the relationship between all the relevant agencies in detail. Identifying areas of overlap, it presents recommendations 'on action which needs to be taken to rationalise existing services' (35). It proposes the amalgamation of all agencies related to unemployment and training. Soon after the launch of the report, the concept of a centralised state agency for such services was drafted into a Department of Labour policy document and the official amalgamation of AnCo, Manpower, and the YEA took place on January 1, 1988.

The new agency is known as An Foras Aiseanna Saothair, (FAS).

The extent to which this policy was determined by PEC recommendations, if at all, is difficult to ascertain. Little direct causal evidence, other than a general reference to the PEC in the policy document, links the two, and the committee cannot claim to have originated an idea which had been discussed long before it was ever established. Aside from the actual proposal however, the PEC issued several recommendations relating to how such a policy should be implemented. The official reaction to these recommendations was monitored through the committee's 'follow-up' strategy. Each government department and agency affected by the proposal was contacted six months after the publication of the report and a full reply to all recommendations was requested. These official replies, which were published in the Second Annual Progress Report were not unfavourable. Of the fifteen recommendations made by the committee in all, several pertained to more than one department and agency.

In general each respondent referred to the forthcoming White Paper. Of the two recommendations specific to the Department of the Public Service, both were adopted, although one had already been implemented prior to the publication of the report. A further two recommendations relating to the Department of Social Welfare were adopted and said to be in the planning stage (36). The Department of Education and

the Youth Employment Agency appeared to favour a review of their respective 1 and 6 recommendations, before committing themselves to a more definite reply. Only AnCo rejected the bulk of the proposals which related to its operations and though the Department of Labour broadly accepted the twelve recommendations concerning its procedures, it availed of the opportunity to chastise the PEC on its allegations of expenditure waste caused by duplication in services. Having requested the relevant documentation from the PEC the department noted 'that the evidence available to the committee suggesting waste of public funds has not been supplied despite the Minister of State's invitation to the Committee to furnish such evidence in his speeches in the Dail ...'. The Department commented that 'in the absence of relevant details the Committee will, no doubt, appreciate the Department's difficulty in trying to investigate or respond to generalised uncorroborated assertions of this nature' (37). In fact, the committee had simply presumed that duplication led to expenditure waste and countered that it 'had no evidence that the duplication of services was more cost-effective, as seems to be implied by the official response' (38).

Despite welcoming the executive's co-operation in replying to their requests, the PEC considered the continued references to the forthcoming White Paper to be 'regrettable if [they were] used as an excuse for inaction on problems that have continued to exist since the Committee's review was completed in early 1984' (39).

With escalating unemployment figures and the absence of a White Paper on manpower policy for over twenty years, the coalition government were aware of the need for reform in this area. The shortfall was formally recognised in the Programme for Action in Education 1984-87. George Bermingham, T.D. was appointed Minister of State at the Department of Education and the Department of Labour with special responsibility to review the possibilities of co-ordinating services and eliminating duplication in training.

A White Paper on Manpower Policy was later published in September, 1986, with the stated purpose of improving the effectiveness of the labour force, promoting equity in the labour market, and defining the proposed organisational arrangements in order to achieve objectives at the minimum cost. It included many provisions which followed on from the recommendations made by the PEC. Recognition of their input was formally acknowledged as follows:

The recommendations in the recent NESC Report on Manpower Policy and the findings of the Dail Committee on Public Expenditure and other relevant reviews and recommendations have been taken into account in the preparation of this paper (40).

The PEC report, and recommendations contained therein, must be seen to have contributed to the party political consensus from which government policy emerged. Possibly through

appropriate timing or sheer weight of influence, the report may have affected policy in a way which other reports, i.e. OECD, NESC and ESRI, did not. The PEC hearings provided deputies with a valuable forum for evaluating an issue with policy potential, which might otherwise have been unavailable to them. Even if the amalgamation of these particular agencies was inevitable, with or without PEC recommendations, backbench TDs had an opportunity to evaluate this legislative initiative before they were called upon to vote. As a result of the PEC inquiry, those members of the Oireachtas who supported the motion to centralise the state agencies for persons registering for employment and training could do so with full knowledge of the facts.

Report 15

Institute for Industrial Research and Standards

Like most PEC investigations this concentrated on a review of Institute for Industrial Research and Standards (IIRS) costs rather than its general activities. While the report is prefaced with an acknowledgement that the committee's primary concerns have 'happily been resolved or are in the course of resolution', the PEC experienced significant difficulties during the course of their review into this agency, mostly because it proved initially to be a somewhat unwilling subject (41). As the investigation progressed, personality differences between those conducting the investigation and those bearing the brunt of it evidently

influenced the proceedings. This may have been related to the factors which gave rise to the inquiry in the first place. The IIRS were the last to return their questionnaire, which was extremely late and contained excessively detailed information. Primarily the PEC was interested in the substantial cost overrun incurred on the IIRS building expansion programme. A similar in-depth inquiry had been undertaken on behalf of the Minister of State for Industry, Commerce and Tourism by officials from the Office of Public Works, the Departments of Finance and Industry and Commerce, who were assisted by an outside surveyor (42).

Numerous investigations were undertaken into the IIRS in the early eighties. In 1983, the National Board of Science and Technology issued their own report in which they recommended significant changes in IIRS structure and business practice. It was while the IIRS was in the process of implementing the NBST recommendations that the PEC commenced its own review. Having examined the general thrust of the NBST report, the PEC concurred with its findings. It added that the 'high cost, high specification and the high allocation of space per person in the new IIRS headquarters building, now called Technology House, ... concerned the Committee', which essentially could not understand why the IIRS felt it needed such an expansive building project in the first place (43).

The content of the IIRS report, like many other PEC reports, is highly technical and detailed and would probably hold

greatest meaning for those concerned with cost accounting and financial control. In holding the IIRS to account for its activities in the course of a fairly broad review, the PEC scrutinised an area of the public sector previously unexamined by members of the Oireachtas.

Additional Reports

As evidenced by the list of reports outlined in Appendix B the PEC tackled a great number of diverse and highly complex issues during its four years in existence. State expenditure was examined in a wide range of areas such as the fishing industry, the Shannon Free Airport Development Scheme, the Prize Bonds Scheme, the Industrial Development Authority and the Forestry and Wildlife Service. Intricacies of capital expenditure programmes, present, past and future were explored. Recommendations which were aimed towards rationalising and controlling such expenditure were outlined. These included forthcoming capital building projects like the new army headquarters and the Dublin dental hospital. At all times the PEC objective was to ensure that past mistakes would not be repeated and that taxpayers would get value for money. In only rare cases, e.g. tourism, was an increase in government expenditure recommended (44).

Having recovered from a somewhat shaky beginning, the PEC undertook numerous carefully planned and co-ordinated reviews. Usually inquiries were undertaken as a result of

written submissions which highlighted public service inefficiencies and pressed for a formal investigation. One such review, that on the Bovine T.B. Eradication Scheme, started in November 1985 against a background of complaints and allegations. Many of those who had despatched written submissions to the PEC were later invited to give oral evidence. Organisations such as the Irish Farmers Association, Irish Veterinary Union, and the Association of Concerned Veterinary Practitioners participated in public hearings. However, due to the fact that the Department of Agriculture had simultaneously undertaken their own survey of the scheme, the PEC decided to delay their report until October 1986.

The PEC report on this matter was highly technical. Concentrating only on an evaluation of costs on the basis of evidence submitted, the PEC recommended a fresh start for the scheme, under new management, with a new authority and secure funding over a 4-5 year period. In particular the PEC criticised the high administrative costs which inhibit the scheme and urged a speeding up of the computerisation process. These recommendations were subsequently adopted as policy by the Fine Gael party and later by Fianna Fail, albeit in very modified form.

Impact

Despite prolific and assiduous work, the PEC outlived the climate of goodwill from which it had developed. Gradually, the special privileges which marked this committee out from its contemporaries disappeared. By 1985, the guarantee of debating time in the Dail had become a source of great irritation for many outside the committee. From the outset, the clause in the PEC terms of reference providing that all reports be debated not later than the twelfth sitting day after publication, had never fully been observed. It progressed from debates being delayed one week to a month, until eventually no reports were ever debated in the Dail.

Seeking to debate their report on the Proposal to Introduce a Charge Card System for Civil Servants Travelling on Official Business, in November, 1985, the PEC encountered a resentful House. This was firstly because a debate on the report necessitated a late sitting, and secondly because members of the opposition sought to pursue what seemed to them to be more important issues. The leader of the opposition, Mr C.J. Haughey, commented irritably that 'the report on which the House is being asked to sit late tonight about credit cards for civil servants travelling is not exactly a major issue of policy requiring our time or the expenditure of this House sitting until a late hour ..'. He considered it to be unfair that 'the reports of some

committees do not get in here at all and other committees seem to have a monopoly on our time'. He referred to this particular PEC report as one which he did 'not think is of any great moment' (45). Later, Bertie Ahern FF, who was then active on four committees, agreed with the party leader. He seemed resentful of having to discuss 'a silly old report, that means nothing, until midnight' (46).

The PEC did not dispute the fact that some of its reports would not merit a full debate in the Dail. Most probably the committee would have preferred a straightforward response to recommendations from the appropriate minister. However, since the membership were keen to protect what little access to the Dail already available to them, they hesitated to make an exception which might later be held against them. In general most reports do not require a full debate in the Dail. A formal government response, either written or in oral evidence to the committee would suffice. Currently, however, Oireachtas committees tend to take advantage of whatever channels are open to them until overall reforms are in place. In the case of the PEC, debating privileges were officially removed by motion of the Dail in December 1986.

The PEC, like the SSBC, was frequently informed that the subject of its scrutiny and deliberations was already under review and that Green Papers, White Papers and even actual Bills were in preparation. Generally this coincidence ensures that committee recommendations, when published, are

either eclipsed by executive action or declared to be unoriginal. One such example is the 6th PEC report on the Department of the Public Service. During the Dail debate on this report, a White Paper, which included many of the PEC's recommendations, was said to be already in circulation at cabinet level. The PEC first commenced their review in late 1983. They heard evidence from the Department of the Public Service between April and June 1984, and they published their report in May 1985. The White Paper, Serving the Country Better, was published by John Boland, then Minister for the Public Service, in September, 1985. Two months earlier, in July, the PEC report had gone through the House with emphasis on the expected White Paper which detracted to an extent from the substance of the committee's recommendations. It was stated in the course of the Dail debate that the minister was 'having the recommendations of the committee examined and evaluated in the context of the forthcoming White Paper on the Public Service which is now before the government' (47).

This example, of PEC recommendations and proposals said to be already under consideration at cabinet level, does not provide sufficient evidence to show that the committee had a direct impact on policy. Even in cases where the PEC issued proposals which later came into effect, there is no evidence to prove that the idea originated within the committee and that it had not been under consideration at executive level before the committee started their own review. Specifically, who conceived which ideas first is impossible to determine,

but there are many examples similar to those discussed above which, while not sufficiently tracing a causal relationship between PEC activities and government policy, do at least suggest that the PEC was following a useful line of inquiry a good deal of the time.

CHAPTER 3.

The Joint Committee on Commercial State-Sponsored Bodies

An examination of the Joint Committee on State Sponsored Bodies (SSBC), is crucial to any analysis of the Irish committee system for two reasons. Firstly, it came into existence long before the committee system in the Oireachtas was extended, and its style and practices impressed those who were later instrumental in extending the use of select committees. Secondly, unlike the Committee on Secondary Legislation of the EEC, which was prescribed by accession into the EEC in 1973, or the Public Accounts Committee, (PAC), which owed its existence to historical precedent more than anything else, the SSBC was established as a result of all-party lobby pressure which had sought accountability in the commercial state sector for over a decade.

In the years before the SSBC was founded, the need for greater accountability in the commercial state sector was widely acknowledged throughout the Oireachtas. Many TDs were alarmed at the disparity between official Government statements on the particular commercial state bodies and reports of mismanagement and unwise investments circulating in the media. Other than the ritual Estimates debate, no formal mechanisms existed by which TDs and Senators could monitor the operations of commercial state companies or assess their interaction with central government.

