

*Draft remarks*

About time that we did something on Lobbying in this country – to try and regulate it, to try and bring greater transparency to it.

Lobbying is a part of political life. It's not inherently a bad thing – it's actually an important function of democracy: to have one's voice heard. But when it is not done openly, it actually undermines our democracy.

There is a direct correlation here to the area of appointments to state boards.

Recent events have not cast politics or my own party in a good light. And I am ashamed that my party did not move more quickly to fully reform the area of board appointments, as we had promised.

Old habits die hard. But now, at least, it would seem that this old habit has suddenly died very quickly. And rightly so. But it shouldn't have had to happen this way. We should have had the courage of our own convictions. Maybe that's the greater failing here.

But the important fact to take from all of this is that, in our commitment to have all board appointments made through a public system from this day forward, a cultural problem inherent in the practice of politics in Ireland since the foundation of the state, has been eradicated. Overnight. I do not welcome the events that brought us to this point. But such change is very welcome.

And in the area of lobbying, it's welcome that we now move to bring some regulation and transparency to this area of our democracy.

I would like to note that I have been lobbied on this Bill. This is a first step. But I am worried that we may not be doing enough, even in this first attempt.

- In the legislation, lobbyists are required to register. However, the civil servant or the advisor they may be lobbying is under no obligation to ask if the lobbyist is registered. I think it is common sense that such an obligation be put in place.
- Furthermore, as is my understanding, that person can still be lobbied even if the lobbyist is not registered. If I am correct on that point, then this also needs to be amended.
- On the categories of people included as 'the lobbied' under the Bill, Sec Gens and A-secs are included, along with their equivalents in local authorities. But are we pitching this too high when it comes to government departments. An Assistant Secretary has a lot across their desk, cannot always be on top of every detail. Surely lower grades should also be included?

I don't see any harm in that. If they have been excluded because they are not seen as being relevant to lobbyists, then their inclusion will not cause any difficulties.

- The new law does not apply to companies with less than ten staff. I understand this from the point of view of a small company and additional expenses etc. But what if one is lobbied by a

number of small companies on the one issue? Or what if a very large company chooses to do their work through a subsidiary? Perhaps language can be inserted to capture this?

- There will be a code of conduct. But it will be non-binding, with no sanctions or penalties. There is no point in allowing for a code of conduct that lobbyists need only have regard for. It will simply be ignored. That code needs to be binding, its breach needs to come with consequences.
- I note that the HSE is not included. I believe that it should be.
- “Off-book” meetings are not covered. This is where the skilled lobbyist will really earn their money. The ‘accidental’ meeting in the pub or somewhere else, that never needs to be recorded. Ireland is a small place, the best lobbyists will easily be able to arrange for chance encounters. Nowhere in the legislation, from my reading, is this covered.

Some form of duty to inform provision needs to be included where informal encounters may be relevant to the person being softly lobbied.

Congratulations to the Minister on this legislation, It is an important first step.