



## DÁIL ÉIREANN

Wednesday, 21 January 2004.  
Dé Céadaoin, 21 Eanáir 2004.

Chuaigh an Ceann Comhairle i gceannas ar 10.30 a.m.

*Paidir.*  
*Prayer.*

### Radiation Oncology Services: Statements.

**Minister of State at the Department of Health and Children (Mr. B. Lenihan):** I am pleased to have this opportunity to outline the Government's position on radiation oncology services nationally. My colleague, the Minister for Health and Children, commissioned the report on the development of radiation oncology services which was published last October. The Government has accepted and endorsed the recommendations of this report. I emphasise that the Government is committed to a significant development programme in radiotherapy. The development of these services along the lines recommended in the report is the single most important priority in cancer services in the acute setting.

The report is an authoritative and in-depth analysis of radiation oncology. It provides a detailed plan for the future development of radiation oncology services and has been strongly endorsed by international fora. I accept the significant deficit that exists with regard to meeting the radiation oncology needs of cancer patients. The expert group was established to ensure that we plan the current and future development of this element of cancer care in a sustainable and quality assured way.

The report also recognises that major developments have taken place in recent years in Dublin, Cork and Galway. St. Luke's Hospital has seen considerable renovation and upgrading. In excess of €25 million has been invested in St. Luke's, enabling the purchase of significant additional equipment, including six new linear accelerators.

**Ms McManus:** Will the Minister of State's speech be provided to us?

**Mr. B. Lenihan:** I have requested that it be provided. A new radiotherapy department is being commissioned at University College Hospital Galway. This centre will provide services to the western, mid-western and north-western areas.

The Government agrees that a major programme is now required to rapidly develop clinical radiation oncology treatment services to

modern standards. Furthermore, it has agreed that the first phase of such a new programme should be the development of a clinical network of large centres in Dublin, Cork and Galway. These centres will collectively have the staff and treatment infrastructure to permit a rapid increase in patient access to appropriate radiation therapy and will form the backbone of the future service expansion. The Minister agrees with the report's conclusion that this is the best model to rapidly provide a radiation oncology service.

The rationale for this initial programme is as follows. It best provides a structure and service model that will enable the rapid development of radiation oncology, and best supports the development of new radiation treatment technologies and multidisciplinary teams and the integration of radiation oncology with other modalities of care such as surgery and medical oncology. If appropriate high quality radiation oncology services are not available, then outcomes for cancer patients may be compromised. That is the reason we are now setting out a detailed programme of development and investment in these services.

In addition, the Government has decided that, in the future development of services, consideration should be given to developing satellite centres at Waterford, Limerick and the north-west. The report also refers to further consideration of satellite facilities. Such consideration will take into account the international evaluation of satellite centres, the efficacy of providing this model and the need to ensure quality standards of care.

I take this opportunity to outline the significant progress which has been achieved to date in the implementation of the report since its launch last October. In the short term, the Minister has announced his approval for the purchase of two additional linear accelerators for the Cork centre and the necessary capital investment, amounting to €4 million, to commission this service as rapidly as possible. In 2004, €1 million of ongoing funding is being made available for the development of these services at Cork University Hospital. The Minister has also approved the appointment of a project team to prepare a brief for the rapid expansion of current capacity at Cork University Hospital from four to eight linear accelerators. A sum of €100,000 has also been made available this year to the Aid Cancer Treatment group in Cork for the provision of hostel accommodation for radiotherapy patients.

The Minister intends to prioritise the necessary resources to ensure that the radiation oncology centre in Galway, which is being commissioned, is in a position to treat patients, beginning in spring 2005. In 2004, €2.5 million in ongoing funding is being made available for these services. Last year, the Minister approved the allocation of €200,000 in revenue to support the appointment of staff to the key scientific and medical posts that were approved to commission this unit. The Western Health Board has been asked to prepare a development control plan to facilitate the ex-

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pansion from three to six linear accelerators in the medium term. A project team will now plan this expansion. A sum of €100,000 has also been made available this year to Cancer Care West for the provision of hostel accommodation for radiotherapy patients.

In terms of the number of linear accelerators, the programme plans for immediate developments in Cork and Galway which will result in the provision of an additional five linear accelerators. This represents an increase of approximately 50% in linear accelerator capacity. We will also provide for the appointment of an additional five consultant radiation oncologists. We have ten consultant radiation oncologists nationally. This will result in significant improvements in the numbers of patients receiving radiation oncology in the short term.