Parliamentary questions relating to state-sponsored companies usually received bald replies or outright refusals to discuss matters affecting the public sector on the grounds that it would lead to accusations of government interference in the day-to-day running of state enterprises. Deprived of detailed and precise information, the average backbencher approached debates on commercial state companies or on industrial policy from a considerable disadvantage. Not surprisingly, many resented the fact that the media appeared to have better access to official information than they themselves had.

Public displeasure with commercial state bodies, partly caused by inefficiency and partly symptomatic of an ailing economy, featured regularly in the media and on the agenda for TDs conducting their constituency clinics. Inevitably that displeasure crept into political debate. A parliament, previously proud of its liberal reputation in state enterprise, sought increasingly to invoke stricter controls over decision-making in the commercial state sector. Such factors combined with an almost ritualistic witch-hunt by the media of Coras Iompair Eireann (CIE), the Electricity Supply Board (ESB) and other prominent state agencies, provoked a strong parliamentary lobby in favour of appointing an all-party committee to inquire into state sponsored enterprises.

The effects of recession were felt by the commercial state companies as much as, if not more than by the private sector.

Common descriptions of Irish state enterprise depicted a situation of chaos and general crisis. Agreement on the causes of and possible solutions to this crisis has been precluded by the confused ideological assertions of the political parties. A complex situation has been further compounded by the lack of consensus within the parties themselves. The case in favour of non partisan discussion and review, strengthened in the early 1970s, and the potential of the select committee as a forum for investigative work was generally recognised. Eventually the government acceded to pressure from members in both Houses of the Oireachtas and a joint all-party committee, with extensive investigative powers, was established in May 1976. Initially the project began as an experiment with the primary objective of bringing parliament closer to the affairs of commercial state bodies without impairing their level of efficiency or enterprise. Over a decade later however, the SSBC represents an established and integral feature of Irish parliamentary life. This chapter looks at the operations of that committee during the period of the 24th Oireachtas.

Remit

Insofar as the SSBC is concerned with examining the operations of commercial enterprises in which the state is the sole or majority shareholder, its remit could be described as limited. The range and diversity of these companies however, and the nature of the economic and political climate in which they operate, ensures that

investigations have more far-reaching ramifications than their terms of reference imply. The extent to which commentary on policy issues relating to the commercial state sector is achieved however, has depended on how broadly the membership, particularly the chairman, have interpreted these terms of reference.

Appendix C lists the orders of reference agreed by both Houses when the SSBC was actually appointed in May 1978. Broadly they include the power to:

- send for persons, papers and records
- engage the services of experts, subject to the consent of the Minister for the Public Service
- print and publish documents as it sees fit
- present a report to both Houses of the Oireachtas for debate.

These terms of reference enshrine many limitations. Section 2 prevents the SSBC from publishing confidential information when requested by the chairman of a state-sponsored body. When questioned in the Dail in 1983 about the purpose of this provision by Deputy Prionsias De Rossa, the then Minister for Industry and Commerce, John Bruton, declared it to be an essential safety mechanism designed to protect the commercial operations of the state sector (1). Deputy de Rossa doubted the absolute necessity of such a provision and foresaw a situation in which it would be used by elements

within the executive to obstruct committee work. His predictions were not altogether unfounded.

The SSBC cannot appoint sub-committees, a factor which affects its work procedures more than anything else by limiting the number of investigations to one at a time and bringing a slower overall pace to proceedings. Work is conducted along the lines of a British royal commission inquiry, which, apart from being time-consuming also diminishes the SSBC's scope for asserting the day to day accountability of the agencies concerned. Twenty-six commercial state-sponsored bodies, also listed in Appendix C, are included in the schedule for investigation. Such a large number requires fast and streamlined investigative procedures which only a larger committee with powers to appoint sub-committees could achieve. Members are also unable to appoint substitutes to vote in their place. This provision serves to reinforce the power of the selection committees.

In 1983 and 1984, the SSBC conducted reviews of Oslanna Iompair Eireann Teo., (OIE), and Irish Shipping Ltd., (ISL), both of which were experiencing severe financial difficulties. The government took emergency action on both companies before the SSBC had completed their review and thus pre-empted findings which would have been the main focus of the reports. The SSBC was thus forced to make vague, generalist recommendations relating to industrial policy and the relationship between state bodies and their sponsor government departments. Such commentary, although welcomed

by the executive, was theoretically beyond the scope of their remit.

John Bruton, in his capacity as Leader of the House with responsibility for Dail reform, put forward a motion to amend the terms of reference in December 1985. It was agreed that in paragraph 1, all words after 'bodies' should be deleted and substituted with

to examine --

A/ Reports and Accounts and overall operational results, and
B/ the common issues relating to board responsibility and financing, together with the relationship with central government and the Houses of the Oireachtas of state-sponsored bodies engaged in trading or commercial activities referred to in the schedule hereto and to report thereon to both Houses (2).

Whilst previously the SSBC examined each individual state body and reported with recommendations, the amendment empowered them to

examine ... issues common to a variety of, or more than one state body, relating to board responsibility, structure, organisation, accountability, and financing, together with the relationship with central government and the Houses of the Oireachtas (3).

This amendment followed from a commitment given in a coalition government White Paper on Industrial Policy

published in April, 1984 (4). Among other subjects the White Paper addressed the overall financial position of state companies and identified weaknesses in their operations. As part of this general review 'the Government decided that the SSBC's mandate should be extended to enable the membership to bring their experience to bear in a more constructive manner' (5). Extending the SSBC's remit in this way might at one stage have been interpreted as encouragement to address policy issues directly. Other reforms, however, such as liberalising the guidelines for civil servants giving evidence, or allowing the committee unrestricted access to corporate plans, which are a prerequisite if committees are to consider policy issues, have not been forthcoming.

Work Procedures

The SSBC usually meet in private on Tuesdays. Although they are empowered to meet in public at their own discretion, such hearings are the exception rather than the rule. SSBC work procedures have evolved slowly over the course of the last decade, with major changes being implemented recently. A characteristic feature of SSBC deliberations has been the almost exclusive concentration on one subject at a time. While many different issues comprise the agenda for each meeting, the main interest focusses on a single company rather than a broad number simultaneously.

Efforts are made at the start of each year to devise the forthcoming agenda. Members are flexible in their approach and priorities tend to change from month to month. No straightforward criteria exist by which the subjects for investigation are selected. The immediate objective is to cover as many as possible of the twenty-six companies included in the remit. During the period under review, the committee set out to investigate three companies each year. It was found to be more expedient to focus on one large, one medium and one small company rather than three public sector 'giants' like CIE, the ESB or Bord Telecom Eireann (BTE) in one year. Invariably members sought to focus on specific areas within the commercial public sector which interested them personally or professionally. Controversial companies frequently attract the attention of the committee, and fullscale investigations were often undertaken on the strength of media reports and critical submissions from the public. Topicality was but one of many criteria which influenced the choice of subject, however. When a company had last been examined by the committee, if at all, and the number of written submissions received relating to specific companies were recurring factors which affected the order of agenda for the coming year. Certain investigations logically follow on from one another. The review of the ESB, for example, may have been prompted by the submissions received during the hearings into Bord Gais Eireann (BGE), because of the commercial interdependence linking the two.

Proposals for investigations are channelled through the chairman during preliminary meetings and a vote is taken to devise the agenda. Interview evidence suggests that the SSBC enjoys complete autonomy in planning its work, an essential characteristic for all select committees. Any interference at this stage would defeat the whole purpose of committee work, which is to make the commercial public sector and the central administration accountable for their actions. If the executive were instrumental in determining the agenda for the SSBC, impartiality would be entirely undermined.

Work procedures revolve around sending for 'persons, papers and records'. This power is subject to the consent of the Minister for the Public Service, (now Finance, 25th Oireachtas). Once the subject for inquiry has been decided, submissions are invited from interested parties through advertisements placed in the national newspapers. The company under review is requested to submit backdated annual accounts, market and planning information and in some cases relevant corporate plans. The sponsor government department is always asked to submit a memorandum by a specified date. When other organisations/individuals are likely to have views of interest to the SSBC, they too are invited to make submissions. Each member of the Dail and Seanad is notified of forthcoming inquiries by circular letter which invites comments or formal submissions. If the SSBC becomes aware of earlier consultancy reports in relation to the subject of its inquiry, copies are obtained on a confidential basis. All

relevant statutes, parliamentary debates, publications of various official organisations, such as the Central Statistics Office, the Central Bank, the Economic and Social Research Institute (ESRI), the National Economic and Social Council (NESC), and reports from various newspapers and periodicals are obtained.

The SSBC depends greatly on engaging the services of specialists from the private sector. Without such assistance, the volumes of technical material which dominate commercial enterprise would prove too much for the generalist skills of Oireachtas members. With the consent of the Department of the Public Service, the committee employ a full-time economist to act as its permanent advisor. On his/her recommendation, they commission additional consultancy services where necessary. SSBC research and advisory staff set out to evaluate all the aforementioned documentation from which briefing papers for committee members are prepared. These papers generally outline the key issues and propose a list of relevant questions which the membership might put to witnesses during the hearings. Armed with volumes of background data, members confidently interrogate their witnesses during public hearings.

From time to time submissions are invited from companies with whom the subject is trading, with a view to ascertaining the degree of customer satisfaction with the service, e.g. Air Canada were invited to comment on Aer Rianta operations. Trade union deputations usually submit their views for

consideration. This was particularly so during the 24th Dail, due possibly to the chairman's professional interest in industrial relations. Most trade union representatives, with one notable exception, those from the ESB, were very keen to co-operate with committee inquiries and evidently valued the forum for discussion which the committee provided (6). Other witnesses proved less eager to co-operate. Officials from the Department of Energy and the Department of Communications refused to attend public or private SSBC meetings on the grounds that a line of inquiry was being followed which was policy related and therefore precluded civil service attendance, or alternatively because it was felt by those expected to give evidence that they could contribute nothing of any more significance than what had already gone before (7).

Faced with a refusal to give evidence, the SSBC, like other Oireachtas committees, is without power to subpoena. The most it can expect is intervention on its behalf from a minister who supports an inquiry and is prepared to overrule his civil servants. Apparently there has been only one occasion on which a minister did so, and that was during the Public Expenditure Committee inquiry into the Department of Health (8).

Satisfied that the full facts have been established by its inquiry, the SSBC deliberates over successive drafts of its report and prepares recommendations. In 1982 the Consultative Group of Chief Executives of State Organisations recommended

that SSBC procedures be amended to allow the agencies under review to proof a draft report before publication so as to correct any possible errors of fact. The Group emphasised that such corrections would not obviously affect the recommendations of the Joint Committee but would avoid possible difficulties arising when findings were made public (9). The SSBC decided that, while it welcomed the offer to check factual material intended for inclusion in reports, it could not agree to submit a draft report in its entirety to any body or organisation (10).

A completed report is laid before both Houses of the Oireachtas, usually accompanied by an application to the Ceann Comhairle and the whips office for debating time. While SSBC reports have occasionally been debated in the Seanad they have rarely been directly debated in the Dail. Between 1978 and 1983, for example, the committee completed eighteen reports, not one of which was debated in the Dail. The committee is free to publish any documents it sees fit. Usually these publications include minutes of evidence from public hearings and reports and occasionally the 'proceedings' of every meeting (11). Such data account for attendance, duration of meeting, and also refer to the subjects discussed or voted on. But 'proceedings' are very unspecific and could contain greater detail which might offer a clearer picture of committee work. Minutes of Evidence are not always published, especially if the committee agrees that discretion is required. Those giving oral evidence during the enquiry into Udaras na Gaeltachta were guaranteed

confidentiality and might not have participated without it. The hearings were held in camera.

Since its inception the SSBC has experienced four changes of government, two of which were shortlived. While it is clear that the continuity of investigations has been affected, the extent to which overall efficiency of operations has been impaired by interruptions is difficult to ascertain.

Membership

The SSBC has eleven members, four from the Seanad and seven from the Dail. During the 24th Oireachtas five members were drawn from Fianna Fail (FF), senators Eoin Ryan and Brian Hillery and deputies Seamus Brennan, Albert Reynolds and Robert Molloy. The remaining six members were drawn from the coalition parties: four from Fine Gael (FG), senator Brian Fleming and deputies Michael Begley, Liam Cosgrave and Willie O'Brien, and two from Labour, senator Timmy Conway and deputy Frank Prendergast. By comparative standards the SSBC is a very small select committee, considering that membership is drawn from both Houses of the Oireachtas. Being small it tends to generate much competition for places with the result that only larger parties are represented. Naturally this causes distress among the smaller parties, particularly the Workers Party (WP), whose special interest in the SSBC was accommodated by FF during the shortlived 23rd Oireachtas, but later ignored by the coalition administration. In the course

of its work the SSBC often touches on sensitive ideological issues relating to state enterprise, a factor which may explain the reluctance of larger parties to accommodate the interests of a smaller left-wing party like the WP.

Of the eleven members initially appointed in 1983, less than half were backbenchers who had not held ministerial office. Several from FF had commercial business interests and management experience, and one, an academic, specialised in industrial relations. Several members had other select committee duties. Willie O'Brien FG, was a member on three other committees, Selection, Procedure and Privileges, ^{and} Womens Rights, and chairman of a fourth, the Joint Committee on Marriage Breakdown. Seamus Brennan FF, was also a member of the Selection Committee and Albert Reynolds FF, and Michael Begley FG, were members of the Joint Committee on Building Land of which Robert Molloy, then FF, later PD, was chairperson. Frank Prendergast Lab, and Liam Cosgrave FG, were both members of the Joint Committee on Crime, Lawlessness and Vandalism.

Continuity and coherence in a committee's work is crucial to its overall success and impact. If the key to continuity lies with the membership, then the SSBC was fortunate to retain the presence of very active participants. Eoin Ryan FF, ex chairman, had been with the SSBC since 1978, as had Willie O'Brien. Austin Deasy FG, had been a member since 1979 when he replaced Tom O'Donnell, MEP, FG, as had Brian Hillery FF, who replaced Des Hanafin FF. By the end of the 1982-87

parliament there had been only one departure: Gene Fitzgerald FF, left and was replaced by Robert Molloy.

The composition of the SSBC, like all parliamentary committees, is determined by the party whips, who advise the Committee of Selection. Expertise is not the ultimate criterion in the selection of members. The most striking feature in the appointments to the SSBC over the years has been the absence of politicians of strong left-wing views. Even the Labour Party delegates have been drawn from the less radical wing of the party. One such delegate, Timmy Conway, has since left the Party to join the Progressive Democrats (PDs).

Frank Prendergast was elected chairman in June, 1983. His appointment had been previously agreed by the party leaders and the whips, as was Seamus Brennan's appointment as vice-chairman. They interchanged roles: Brennan acted as chairman on the inquiry into ISL in 1984, the year in which Prendergast was Lord Mayor of Limerick. Whilst differences in method between deputy Prendergast and the previous SSBC chairman, senator Eoin Ryan, were imperceptible, they shared few similarities in style. They came from very different professional and political backgrounds, Ryan having developed extensive business interests and Prendergast focussing primarily on industrial relations prior to and during his tenure in the Dail.

Table 3 indicates membership performance on the SSBC during the 24th Oireachtas. Figures are drawn from a sample of fourteen public meetings from which minutes of evidence were published. Meetings took place in 1983, 1984, 1985 and 1986. Attendance from the Dail was slightly below the overall average for the committee whilst attendance from the Seanad was significantly above average. A list of members is included in Appendix C.

Table 3.

SSBC Attendance and Participation

	<u>Meetings Attended</u>	<u>No.of Questions</u>
Prendergast	12	217
Brennan	9	268
Begley	7	93
Cosgrave	8	29
Molloy (1)	2	2
O'Brien	5	20
Reynolds	8	316
Conway	11	124
Fleming	12	210
Hillery	12	94
Ryan	10	66

Total no. of meetings: 14
 Total no. of questions: 1439
 Average attendance: 7.6
 Average no. of questions: 130
 Average Dail attendance : 7.3
 Average Seanad attendance: 11.25

(1) Molloy replaced Fitzgerald who attended 1 out of 4 meetings. Molloy's attendance is out of a possible total of 10.

Investigations and Reports

Between 1983 and 1987, the SSBC conducted comprehensive reviews of and reports on the following eight state-sponsored bodies: Ostlanna Iompair Eireann, Teoranta (OIE), Irish Shipping Limited (ISL), Bord Gais Eireann (BGE), Electricity Supply Board (ESB), Bord Telecom Eireann (BTE), Udaras Na Gaeltachta (UnG), and Irish Life Assurance Company (ILAC). The report on ILAC, which was not completed before the dissolution of the 24th Dail was published by a newly established SSBC in May, 1987. Sample reports on OIE and ISL have been selected for detailed evaluation, while examples from the remaining reports will be used where appropriate, to highlight interesting aspects of select committee work.

Ostlanna Iompair Eireann

The investigation into OIE, (a hotel group which was then a subsidiary of CIE), formally began in December 1983, when the OIE board submitted oral evidence in a public hearing. The content of this evidence revealed a complicated and very unstable financial situation which, apparently, few members of the committee, or the Oireachtas, initially suspected. It soon became evident to the SSBC that its investigation into OIE was long overdue.

OIE had been experiencing severe financial and planning problems since 1974. It was in response to these problems

that the coalition government appointed Liam St John Devlin as chairman that year. Of those four consultants' reports commissioned since 1973, each recommended an immediate capital injection of one and a half, four, six and eight million pounds respectively, if OIE were ever to regain market viability (12). The decision to inject this capital was still not forthcoming when the SSBC began their inquiry in 1983. During the hearings, SSBC vice-chairman, Seamus Brennan, highlighted glaring inconsistencies between the company's legal status and its business practices. OIE, officially a limited liability company, traded illegally (i.e. it was insolvent and therefore in violation of the 1963 Companies Act), for almost four years (13). Despite familiarity with OIE's financial predicament, successive governments failed to adopt curative measures which would halt the financial losses and prevent further deterioration.

Successive Irish governments have, for a variety of reasons, considered it appropriate that OIE retain a substantial investment in Northern Ireland. Government investment in Northern Ireland through OIE was intended to fortify constitutional claims and support a tourism policy which included the whole island and not just the twenty-six counties. Such investment was also expected to represent a confident trading image with the North. No minister in the southern government was prepared to this investment (via OIE) in Northern Ireland, for to do so would be to undermine confidence in the Northern Irish economy. Such policy

considerations ensured that the financial disadvantages facing OIE in Belfast were ignored. It was their involvement with the Russell Court Hotel in Belfast which signalled the beginning of OIE's financial troubles. An expensive refurbishment plan for the hotel went disastrously over budget and schedule, and the building itself was the target of two bomb attacks. The overall tourism value of Northern Ireland has been vastly diminished by the political strife.

Aside from these complications, the SSBC inquiry into OIE uncovered significant irregularities in its business practices, financial structures and, especially, its relationship with central government. A sum of two million pounds in Value Added Tax (VAT), Pay Related Social Insurance (PRSI), and income tax already collected from clients and employees, had not been paid to the Revenue Commissioners by OIE. Such evidence startled the SSBC membership which appeared to have been entirely unaware of OIE's difficulties. When asked if he could justify practices which cause company employees to be uninsured for any period of time, Dr Devlin, chairman of CIE and OIE replied:

They cannot be justified and I would not attempt to justify them. But if one does not have the cash what can one do? I would have much preferred if the Revenue Commissioners had made a claim against us in the courts... Perhaps we would have appeared to act more responsibly .. if we had just announced that we had to close down the hotels because we could not pay our PAYE or PRSI. We kept the government informed about the situation. In my view what happened was that some sort of deal was done with the Revenue Commissioners not to press us. I would

prefer to have been pressed because it would have enforced a decision in regard to the hotels and that is what we wanted (14).

Further evidence revealed details about the relationship between OIE and its sponsor minister and department which astounded many members of the committee, and of the Oireachtas. According to the board of OIE, they were prohibited, through the indecision of their sponsor department and ministers, from taking any actions which would improve their financial position.

Every time we went to the Department for a decision as to the financing of the Hotels ... we were met with procrastination (15).

The OIE board wanted, and actively sought, a decision either to close down all operations or to inject the essential capital to return the company to profitability. Such aspects of OIE affairs had never received consideration in the Dail and the majority of TDs appeared to be unfamiliar with its situation.

It was quite clear to the board in 1980, that we could not go on running an insolvent company unless we got some guarantee from the Department that the Government would take us out in the event of bankruptcy (16).

There were seven different Ministers for Transport in the decade in which OIE's financial situation started to slide, a factor which may explain the difficulty in continuity and decision making. In evidence to the committee, OIE placed the

blame, in no uncertain terms, on their sponsor department and ministers. Another picture emerged from the written and oral submissions, particularly those received from civil service officials. Without informing the department or the minister, OIE had entered into several unwise investments, one of which was the decision to invest in Powerscourt Restaurant, Dublin, at a time when all other such exclusive restaurants were facing financial difficulties in a diminishing market. This single investment incurred losses in excess of £250,000 over a period of two years (17).

Evidence submitted to the SSBC pointed to a lack of structured communications between OIE and its sponsor department. When questioned as to when and from whom he had sought permission to sell the Russell Court, (two-thirds of OIE's financial burden), Devlin replied that he had spoken to the Secretary of the Department of Transport:

Senator Fleming: But you have nothing on
paper?

Devlin: No (18).

More than one policy decision relating to OIE appears to have been communicated verbally and without any written verification to the chairman of OIE. Manifold evidence of disorganisation and incoherence in the running of OIE shocked the SSBC membership. In particular, they deplored the fact that both sides were submitting contradictory evidence.

Albert Reynolds FF, who had dealings with OIE while Minister for Communications, was a member of the SSBC participating in

the inquiry. His experience served to explain certain details which Dr Devlin had omitted. Reynolds was present for only one public hearing, however. Significantly, he was absent for the submissions from the board of OIE, the trade unions and the Department of Labour. He attended the submission given by officials from the Department of Communications who had once worked for him. It is impossible to assess whether his presence influenced either the content or the course of the inquiry. During this hearing Reynolds spoke thirteen times, a figure which is significantly low when compared with his usual participation rate in other hearings (19).

Only a few days after the SSBC first heard evidence on the subject of OIE, the Minister for Communications, Jim Mitchell, announced the transfer of OIE ownership from CIE, under the Department of Communications, to CERT, under the Department of Labour. In March, 1984, five months before the Committee had completed their report, the Minister for Labour, Ruari Quinn, announced the appointment of a new board, which would continue to operate as a commercial enterprise within the state sector. CERT's relationship as shareholders with the new OIE was, contrary to impressions received at parliamentary level, only to be conducted at arms length. As part of this initiative to revamp the OIE operation, all debts, which approached fourteen million pounds, were settled by the exchequer.

This government initiative pre-empted findings which the SSBC intended to publish in their report. Consequently the contents of the actual report read somewhat like a post mortem on the old OIE operation. Of the eleven recommendations laid out in this report, only three were specific to OIE and its operations. All others were 'relevant to the commercial state-sponsored bodies sector as a whole' (20).

It appeared somewhat co-incidental that the government took the initiative on OIE after a delay of so many years and so soon after the SSBC launched its inquiry. If there is a correlation between the two events then the SSBC must be seen to have achieved significant impact on the affairs of its subject. Even without a connection between the two events, the SSBC inquiry undeniably brought detailed and factual information to the attention of parliament which might otherwise have remained undiscovered. There are two sides to every story, and if the SSBC investigation into OIE served any purpose, it was to ensure that both sides were told. This OIE example also highlights the importance which timing can have on the outcome of committee work. Of those inquiries conducted by the SSBC during the 24th Oireachtas, it would appear that many were long overdue. In the case of Ostlanna Iompair Eireann, one can only speculate as to the effects which an SSBC inquiry, conducted five years earlier, might have had on the company's commercial practices.

OIE, sponsored by the Department of Labour and loosely related to CERT, is currently a jewel in the crown of the commercial state sector which certain political parties have marked out for privatisation. The minutes of evidence taken during the inquiry and the final SSBC report on OIE will be useful sources of reference for those who will make the final judgement as to whether or not it will remain within the commercial state sector.

Irish Shipping Limited

The second of the SSBC reports completed during the 24th Oireachtas was based on an investigation into Irish Shipping Ltd. (ISL), at a time when rumours of its imminent collapse abounded. As with the OIE investigation, timing was crucial. A report on ISL had already been compiled by the first Joint Committee in March 1981 which commended 'the Board, the management, staff, masters and crews of Irish Shipping for the highly efficient manner in which they discharged their responsibilities' (21). The second SSBC report on ISL published in April, 1985, was couched in vastly different language which was highly critical of the same board of directors so highly praised in 1981.

ISL's considerable financial difficulties stemmed from a series of chartering agreements arranged by junior management representatives in 1979, without consent from the board of directors or the sponsor Minister of Communications. The

projections on which the chartering agreements were based were later adjudged by shipping experts to have been wildly optimistic when measured against the adverse conditions prevailing in the world shipping market. Commencing in 1982, ISL incurred unsustainable losses for the first time in fifteen years arousing widespread fears for the future of the company. On April 11, 1984, whilst presenting a rescue package for ISL to the Dail in the Irish Shipping Amendment Bill, 1984, the Minister for Communications, Jim Mitchell, described the situation as disastrous. The new bill extended ISL's loan guarantee to thirty-four million pounds in an effort to help them withstand the crisis and Mitchell reassured the House that ISL would return to profitability within a year. The SSBC inquiry was launched in May, 1984 and the first public hearing took place amid considerable publicity on June 18th, 1984. In November of that year, the company went into liquidation.

Measuring the impact of SSBC work in relation to ISL as a simple matter of tracing similarities between the committee's recommendations and the course of action pursued by the government would be fruitless. Once again, as with the OIE investigation, the order of events pre-empted and eclipsed the SSBC inquiry. Each and every critical decision on ISL was taken exclusively by the cabinet without any consultation with parliament or the Joint Committee. The announcement in the Dail at 5 p.m. on November 14th, 1984, of the decision to appoint a liquidator to Irish Shipping, came as a complete surprise to everyone outside the cabinet. An emergency

debate lasting six hours ensued, revealing considerable tension and anger all round. Virtually every speaker deplored the cabinet's behaviour towards parliament and towards the committee. What most aggrieved members of the committee, and indeed the Oireachtas in general, was the haste and secrecy with which ISL was compelled to petition a liquidator. By acting thus the government completely ignored the SSBC, whose work had already been frustrated by a lack of co-operation from the board of ISL and its sponsor, the Department of Communications.

Speaking as acting chairman of the ISL investigation, Seamus Brennan accused the government of

downright discourtesy to the committee of which many of us are members .. This move calls into question the point in having a committee system. We should scrap the committee system unless the Government are prepared to work with it. It will not work without Government support. If the Minister had given us two more weeks to finish our inquiries, which would have got us out of this difficulty and stopped us becoming the laughing stock of the financial community in every banking boardroom all over the world tonight (22).

A number of politicians spoke in defence of the SSBC, suggesting that a completed investigation might have offset the emergency itself. C.J.Haughey felt that:

the decision should be set aside until the Oireachtas Committee, established to investigate the affairs of state companies, and who are now investigating the affairs of ISL, have had an opportunity to conclude their deliberations and report to the House (23).

Those who spoke to defend the SSBC were possibly motivated by a desire to delay the liquidation of ISL until the Dail was in full possession of the facts, rather than by a genuine concern to protect the integrity of the select committee. Also protesting about the behaviour of the cabinet towards the committee was Deputy Lyons FF, who, although never a member of the SSBC, was at the time acting-chairman of the PAC. He said:

In one fell swoop they have undermined the activities of all committees set up to deal with various matters (24).

In spite of the secrecy shrouding the ISL crisis, the SSBC managed to compile valuable background information on the affairs and finances of the company before it went into liquidation. This information proved essential to those who participated in debate and to the general flow of information to the media. Possibly, such evidence served to explain and perhaps even validate the move to liquidate ISL, for a consensus soon emerged among the largest political parties in support of the decision. Within weeks it was broadly accepted by FF and FG that any rescue package designed to revive ISL would only be at an excessive and therefore unaffordable cost to the exchequer. The SSBC report also raised issues which related to the state sector as a whole. It recommended that a more structured relationship be developed between government departments and their commercial state-sponsored bodies, and it highlighted mechanisms which might be useful in achieving this.

Inevitably, certain SSBC inquiries touched on areas which, strictly speaking, fall outside the scope of its remit. Often these issues are highly controversial or politically sensitive. While in such instances, the membership generally refrain from direct comment, the views expressed by witnesses are published in the minutes of evidence. During the ISL inquiry, certain witnesses criticised the practice of making political appointments to the boards of commercial state bodies. In their view, such practices resulted in a loose degree of control over management decisions, as evidenced in the ISL situation. They also suggested that certain political appointees were unsuitable or unqualified for the specific nature of the commercial enterprise. They stressed that greater attention should in future be paid to technical expertise when such appointments are being decided.

We often wonder when we look at these boards - particularly with shipping which is a highly technical and complicated business - how few actual professional seafarers are on these boards or are even associated with the decision making (25).

That the inquiry into ISL was difficult and frustrating comes across clearly from the tone of the hearings. While struggling to establish the exact financial and management details, and faced with an unco-operative and elusive board of directors and civil service officials, the SSBC membership could not avoid the occasional angry outburst. Identifying the negligent party appeared to be the most elusive and therefore frustrating factor. This inability to pinpoint or properly attribute blame for ISL misadventures reflects a

common dilemma in public management which may never truly be resolved. In this instance, the denouement of ISL had more far-reaching ramifications than had been experienced previously in the commercial state sector. Apart from substantial losses to the exchequer, and the liquidation of a major state enterprise, several hundred employees lost their jobs without compensation and the nation's commercial reputation abroad suffered a considerable setback.

Hearings such as those held by the SSBC often revealed as much about politicians as they did about the subject of the investigation. At times it was clear that certain members misperceived the role and powers of civil servants. On one occasion Senator Brian Fleming asked an official why he had not recommended the dismissal of the ISL board to his minister, causing the official abruptly to question Fleming's understanding of a civil servant's function (26). Deputy Albert Reynolds, also present, agreed with the official, arguing that in his experience as Minister for Communications any such interference would have aroused immediate outcry from the Dail accusing him of hindering the independence of the commercial state agencies (27).

If the investigation into ISL served any purpose it was to demonstrate how, without proper control and supervision, a successful state enterprise could go disastrously wrong. Like the OIE inquiry, the ISL investigation raised important issues which affected the commercial state sector in general. It demonstrated the need to redefine the roles of those

involved with state enterprise, in the various ministries and at senior public service level.

Impact

The SSBC does not receive and has not been known to request formal government replies to the recommendations contained in its reports. Identifying government reaction to, or opinion of, its work is therefore beset with difficulties, particularly when reports are not debated in the Oireachtas. Alternatively one might consider verbal statements, where they exist, made by government representatives on issues relating to SSBC recommendations. By such accounts, successive governments have been well pleased with the work of the SSBC since its inception in 1978. Announcing the amendment to its terms of reference in the Dail, John Bruton, the then Minister for Industry and Commerce, commented that in the course of its work, the SSBC had

accumulated, in the view of the government a number of useful ideas about the general management of the state bodies as a whole, as distinct from the particular recommendations they made about the individual bodies on which they produced special reports (28).

Reports debated in the Seanad are publicly welcomed by ministers selected to speak on the government's behalf. The SSBC has not yet received direct access to debating time in the Dail. Usually its work is indirectly acknowledged in debates which relate to subjects on which the SSBC have compiled reports. On a very general level, the SSBC has

affected policy decisions relating to the commercial public sector, but while a direct causal relationship between recommendations and actual policy decisions is not easily identified, according to John Bruton at least, a certain consensus has been made possible by SSBC efforts, and the 1984 White Paper on Industrial Policy reflected ideas expressed by the SSBC over a series of reports published between 1979 and 1982 (29). Acknowledging the merits of SSBC work, the coalition government ordered that 'as part of the general review of State-Sponsored Bodies ... the [SSBC's] mandate should be extended to enable the committee to bring their experience to bear in a more constructive manner' (30).

With proper initiative and slight modification of work procedures, the SSBC could successfully induce the executive to reply to its recommendations and ensure that reports are not left to gather dust on shelves. In the past, the tendency has been to conclude an inquiry with a report without adopting a follow-up strategy. Were the SSBC systematically to request a reply from each relevant sponsor department, six months or so after issuing a report, such information could then be published in regular progress reports and possibly bring a greater degree of relevance to SSBC work. The experience of the PEC, which first adopted such a follow-up strategy, has shown that replies will come if the salient points of reference are continually emphasised when dealing with government departments.

SSBC members might endeavour to capitalise on their findings more often than they have in the past. After the occasional angry outburst during controversial hearings came an objective rationalisation of priorities which ensured that tempers were well calmed by the time the committee was ready to compile its report. This emerged, as a result, a somewhat tamer and blander document than observers and witnesses might have expected. Such factors imply a degree of self-censorship inherent in SSBC work. By adhering to such strictly phrased terms of reference, members displayed a reluctance to adopt a wider interpretation which touched on matters of economic and industrial structure and the policies which determine it. Instead, the overall financial responsibilities and activities of commercial state-sponsored bodies were assessed in detail and sheltered from controversy wherever possible. This safe approach ensured that members evaded the tendency to pronounce at length on complex and usually contentious policy issues, thus avoiding the danger of exacerbating party differences and antagonising the executive. Safety and caution, while suitably propitious, may well have caused the SSBC to miss valuable opportunities to clarify state involvement in commercial enterprise once and for all. On the other hand, by prolonging this calm and safe approach to its work, the SSBC has, wisely, protected its own existence.

Impact on the Civil Service

Despite the occasional refusal to supply appropriate information or even to attend relevant hearings, the civil service was usually helpful in assisting with SSBC work. Differences and antagonisms tend to arise when the subject of the inquiry is politically sensitive or experiencing financial or similiar difficulties about which the executive wish to keep silent. Most committees, including the SSBC, probably recognise the importance of maintaining cordial and polite relations with all witnesses, for they cannot afford to make unnecessary enemies of those on whom they depend for information. The submission of oral evidence to groups of politicians, in front of a sizeable public audience, is a new and challenging experience for public officials most of whom are unfamiliar with such form of accountability. Many perform ably and without difficulty. Others react nervously, particularly if they are required to defend matters abhorrent to the committee members, who use an inappropriately accusing tone when posing questions.

Members must observe a degree of courtesy and self discipline when interviewing witnesses, especially civil servants. The long term effects of 'difficult' hearings may be counterproductive, insofar as prospective witnesses might become discouraged from co-operating with select committee investigations or current witnesses may refuse to return for a second hearing.

The SSBC has introduced new precedents in accountability into the affairs of the commercial public sector and its relationship with the Oireachtas. This appears to be welcomed rather than resented by those who manage and direct commercial state enterprises. Whilst appreciating and wishing to preserve the principle of independence, many value the opportunity to communicate directly with members of parliament. Likewise SSBC members value their new found access to detailed and educational information which will probably serve them well in debate or perhaps even as future members of cabinet (31). Both the hearings and the reports provide other members of the Oireachtas and the media with factual and interesting details on the operations of the commercial state sector. The media in particular find a remarkable source of news material which otherwise might evade them. The use of such material probably disappoints the SSBC which expects press attention to focus more on the substance of actual work rather than quarrelsome aspects of its relationship with civil and public servants.

The work of the Joint Committee on Commercial State-Sponsored Bodies has undoubtedly improved the flow and quality of information on the commercial state sector. It also proves to be a remarkably cost effective means of research into state-sponsored bodies and their relationship with central government. Certainly the collected reports of the SSBC will continue to act as a primary source of reference for those interested in the activities of the commercial state sector. In this respect the SSBC can act much like a semi-permanent

commission on state enterprise and industrial policy. Inquiries conducted by an all-party select committee, while being easily as cost-effective as, if not more than, those carried out by private institutions or university bodies, produce information which might not be available at all if it were not for the capacity of parliament to unearth it. It is an added bonus that the range and quality of the information contained in the minutes of committee hearings is so useful, giving, as it does, an insight into the structure and organisation of the civil and public service. Even accounting for the limits on its capability to extract information, the SSBC still appears to have had a greater capacity than any outside body.

The merits of SSBC work lie in its ability to extract information from the executive and to inject independent analysis into the diffuse processes of government. Where there have been similarities between SSBC recommendations and government initiatives, the role of the committee in these changes was not that of one single authoritative body compelling the government to act, but in providing a major public forum in which all those interested in improving the quality of industrial policy-making or the activities of the commercial state sector could voice and discuss their ideas. SSBC inquiries throw the light of publicity on the executive, they help lift the veil from the hidden processes of public sector management, and perhaps they are beginning to reassure the civil and public service that there is less to fear from public exposure than they might think.

CHAPTER FOUR

The Other Oireachtas Committees

The PEC and the SSBC were but two of seventeen select committees at work during the 24th Oireachtas. Of that seventeen, four were fairly recent creations: the Joint Committee on State-Sponsored Bodies (SSBC), the Joint Committee on Co-operation with Developing Countries (CDCC), the Joint Committee on Secondary Legislation of the EEC (2ndLC), and the Joint Committee on Building Land (BLC). Seven were entirely new: the Public Expenditure Committee (PEC), the Joint Committee on Small Businesses (SBC), the Joint Committee on Womens Rights (WRC), the Joint Committee on Marriage Breakdown (MBC), the Dail Committee on Crime, Lawlessness and Vandalism (CLVC), the Joint Committee on the Irish Language (ILC), and the Joint Committee on Legislation (LC). The remaining six committees are persistent features of parliamentary life. They were the Dail and Seanad Procedure and Privileges and Selection Committees, the Joint Services Committee and the Public Accounts Committee. The differences between the old and the new select committees is marked. Mostly the older models are semi-permanent or statutory, being constituted by standing order at the beginning of every new administration to perform traditional procedural duties.

The Dail and Seanad Selection Committees appoint House members to serve on other standing or select committees. Both were kept unavoidably busy at the start of the 24th Oireachtas because of the increase in the number of committees at work. Crucially the pool of candidates from which to draw membership was too small and few volunteers were prepared to accept double or even treble assignments. But selection committees are by their very nature dominated by party whips who have almost exclusive control in delegating duties to their colleagues. Consequently, the logistical problem of selecting and delivering membership passed back to the whips office, leaving the actual committee to perform a purely formal function. Nevertheless, the selection process, especially where a retiring committee member is to be replaced, is cumbersome and slow, mostly because appointments must be channelled through each House. As a result, many select committees are obliged to convene without full membership.

The Joint Services Committee is the Oireachtas housekeeper. It administers catering, information and secretarial facilities. The Dail and Seanad Procedure and Privileges Committees monitor matters relating to procedure and consider amendments to standing orders. Inquiries relating to the status and privilege of House members have led to controversy in the past, particularly during the 1970 arms trial and the allegations of phone tapping within Oireachtas offices which were investigated in 1981. Since 1983, procedural matters relating to the committee experiment have tended to dominate

proceedings, and only the Seanad committee has published reports.

The Dail Committee on Public Accounts, (PAC), has examined and reported on the financial accounts of the Dail since 1923. Difficulties have arisen in recent years because of diminishing research and staffing facilities in relation to an increasing workload. Members are currently reviewing the appropriation accounts years behind schedule. While the PAC worked on several reports during the 24th Oireachtas only one has been published over the last few years and that concerned the Interim and Final Reports for 1979, which was released in May 1987. Active PAC members have complained recently about the lack of proper staffing and research services to assist them in their work, as well as of inadequate publicity both inside and outside the Dail. Essentially these complaints are symptoms of a minor identity crisis which the PAC went through, mostly as a result of friendly rivalry and competition inspired by the new Dail Committee on Public Expenditure (PEC). Members of each committee have suggested that the other enjoys an unfair advantage, the PAC because it had full access to and co-operation from the Comptroller and Auditor General, and the PEC because of its facility for reviewing current expenditure (1).

Since the latter period of the 24th Oireachtas, the PAC appears to have taken on a new enthusiasm. It has begun meeting every Thursday and usually in public. As a result it attracts far more media attention than before, particularly

under the supervision of its new, media-conscious chairman, Deputy Gay Mitchell FG. At present it is seeking widespread reforms which will enable it to 'look at the economy, efficiency and effectiveness of government projects instead of just applying the normal regularity and financial audit'

(2). In other words the PAC are seeking the power to assess how much is being wasted and not simply how much is being spent.

The Joint Committee on the Secondary Legislation of the EEC (2ndLC), was provided for under the European Communities (Amendment) Act, 1973, to establish a semblance of parliamentary scrutiny over the treaties and legislation passed by the institutions of the EEC. Despite being prescribed by a supranational institution it has, by its very existence, helped create a climate conducive to Oireachtas reform. Through diligent work habits it has set new precedents in scrutiny, investigation and deliberation. In the past, the 2ndLC has provided an excellent tutorial for its members who were instrumental in the development of later committees. During the 24th Oireachtas it produced an unprecedented 36 reports.

The Joint Committee on Building Land (BLC), was the second investigative select committee to be set up after the SSBC which was established in May, 1978. The BLC first appeared during the 21st Oireachtas for reasons which had little or nothing to do with Dail reform. Those responsible for initiating the BLC inquiry sought to examine and recommend legislation relating to the uses and pricing of building land. First set up in 1979, the BLC was reappointed in September, 1982, and again in March 1983. It presented a report to the Dail in June 1985.

The rapid growth in building land prices over the last decades is seen to have affected industrial and national development programmes adversely as well as having detrimental spin-off effects on the economy. The BLC was appointed with all-party support to re-examine the issues addressed by the inquiry set up under Justice Kenny in the early 1970s and to evaluate the recommendations for constitutional change set out therein. Unlike the Kenny inquiry, the BLC received a remit which permitted a wide ranging approach to all issues connected with supply and cost, and, apart from the consideration of constitutional aspects of reform, it was also empowered to address the cost and feasibility of such reforms. Initially however, the Committee was not intended under its terms of reference to employ specialist consultants, and the government were concerned to ensure that it would return opinions or recommendations which depended on political judgement rather than technical and expert advice (3). The membership of 13

TDs and 7 Senators envisaged a different role for themselves and preferred to invest time and energy producing detailed research which would form the basis of valid and easily implementable recommendations. The report, which was finally published in June 1985, almost two years later than intended, was the product of complex and thorough investigative work which went beyond the initial expectations of the House.

The BLC applied to the Dail to extend its reporting-back deadline on three separate occasions (4). This delay was caused by several factors. First, they had undertaken a far more extensive task than the government had foreseen. Secondly, the BLC experienced a rapid and somewhat unfortunate turnover in membership between 1983 and 1985. Ruari Quinn, who had played a significant role in the setting up of the first BLC in 1981, was also a member of the third BLC while junior Minister at the Department of the Environment. On promotion to the Department of Labour, he was forced to relinquish his place on the committee and was replaced by Fergus O'Brien who also assumed his ministerial role. Quinn, an architect, was very keen to bring about reform in the building land situation and had already acted as BLC chairman under the shortlived Fianna Fail administration.

Michael Keating, Ray MacSharry and Jim Fitzsimons also resigned from the BLC, and were replaced by Michael Begley, (who had first resigned and then sought reappointment), Sean Calleary and Denis Foley respectively. Keating and MacSharry evidently felt the pressure of other parliamentary commitments, one as chairman of the PEC and the other as Fianna Fail shadow spokesman on Finance.

Table 4 below shows the attendance ratios and turnover of membership on the BLC between 1983 and 1985. Minutes of evidence were not published. Thus figures are based on the 'proceedings' of BLC meetings which were published with the report. Since proceedings include every BLC meeting held during this period, they may be accepted as absolute evidence of attendance. No further evidence of membership performance is available since transcripts of meetings were not published. There were a total of 44 meetings in all and average attendance was 52%. Appendix D includes a full list of BLC members.

Table 4.

		Meetings Attended	Percentage Attendance
Deputies	Begley (1)(2)	4(9), 2(21)	20
	Calleary (3)	10(14)	71
	Coveney	31	70
	Doyle	27	61
	Fitzsimons (4)	9(38)	24
	Foley (4)	3(6)	50
	Keating (2)	1(23)	4
	McLoughlin (1)	16(35)	46
	MacSharry (3)	13(29)	45
	Molloy	34	77
	O'Brien, (1)	23(35)	66
	Quinn (1)	5(8)	63
	Reynolds	8	18
	Shatter	12	27
	Skelly	20	45
	Walsh	16	36
	Wyse	38	86
Senators	Bulbulia	27	61
	Cregan	11	25
	Durcan	25	57
	Fallon	34	77
	Ferris	30	68
	Fitzsimons	38	86
	Ryan	28	64

Total number of meetings 44
 Total number of hours 57
 Average duration in mins 77
 Average % attendance 52

(1) Begley and Quinn were discharged, and O'Brien and McLoughlin appointed in substitution for them. 1 February, 1984. In parentheses are the maximum number of meetings each could have attended.

(2) Keating was discharged and Begley was appointed in substitution for him. 5 July, 1984.

(3) McSharry was discharged and Calleary was appointed in substitution for him. 14 December, 1984.

(4) Fitzsimons was discharged and Foley was appointed in substitution for him. 24 April, 1985.

(5) The figures in parentheses represent the total number of meetings held during the period of membership for those deputies who left or joined the committee after its initial establishment in the 24th Oireachtas.

Apart from the BLC, six other select committees also undertook specialist investigations. They were the Joint Committee on Marriage Breakdown (MBC), the Joint Committee on Womens' Rights (WRC), the Joint Committee on Small Businesses (SBC), the Joint Committee on Co-operation with Developing Countries (CDCC), the Joint Committee on the Irish Language (ILC) and the Dail Committee on Crime, Lawlessness and Vandalism (CLVC). Each was forecast to exist for a short period or until such time as they completed their remit. Some, like the BLC, were given an official time limit which they failed to observe. Both the MBC and the BLC did report back to the Dail by the end of 1985, the former amid significant controversy. In the case of the other five, however, a continuous and indefinite approach characterised their work and they undertook several different inquiries.

The Crime, Lawlessness and Vandalism Committee (CLVC) looked at issues varying from garda recruitment to the role of Customs and Excise officials in controlling the supply of illegal drugs. Having produced 15 reports it was adjudged by the incoming Fianna Fail administration to have sufficiently exhausted its remit. The Small Businesses Committee (SBC) produced 7 reports, each a wide ranging assessment of the commercial and legal factors influencing the development of small businesses in Ireland. While the incoming Fianna Fail government did not reconstitute the SBC, its greatest impact must be measured in terms of the 1987 legislation banning below cost selling and demands for 'hello money' by supermarket chains (5). In announcing the plans for the new

legislation Albert Reynolds, Minister for Industry and Commerce made explicit reference to the SBC recommendations and congratulated the membership on their report (6).

The Joint Committee for Co-operation with Developing Countries (CDCC), was the third investigative committee to be established, after the SSBC and the BLC. However, having enjoyed a short life span in 1981, it was abolished by the Fianna Fail government in 1982 and later reappointed by the coalition administration in 1983. In addressing the subject of aid to developing countries, the CDCC touched on areas of foreign affairs, which in the normal course of parliamentary life receive little or no scrutiny. Indirectly the CDCC managed to project quite unlikely aspects of world affairs onto the political agenda, and it undoubtedly performed an educative function by informing parliament of the development crises facing the third world. It also drew Oireachtas attention to the problem of apartheid in South Africa. Still, the CDCC membership recognised their limitations and all research and inquiries were confined to selective issues of relevance to developing countries. According to Senator Brendan Ryan, Independent, their work could not 'address with any success or to any useful purpose, the global problem of underdevelopment in its entirety in a way which would not either produce a report which would probably be 2,000 pages long or else would be couched in such generalities as to be entirely useless' (7).

Given the nature of its remit, the CDCC attracted a number of politicians whose record in the Oireachtas suggests a longstanding interest and commitment to issues which are not the usual fodder for parliamentary representatives. Many approached the CDCC because, like Senator Ryan, they felt an 'obligation and a role to play in heightening public awareness on the issue of the level of development aid that we are prepared to commit ourselves to. The Committee have a great need to be heard on the issue and to be part of the development education programme' (8). The setting for CDCC work was unusual because it afforded a happy co-existence with that small branch within the civil service assigned to oversee Irish aid to developing countries. In addition the Committee could rely on significant co-operation from those Ministers of State with responsibility for Development Co-operation, Jim O'Keefe and George Bermingham, who both eagerly supported the work of the committee. The CDCC was not reconstituted by the Fianna Fail administration in the 25th Oireachtas.

The Joint Committee on the Irish Language (ILC), on the other hand, was reinstated by the new Fianna Fail government. To date it has produced three brief reports, two concerning the extension of the use of the Irish language in the proceedings of the Houses of the Oireachtas and one accounting for its activities during 1985-86. The annual La na Gaelige held in the Oireachtas emerged as a result of an ILC initiative.

The general approach adopted by the remaining committees, the Joint Committee on Legislation (LC), the Dail Committee on Public Expenditure (PEC) and the Womens Rights Committee (WRC), suggests that they foresaw an ongoing future for themselves. While the WRC has been reinstated during the 25th Oireachtas to continue its inquiries into areas relating to the status and the role of the woman in Irish society, both the LC and the PEC died with the last Dail.

The LC received perhaps the most complex remit of all the new committees. While it was appointed primarily to examine proposals for legislation referred to it by members of the cabinet, it also undertook to formulate its own ideas relating to law reform. Despite the fact that it examined and discussed numerous important and contentious bills, only two or three required that oral evidence be heard. Consequently the LC missed out on the publicity which public hearings attract. Working largely outside the limelight it earned a misleading reputation for inactivity despite being kept very busy examining complex and time-consuming legislation such as the Intoxicating Liquor Laws, the Bankruptcy Bill, the Building Control Bill and the Motor Insurance Bill, as well as proposals relating to data protection and freedom of information. Although it published only three reports during the 24th Oireachtas, at least another three just missed publication when the Dail was dissolved (9)

The PEC, as outlined in chapter two, assumed a leading role in Oireachtas affairs between 1983 and 1987. Its very prominence may have engendered opposition from an incoming cabinet who were keen to offset any possible challenges to their leadership. Determined to make an impact, the PEC set great store by thorough and systematic work methods which could not be undermined or frustrated by unco-operative government departments. Those senior civil servants who resented being quizzed by the PEC cannot have looked forward to its reinstatement, and they may well have advised against it.

Use of Resources

Fearful for the future of their respective committees and conscious of the experimental nature of the system, members tended to adopt a cautious approach to their work, particularly when it came to spending money (10). In an effort to conserve expenditure on research and consultancy advice, the PEC, for example, invited a large number of specialists to serve on an advisory commission which would guarantee access to expert information and advice. Other committees developed similar relationships with expert advisors, albeit indirectly. Although investigative work benefited greatly from such assistance, the manner in which this was procured was not without dangers. As a small body, representative of parliament, each select committee is obliged to maintain complete and undisputed neutrality. If

close links are established with private agencies, this can leave a committee susceptible to bias, or at the very least to the accusation of bias.

On the surface, funding presented few problems. Finance is channelled through the vote of the Houses of the Oireachtas and the European Parliament, and the appropriation increased steadily from 1979 when it first appeared under the heading Consultancy Services for the Joint Committee on Commercial State-Sponsored Bodies.

It grew from a sum of £30,000 in 1979, to £300,000 in 1986. In 1987 it was cut to £100,000, and in 1988 to £50,000 (11). However, the full budgetary allocation has never actually been spent. Although no detailed expenditure breakdown is available for each specific committee, other indicators such as foreign travel and the number of consultants employed generally betray the financial cost. In descending order of importance, the budget was expended by the Dail Committee on Public Expenditure (PEC), the Joint Committee on State-Sponsored Bodies (SSBC), the Joint Committee on Co-operation with Developing Countries (CDCC), the Dail Committee on Crime, Lawlessness and Vandalism (CLVC), the Joint Committee on Small Businesses (SBC), the Joint Committee on Marriage Breakdown (MBC), the Joint Committee on Womens Rights (WRC), the Joint Committee on the Irish Language (ILC) and the Joint Committee on Legislation (LC). Delegates from the PEC travelled abroad on five separate occasions, and those from the CDCC and the CLVC went abroad twice. But whilst the CLVC delegates made a short visit to Scotland Yard in London, their counterparts on

the CDCC conducted comprehensive tours of Central and Southern Africa. Consequently, the differences in expenditure were great. In addition to the assistance each received from full-time advisors, the PEC and the SSBC both made elaborate use of expensive consultancy services.

The annual expenditure estimate, however, signifies little more than pocket money to be divided among the committees. The real costs of the new committee system appeared under a diverse group of expenditure categories, ranging from research and secretarial expenses, through accomodation and telecommunications, to editing and publishing. Many of these remained unspecified. Beyond these lie additional hidden costs such as those incurred by government departments who invest considerable labour in preparing evidence to deal with detailed interrogations by the committees. Undoubtedly the PEC and the SSBC were the most expensive in these terms, since both relied considerably on hearing evidence from departmental officials and public servants. The hours of preparation invested by officials called to give evidence is indeterminate, but it is high by all accounts. In describing his experience 'managing' the DHSS in Britain, Sir Patrick Nairne claimed that 'at least ^a quarter of my time in the DHSS had to be devoted to responding to formal references to the E. & A. Department of the Comptroller and Auditor General, and to preparing to give oral evidence to the PAC' (12). One suspects that the situation in Ireland is not dissimilar.

Also worth noting are the additional personal and political costs accruing to those active on the committees. Contrary to suggestion, their work earns little or no electoral premium, except where a chairperson can develop a media profile. Even this is not without danger considering the risks inherent in being associated with controversial investigations.

If the returns on the overall investment, financial or otherwise, were measured according to output, then each committee registered some value. In all, 93 reports were published, with the 2ndLC, which uniquely has its work assignments dictated by the pace of EEC legislation, producing a total of 36. Of the new committees, none worked more assiduously than the PEC which produced 26 reports. The Dail Committee on Crime, Lawlessness and Vandalism produced 15 reports while the SSBC and the Joint Committee on Small Businesses produced 7 each. The Joint Committee on Co-operation with Developing Countries published 5 reports while the Joint Committee on Womens Rights and the Seanad Committee on Procedure and Privileges both released 4 reports and the Joint Committees on the Irish Language and on Legislation released 3 each. The remaining committees on Marriage Breakdown, Building Land and Public Accounts each published a single report.

Select Committees and the Media

The introduction in 1983 of so many new committees at once presented significant logistical problems for the media. Oireachtas reporting had by this stage evolved into a fairly rational and workable routine. The three national daily papers, the Cork Examiner and RTE, engaged three full time reporters each to cover Dail and Seanad debates in shifts. Previously, information was gathered and pooled collectively using reporters from every newsroom. The merits of this system guaranteed that each paper caught the news as it happened, but sub-editors had to work overtime trying to elicit a story from a mishmash of data and styles. Independent Newspapers were the first to pull out of this system and adopt their own full time coverage. The other papers followed soon afterwards.

The number and range of new committees set up at the start of the 24th Oireachtas increased demands made on reporters and physically drew journalists away from House debates. It fell to 'general' reporters to cover committee hearings, which they did on an irregular basis depending upon the volume of news available on the day (13). The result of this unsystematic approach to committee reporting was inconsistency. Since committee hearings were not once-off occurrences, they were conducted as part of ongoing investigations and could not really be treated out of context. Without a specialist brief, or an understanding of the background and objectives of the actual investigation, the

general reporter focussed on issues of immediate news value. Whilst so many committees were working at the same time, meetings tended to overlap and journalists were sometimes running from one to another to maximise their coverage (14). Committee hearings could last anything up to two hours, a factor which did not lend itself to catching news deadlines or the interest of certain reporters.

The image of select committee work portrayed in the media has a lot to do with this general reporting style. General reporters seek to report and create news, not to analyse and evaluate specialist investigations. Committee hearings which are technical and specialist should similarly receive specialist media coverage. An agricultural correspondent, attending hearings which inquire into Department of Agriculture projects might focus better on the content of the evidence than on off-the-cuff remarks accusing civil servants of wasting taxpayer's money. It can only reflect badly on select committee inquiries if their purpose is seen to lie in civil servant bashing. All such sensationalist media coverage diminishes the confidence which the cabinet, the parliament and potential witnesses have in the competence and good intentions of a committee.

Those journalists who regularly attend committee hearings, are left with a good impression of the system (15). Unlike the House debates, committees are not dominated by long-winded and rambling speeches and meetings can sometimes prove entertaining, if not stimulating. Apart from this,

committees do provide journalists with good copy as well as in-depth, up to date information on specialist subjects.

From the outset it was clear that certain committees were courting media coverage in the hope that it would enhance the political status of the members and give a positive profile to their work. Inevitably some committees attracted more attention than others, due either to the nature of their work or to the deliberate efforts made by the membership, particularly the chairman. Initially certain misjudgements in dealing with the press led to unwanted publicity. On occasion, members who left meetings early carried committee literature with them. Chatting casually to journalists outside, they were often persuaded to part with documentation which was not intended for publication, or at least had not yet received collective committee approval for release (16). In effect this constituted very unintentional leaks to the press. Seeking to overcome such indiscretions in the future, some committees, in particular the Committee on Public Expenditure (PEC), decreed that all written material be left behind and that press releases be collectively agreed upon by the committee. In practice committee chairman brief the media before and/or after all meetings.

Few committees escape unwanted publicity, especially where dissent characterises controversial investigations. 'Dissenters' are not reluctant to release information strategically to the press if they believe it can benefit their side of the argument. The more controversial the

subject the more media attention it attracts. In the past, high profile inquiries conducted by committees such as the SSBC, PEC and the MBC were beset with media controversy which fed off the contradictory opinions expressed by the committee membership. Experimental as they were, none of the new committees could afford adverse publicity. Many were struggling to keep their work non party-political. One such inquiry was that held by the SSBC into Udaras na Gaeltachta. This difficult and controversial review was embroiled in legal complications, which had to do with elusive witnesses and disappearing files. Journalists from RTE were fed confidential material at an inopportune time for the inquiry which the committee were struggling to hold together (17). The MBC also experienced similar difficulties as did the PEC, when their sub-committee draft report on the Bovine TB eradication scheme was released to the press. Such publicity did nothing to engender confidence in committee work and it particularly disappointed those who had submitted ^{sensitive} evidence to the committee (18).

A TD's perspective on his work varies greatly from that of a journalist. As Ted Nealon, TD and ex-journalist remarked in the Dail 'one's priorities change during the transition from one area to the other. I do not want a crisis every day now' (19). This implies that a journalist approaches a news story in search of crisis and conflict. A diligent and quietly effective committee is much less newsworthy than a quarellsome, biased and badly organised imitation. Media speculation, leaks and contradictory public statements

inevitably impair the long-term impact of committee work because they inspire annoyance among those whom committees should make an effort to placate.

Prospects for the Future

The select committees set up for the first time during the 24th Oireachtas worked against significant odds. What should have begun as a modest experiment using three or four well-organised select committees had soon blossomed into an uncoordinated mish-mash of ideas and investigations. Thus the potential effectiveness of the new committees was immediately undermined by their superabundance. Existing research, accomodation and staffing facilities within Leinster House were already strained and those responsible for servicing Oireachtas committees resented the increased workload. Staffing requirements were significant as each committee called for a minimum of one full-time clerk and secretary. Those with a particularly heavy workload, such as the PEC, required further research and secretarial assistance. These additional pressures did nothing to inspire affection for the committees among the Leinster House staff. Future experimentation with select committees should only be undertaken when the appropriate staffing, editorial, publishing and accomodation infrastructure is set in place.

Future committees should also receive greater acknowledgement from the House for their work. Such recognition, formal or otherwise, has been thin on the ground in the past. While

the coalition government did set about preparing reforms in Oireachtas business procedures which would guarantee a Dail debate for select committee reports at least once a month, the Fianna Fail administration have shown no signs of taking up the initiative where their predecessors left off. Alternatively, future governments might care to guarantee the attendance of their ministers when requested at committee hearings. This would provide each select committee with answers when they needed them, it would give formal recognition to their work and it would offset the need to go to the House for a debate on every report.

Interview evidence suggests that many of those interested in up-dating committee work procedures would favour restricting their meetings to days when the House is not in session, in order to ensure that select committee work did not detract from the House and that continuity in hearings would not be interrupted for divisions at every bell (20). This proposal, while of some benefit in segregating committee and House duties, would greatly disadvantage rural deputies whose constituency duties require them to return home as often as possible. Having to attend committee meetings while the House is not in session would inconvenience them. Such difficulties could be overcome if travelling committees were introduced and 'the deliberations of a select committee of the House could be dealt with in say Galway, Cork, Limerick or Tipperary where there would be the possibility of the public seeing how it worked and bringing with it a decentralisation of all things in Dublin as at present' (21).

CONCLUSION

Methodological complications preclude any definitive assessment of the effect of select committee work on the Dail. Of those very few select committee reports which were formally debated in the Dail, each drew small audiences, which were invariably composed of the relevant committee's membership. But the size of an audience is less a measure of parliamentary interest in select committee work than it is an indicator of electoral pressures which cause TDs to spend most of their time outside the chamber tending constituency matters. Attending a debate on a committee's report may in the long term be of less value than simply reading and absorbing the findings which are set out in reports and minutes of evidence, and on the basis of the facts and recommendations contained therein, tabling Parliamentary Questions, motions, supporting relevant lobby groups or even submitting a Private Members' Bill. Such follow-up on select committee recommendations might effect far greater results than complimentary speeches made on the floor of the House.

Evidence suggests that parliament makes inadequate use of select committee findings. Certain members of the Dail appear to be unaware, possibly by choice, of the work conducted in select committee. Even while discussing the value of extending the system during the January, 1983 debate on Dail reform, a number of politicians were continually referring to the need for improving administrative

accountability to parliament, especially with regard to the commercial public sector. As they spoke, more reports from the Joint Committee on Commercial State-Sponsored Bodies (SSBC) were going to print without the prospect of a debate on the floor of the House. Few speakers during that debate made reference to the work conducted by the SSBC over the previous five years. This suggests that the Dail does have a tendency to set up investigative select committees and standing committees reviewing legislation only to ignore them. During the 21st Dail, Michael Woods, the then Minister for Social Welfare, participated in the standing committee on the Social Welfare Consolidation Bill. He recalled later that 'there was not anyone really interested in the work of that committee. One discovers when one passes such a Bill into committee that there is not anybody interested' (1). Evidence suggests that this experience, which is fairly typical, is partly caused by the lack of publicity and electoral recognition arising from committee work.

The failure of select committee members to attend meetings or members of the Dail to attend debates on committee reports is one thing, but the failure to observe and support committee findings is quite another. While a number of TDs, drawn from across the political spectrum, support the idea of select committee work complementing that of the floor of the House, just as many are inclined to extend and withdraw support as it suits them. Such ambivalence is particularly characteristic of Fianna Fail deputies, specifically those on the frontbench who expressed scepticism about Dail reform,

even during that pivotal debate in January, 1983. Michael Woods commented that

it seems a little ridiculous in the context of certain serious economic catastrophes throughout the country that we will spend a number of days debating Dail reform with a large number of government speakers contributing to keep the debate going (2).

While Fianna Fail speakers did support the motion, many of its frontbench representatives spoke at length about topics which they would have preferred to debate sooner than Dail reform. This highlights an ambivalence which seems to suggest that committees will be supported only for as long as their findings respect party policy and nothing of greater party-political potential is happening meanwhile.

Neglect and ambivalence aside, select committee recommendations are gradually having some impact on government policy. To suggest a direct causal relationship would be misleading, but certain factors are indisputable. Where policy has derived in some way from select committee recommendations, relevant government spokesmen have not hesitated to make a formal acknowledgement. The Department of Labour policy document, for instance, on the amalgamation of the unemployment and training agencies, formally acknowledged similiar proposals contained in the PEC reports (3). Announcing the decision to give officials of Customs and Excise powers of arrest in matters relating to drug smuggling, the Department of Justice also paid tribute to the recommendations outlined by the Joint Committee on Crime, Lawlessness and Vandalism Committee (CLVC), in their report.

Michael Woods, who chaired the CLVC, had also acted as Fianna Fail shadow spokesman on Justice. Almost eighty per cent of the present Fianna Fail cabinet were actively involved with committees while in opposition. Even if ministerial responsibility has dampened some of the enthusiasm for reform which may have preoccupied them in committee, each has promised to bear in mind problems highlighted by reports with which they were involved. It may be that where policy does derive in any way from select committee work explicit credit will be given where due.

Those within the government and civil service who resisted reform at the outset did so until the last. Seen from a political perspective, those who obstruct or express sceptical attitudes towards select committees hold fast to their traditional respect for the cabinet's supremacy over parliament - a respect which the majority of those in power or likely to be in power strive to preserve. Speaking on the subject of Dail reform, Brian Lenihan said that

in our efforts we must not forget that at the end of the day the buck stops with the Government..... Governments are the people who must make the decisions and consequently, that consideration is central to the whole issue. Whatever we do here as parliamentarians must be regarded essentially as a kind of subsidiary or advisory function in that regard. ... it is a fundamental principle that the ultimate decision must reside in the elected Government. If we begin departing from that we will be entering a shilly-shally situation in which there is not a decision-making process working to its fulfilment (4).

Referring specifically to the idea of select committees, Deputy Lenihan went on to say that he would

not agree with any committee system that would in any way intrude on or obstruct the basic decision-making process of politicians elected to Government, regardless of which party or parties may form the Government (5).

Commenting further, albeit in a way which implied a misunderstanding of the role of the select committee which is an integral feature of the House and therefore not an 'outside body' he said,

I believe in the politician. I believe in his right to stand up in parliament and express his views. When we...pass our powers to any outside body, democracy will be in jeopardy and open to question. If we pass our powers to the civil service, the media or any other body, we will make ourselves redundant (6).

This apparent misconception may well have been a deliberate attempt to misrepresent the role of committees in an effort to confuse the proposals under debate to extend their use in the Oireachtas. Lenihan pointed out he was

speaking as a democrat and a politician. I believe in the practice of politics.....We can play our role properly so long as we do not give to any other body powers that should reside only with the duly elected government.....Neither this, nor any other committee should try to take the legislative powers of this House. We cannot have a committee making financial decisions while the Government are also making such decisions too. That could be very dangerous. I am in favour of setting up a committee who know their terms of reference but not a committee set up as an alternative Government (7).

Put another way, select committees are acceptable as long as they know their place - an interpretation shared by a surprising number of those interviewed in the course of this research. Interestingly, one active member of a very prominent select committee, who at one stage threatened to resign from his committee if the coalition government did not take cognisance of its recommendations, expressed a similiar opinion when interviewed shortly after his appointment as Minister of State in the current Fianna Fail administration (8). It would appear that those who do not have access or potential access to ministerial office are keener to carve out a stronger role for select committees than those with either ministerial experience or expectations of such.

Before 1983, successive governments ignored calls to extend the use of select committees possibly because they feared that their own creations might one day backfire. When the coalition government introduced a wide range of select committees during the 24th Oireachtas, they did so in a somewhat disorganised and haphazard fashion. They nevertheless ensured, through carefully drafted terms of reference, that the experiment could not turn against them. The infrastructure which would guarantee effective results was not forthcoming, nor were the necessary levels of staffing, accomodation, editing and publishing resources. Absent too was the essential access to the parliamentary schedule to debate committee reports. The experiment therefore consisted of a proliferation of disparate entities

which could not properly be dubbed a 'system' of select committees. Future experiments will require a well planned structure which can rely on a solid infrastructure to maximise its potential effectiveness.

Despite the less than adequate setting in which the select committees of the 24th Oireachtas were obliged to work, their sheer existence did represent a new departure in parliamentary affairs. Notwithstanding the difficulties conditioning their inquiries, members failed to capitalise effectively on their findings. This may have been affected by the general newness of and lack of experience with select committees. Underachievement with the committees resulted from the failure to adopt useful follow-up mechanisms which would have made recommendations most effective. Members simply did not strike while the iron was hot, whether by tabling parliamentary questions when media and political interest was high or by drafting recommendations into bills and thus providing a useful framework for public debate. Those in the coalition government who favoured divorce for example, should have drafted a formal bill based on MBC findings before announcing the forthcoming amendment. Only then could those who rallied to oppose or support the amendment have participated within a clear and straightforward framework for debate and thus avoided the confused and disoriented chaos which ensued. Numerous other examples exist where ideas for legislation prepared in committee were not carried through to private members' bills or even parliamentary questions so that they might come on

the agenda for debate. The failure to follow-up committee work in this way was probably caused by a combination of backbench humility in the face of a dominant party leadership and sheer lack of time, experience and motivation.

It was never reasonable to expect the fledgling new committees to enjoy powers of command over the executive or to become alternative machines through which backbenchers could draft and enact legislation. The function of the experiment was not to set up alternative cabinets, but to channel informed opinion and analysis into the parliamentary chamber, to present a framework for debate which might then produce consensus or majority support for legislation. In this it was largely successful. At no other time have members of the Oireachtas received such well researched ammunition with which to pester the executive, or to form their own opinion on complex issues. Through investigating and interrogating, the new committees produced countless opportunities for future legislative initiatives. That few of these became Parliamentary Questions or Private Members' Bills, or still less, elements of government policy is not the fault of individual select committees, which are merely deliberative and as investigative assemblies, rather it ^{is} the responsibility of the Oireachtas as a collective body of political parties made up of individual TDs to lobby for a constructive legislative agenda.

Measured against the more modest objectives it set out to attain therefore, the select committee experiment was useful. Each committee made some impact on the area of its investigations, if not directly then at least indirectly by highlighting issues of importance. While it is the case that at least five reports were ignored for every one which received direct government acknowledgement or even media attention, it is nevertheless certain that committees, merely by choosing to inquire into a subject, were exercising the elected representative's power of scrutiny in a manner previously unprecedented in Irish politics.

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- (26) Evidence revealed in Interview J and confirmed by the AHCS by telephone.
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- (14) ibid.
- (15) Interviews O and S and general commentary from journalists regularly gathered in the press gallery at committee hearings.
- (16) Interviews B and W.
- (17) Interview W.
- (18) Interviews C and L.
- (19) Dail Debates, Vol. 339, (2 Feb., 1983), col. 916.
- (20) Interviews C and L.
- (21) Dail Debates, Vol. 339, ^(2 Feb., 1983) col. 958.

ConclusionReferences

- (1) Dail Debates, Vol. 339, ^(2 February, 1983) col.700.
- (2) ibid. col.694.
- (3) White Paper on Manpower Policy, Department of Labour, (Sep. 1986), pl.4306, p.18.
- (4) Dail Debates, Vol.339, (2 Feb., 1983), ~~col.~~ 913 - 914.
- (5) ibid. ~~col.~~ 914 - 915.
- (6) ibid. col.915.
- (7) ibid. col.915.
- (8) Interview Y.

APPENDIX ADail Committee on Public ExpenditureTerms of Reference

(1) That a Select Committee (which shall be called the Committee on Public Expenditure) consisting of 17 members be appointed to review the justification for, and effectiveness of ongoing expenditure of Government Departments and Offices and of State-sponsored Bodies not included in the Schedule to the Order establishing the Joint Committee on Commercial State-sponsored Bodies in such areas as it may select, and to report thereon to the House, recommending cost effective alternatives and/or the elimination of wasteful or obsolete programmes, where desirable.

(2) That the Committee have power to appoint sub-committees and to refer to such sub-committees any matter comprehended by paragraph (1) of this order.

(3) That the Committee and any of its sub-committees shall, unless they decide otherwise, hold their meetings in public under the conditions specified in Standing Order No. 74.

PEC: Terms of Reference continued:

(4) That the Committee or any of its sub-committees have the power to send for persons, papers and records and, subject to the consent of the Minister for the Public Service, the Committee have the power to engage the services of persons with specialist or technical knowledge to assist it or its sub-committees.

(5) That every report which the Committee proposes to make shall, on adoption by the Committee, be laid before the house forthwith whereupon the Committee shall be empowered to print and publish such report together with such related documents as it thinks fit.

(6) That the Committee or its sub-committees, shall refrain from publishing confidential information regarding the activities and plans of a Government Department or Office, if so requested by a Member of the Government or by the State-sponsored Body concerned.

(7) That the Committee present to Dail Eireann an Annual Progress Report on its activities and plans.

(8) That Members of the Government and Ministers of State be notified of meetings and be allowed to attend and take part in proceedings without having a right to vote.

PEC: Terms of Reference continued:

(9) That the quorum of the Committee shall be 5 and the quorum of each sub-committee shall be 3.

That, notwithstanding anything in Standing Orders and unless the Dail shall otherwise order, if the Committee on Public Expenditure lays before the Dail a report, three hours shall be set aside for debate on a Motion, that Dail Eireann takes note of the report, to be taken on a day not later than the twelfth day on which the Dail shall sit after the day on which the report shall have been laid before the Dail and at such time as shall be announced on the Order of Business for that day by the Taoiseach; provided that where a division has been demanded on the Motion or any amendment proposed thereto the Ceann Comhairle shall postpone the taking of the division until 8.30 p.m. on the next Wednesday on which the Dail shall sit until that hour.

Dail Committee on Public Expenditure 1983-1987

List of Members

chairperson Michael Keating

vice-chair Michael O'Kennedy

Bernard Allen

Michael Bell

Faudge Brennan

Richard Bruton

Hugh Byrne

Hugh Coveney

Joe Doyle

John Farrelly

Liam Fitzgerald

Colm Hilliard

Liam Hyland

John Kelly

Noel Treacy

John Ryan

John Wilson

APPENDIX BReports of the Dail Committee on Public Expenditure
1983-1987

1. Recruitment by the Civil Service Commission and the Local Appointments Commission (February, 1984)
2. Proposal to Establish a Centralised State Agency for Persons Registering for Employment or Training. (May, 1984)
3. First Annual Progress Report. (October, 1984)
4. Office of Public Works (November, 1984)
5. Review of Leasing of Public Sector Accommodation. (May, 1984)
6. Review of the Department of the Public Service. (May, 1985)
7. Service of the Public Debt. (July, 1985)
8. Control of Capital Projects. (July, 1985)
9. Review of a proposal to Introduce a Charge Card System for Civil Servants Travelling on Official Business. (October, 1985)
10. Review of Exchequer Costs of Travel and Subsistence. (November, 1985)
11. Faults in Buildings Occupied by the Public Service. (September, 1985)
12. Annual Progress Report 1984/85 (April, 1986)
13. Shannon Free Airport Development Company Limited. (April, 1986)
14. State Support and Services to the Fishing Industry. (May, 1986)
15. Institute for Industrial Research and Standards. (July, 1986)
16. Review of Procedures relating to Road Openings by Utilities. (July, 1986)
17. Proposed Dublin Dental Hospital. (September, 1986)
18. Prize Bonds Scheme. (September, 1986)

19. Implementable Public Sector Savings. (September, 1986)
20. Department of Defence/Army Headquarters.
(September, 1986)
21. Forest and Wildlife Service. (October, 1986)
22. Bovine T.B. Eradication Scheme. (October, 1986)
23. Review of Public Expenditure on Tourism.
(January, 1987)
24. The IDA: A View of Certain Aspects of its
Public Expenditure. (January, 1987)
25. International Comparisons of Parliamentary
Accountability. (January, 1987)
26. Annual Progress Report, 1986. (January, 1987)

APPENDIX CJoint Committee on Commercial State-Sponsored BodiesTerms of Reference

(1) That a Select Committee consisting of 7 members of Dail Eireann, (none of whom shall be a member of the Government or a Minister of State) be appointed to be joined with a Select Committee to be appointed by Seanad Eireann to form a Joint Committee (which shall be called the Joint Committee on Commercial State-Sponsored Bodies) to examine the Reports and Accounts and overall operational results of State-Sponsored Bodies engaged in trading or commercial activities referred to in the schedule hereto and to report thereon to both Houses of the Oireachtas and to make recommendations where appropriate.

(2) That, after consultation with the Joint Committee the Minister for the Public Service with the agreement of the Minister for Finance may include from time to time the names of further State-Sponsored Bodies in the Schedule and with the consent of the Joint Committee and the Minister for Finance may delete from the Schedule the names of any bodies.

(3) That if so requested by a State-Sponsored Body, the Joint Committee shall refrain from publishing confidential information regarding the Body's activities and plans.

(4) That the Joint Committee shall have power to send for persons, papers and records and subject to the consent of the Minister for the Public Service, to engage the services of persons with specialist or technical knowledge to assist it for the purpose of particular enquiries.

(5) That the Joint Committee, previous to the commencement of business, shall elect one of its members to be chairman, who shall have only one vote.

(6) That all questions in the Joint Committee shall be determined by a majority of votes of the members present and voting, in the event of there being an equality, shall be decided in the negative.

(7) That the Joint Committee shall have power to print and publish from time to time minutes of evidence taken before it and any such related documents it thinks fit.

(8) That every report which the Joint Committee proposes to make, shall, on adoption by the Joint Committee, be laid before both Houses of the Oireachtas forthwith, whereupon the Joint Committee shall be empowered to print and publish such report together with such related documents as it thinks fit.

(9) That 4 members of the Joint Committee shall form a quorum, of whom at least 1 shall be a member of Dail Eireann and at least 1 shall be a member of Seanad Eireann.

Joint Committee on Commercial State-Sponsored BodiesSchedule

Aer Lingus Teo.

Aer Linte Eireann Teo.

Aer Riante Teo.

The Agricultural Credit Corporation Ltd.

Arramara Teo.

Bord na Mona.

British and Irish Steam Packet Co. Ltd.

Ceimici Teo.

Comhlucht Siucré Eireann Teo.

Coras Iompair Eireann Teo.

Electricity Supply Board

Industrial Credit Co. Ltd.

The Irish Gas Board.

Irish Life Assurance Co. Ltd.

The Irish National Petroleum Corporation Ltd.

The Irish National Stud Co. Ltd.

Irish Shipping Ltd.

Irish Steel Holdings Ltd.

National Building Agency Ltd.

Nitrigin Eireann Ltd.

Radio Telifis Eireann.

Udaras na Gaeltachta.

Voluntary Health Insurance Board.

Joint Committee on Commercial State-Sponsored BodiesList of Members 1983-1987Dail

Chairperson Frank Prendergast

vice-chair Seamus Brennan

Seanad

L.T. Cosgrave

Brian Fleming

Robert Molloy

Brian Hillery

Willie O'Brien

Eoin Ryan

Albert Reynolds

Timmy Conway

Michael Begley

Appendix DList of Members -- Joint Committee on Building Land 1983-85

	<u>Dail</u>	<u>Seanad</u>
chairperson	Robert Molloy	
vice-chair		Michael Ferris
(1)	Michael Begley/ Frank McLoughlin	
	Hugh Coveney	Katharine Bulbulia
	Avril Doyle	Denis Cregan
	Jim Fitzsimons	Sean Fallon
(2)	Michael Keating/ Michael Begley	
(3)	Ray MacSharry/ Sean Calleary	
(4)	Ruari Quinn/ Fergus O'Brien	
	Albert Reynolds	Jack Fitzsimons
	Alan Shatter	Brendan Ryan
	Liam Skelly	
	Sean Walsh	
	Pearse Wyse	

- (1) Frank McLoughlin replaced Michael Begley on 1 February 1984.
- (2) Michael Begley replaced Michael Keating on 5 July 1984.
- (3) Sean Calleary replaced Ray MacSharry on 14 December 1984.
- (4) Fergus O'Brien replaced Ruari Quinn on 1 February 1984.

BIBLIOGRAPHY

This contains only material used in the dissertaion.

Contents

- a. select committee reports and minutes of evidence
- b. books and articles
- c. list of persons interviewed.

a. Select Committee Reports and Minutes of Evidence

Report of the Joint Committee on Building Land 1985

Reports of the Dail Committee on Crime. Lawlessness and Vandalism

--- Role of Officers of Customs and Excise in controlling the supply of illegal drugs 1984

--- Recruitment and Training in the Garda Siochana 1985

Report of Informal Committee on Dail Reform 1972

Reports and Minutes of Evidence of the Dail Committee on Public Expenditure

--- First Annual Progress Report 1984

--- Proposal to Establish a Centralised State Agency for People Registering for Employment and Training 1984

--- Office of Public Works 1984

--- Control of Capital Projects 1985

--- <u>Immediately Implementable Public Sector Savings and Management Improvements</u>	1986
--- <u>International Comparisons of Parliamentary Accountability for Public Expenditure</u>	1987
--- <u>Review of a Proposal to Introduce a Charge Card System for Civil Servants Travelling on Official Business</u>	1985
--- <u>Review of the Department of the Public Service</u>	1985
--- <u>Review of Leasing of Public Sector Accommodation</u>	1985
--- <u>Review of Procedures Relating to Road Openings by Utilities</u>	1986
--- <u>Service of the Public Debt</u>	1985
--- <u>The Proposed Dublin Dental Hospital</u>	1986
--- <u>Faults in Buildings Occupied by the Public Service</u>	1986
--- <u>Review of Exchequer Costs of Travel and Subsistence</u>	1986
 <u>Report and Minutes of Evidence of the Joint Committee on Commercial State-Sponsored Bodies</u>	
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--- <u>Irish Shipping Limited</u>	1985
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--- <u>Analysis of Financial Position of Commercial State-Sponsored Bodies Based on Latest Published Accounts</u>	1984
--- <u>Electricity Supply Board</u>	1987
--- <u>Bord Telecom Eireann</u>	1987

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--- Development Education 1987

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3. Deputy John Bruton FG, ex Minister for Industry and Commerce/Finance, leader of the House with responsibility for Dail reform and member of the Procedure and Privileges Committee (PPC), 24th Oireachtas.
4. Deputy Richard Bruton FG, Minister of State (Energy), member of Public Expenditure Committee (PEC) and chairman of PEC sub-committee, 24th Oireachtas.
5. Deputy Mary Flaherty FG, ex Minister of State at the Department of the Taoiseach, member of Joint Committee on Crime, Lawlessness and Vandalism (CLVC), 24th Oireachtas.
6. Deputy Mary Harney, PD, member CLVC and Marriage Breakdown Committee (MBC), 24th Oireachtas.
7. Deputy Michael D. Higgins Lab, member of Joint Committee on Co-operation with Developing Countries (CCDC) and WRC, 24th Oireachtas, lobbyist for a joint committee on foreign affairs.
8. Deputy Michael Keating PD, ex FG, chairman of the PEC and member of the Joint Committee on Building Land (BLC), 24th Oireachtas.
9. Deputy John Kelly, FG, member of the PEC, 24th Oireachtas.
10. Deputy Maurice Manning FG member of the Joint Committee on Secondary Legislation, 24th Oireachtas.
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13. Senator Eoin Ryan, member and ex chairman of the SSBC, 24th Oireachtas.
14. Deputy Alan Shatter, FG, member of the MBC and WRC, 24th and 25th Oireachtas.

15. Deputy Mervyn Taylor Lab, member of Selection Committee (SC), and chairman of the Joint Committee on Legislation (LC), 24th Oireachtas.
16. Mr. Paddy Judge, Clerk to the PEC.
17. Mr. Chris O'Brien, Clerk to the SSBC.
18. Mr. Seosamh O'Riain, Clerk to the Joint Committee on the Irish Language.
19. Mr. Seamus Phelan, Clerk to the Joint Committee on Marriage Breakdown and the Joint Committee on Secondary Legislation of the EEC.
20. Mr. Padraig Donlon, Clerk to the Dail Committee on Public Accounts.
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