The report recommends that there should be two treatment centres located in the eastern region, one serving the southern part of the region and adjacent catchment areas and one serving the northern part of the region and adjacent catchment areas. The Minister has asked the Department's chief medical officer to advise him on the optimum location of radiation treatment facilities in Dublin. A decision on this matter will be taken in light of the guidelines set out in the report. These include such criteria as sufficient patient population, maximum patient access and availability of existing related clinical specialties and support services. The exercise will apply the guidelines established by the group.

Major academic teaching hospitals in the region will be asked to submit the reasons radiation oncology services should be located at their facilities. Based on the advice of the chief medical officer who will be supported by the Department's hospital planning office as well as international experts, the Minister will decide where to locate the services. A detailed request for submissions is being finalised.

The work which will be required of hospitals to engage in this process should not be underestimated. Some will require external assistance, especially in respect of location and site options. As soon as a site is selected, the Minister will request the hospitals concerned to establish project teams to prepare a detailed design brief for the new services. The timescales for the planning, design, construction and commissioning of radiation oncology treatment centres are significant. Developments cannot happen overnight. While the Government will adopt a fast track approach, it will take 18 months to design and plan, two years to construct and a further year to commission these highly specialised facilities and their equipment. The developments will be a major priority within the Department's overall capital framework from this year onwards.

The Minister has had detailed discussions with the board of St. Luke's Hospital regarding the proposed developments in radiotherapy services. St. Luke's Hospital has set the standard in radi-

ation oncology and its expertise will remain at the forefront in the development of radiation oncology services into the future. Its staff were key players in the development of the expert group's report. The Minister is fully committed to ensuring that the excellent standards of care at St. Luke's continue to be supported. This year, a sum of €100,000 ongoing revenue is being made available to St. Luke's Hospital to fund the provision of hostel accommodation for radiotherapy patients at Oakland Lodge.

In developing a supra-regional model, the Minister will require radiation oncology centres to provide services on an equitable basis to ensure that patients of equal need have equal access. Geography will not be a barrier to equal access. Proximity to a centre, while clearly a benefit in terms of convenience for local patients, will not be a deciding factor in the provision of services. The Minister will require radiation oncology centres at major teaching hospitals to provide outreach services to hospitals in adjoining regions as is currently the case. As more consultant radiation oncologists are appointed, it will be necessary to ensure that there is an equitable spread of outreach services. The national radiation oncology co-ordinating group established on foot of the expert group report is already advising the Department in this regard. Discussions have commenced involving radiation oncology centres and the relevant health boards to ensure that patients resident in areas not in close proximity to a radiation oncology unit are given equitable and equal access to services.

The Minister, Deputy Martin, attended the first meeting of the national co-ordinating group last week. He reiterated the Government's intention to develop a national integrated network of radiation oncology. The twin objectives of equitable access regardless of location and an effective programme of national quality assurance must be supported by a co-ordinating mechanism. The group comprises clinical, technical, managerial, academic and nursing expertise from different geographical regions. The group has been asked to advise on improved access to existing services and to those coming on stream in Galway and Cork. It will have a co-ordinating role in the teaching and training of expert staff in radiation oncology centres.

The developments I have outlined comprise an overall framework through which radiotherapy services can be developed and provided in the most co-ordinated and effective manner. The expert report on the development of radiation oncology services marked a significant milestone in radiation oncology services nationally. Its guidelines and recommendations are essential to the development of services for cancer patients over the next number of years.

I am glad to have had the opportunity to record the substantial developments planned for radiotherapy services. It is appropriate that this House should commend the Government for its positive

and demonstrable commitment to cancer services.

**Ms O. Mitchell:** While I welcome, at last, the opportunity to discuss this report, statements are a sterile method of debating the matter. I am glad of this opportunity, but it is long overdue. The report took far too long to complete and publish and it is taking too much time to act upon.

The report is absolutely damning. We have had many reports, but this is the most critical of the Government. It is littered with sentences which it makes one's blood run cold to read. For example, it states that given the magnitude of the service development which is needed in the immediate term, the number of radiation consultants per million of population is the lowest in western Europe. It continues:

The medical staffing norm is inappropriate. In the short term, the existing medical staffing levels cannot continue to provide modern radiation and oncology treatment services.

Reading it very carefully, the last line is the most damning of any report I have ever read. The deficiency is so great that the problem is not just one of capacity, it is a problem of quality.

It is difficult to be moderate in one's use of language in dealing with this report, but I will try. The report is an absolute indictment of the Government at the door of which blame lies. Fianna Fáil has been in Government for 20 of the last 27 years, while the current Minister has had a level of resources which no other holder of his office has ever been able to access to address this national scandal. That the treatment available is the best we can offer Irish people is a scandal. The report reads like one from a Third World country. It is an absolute outrage.

I cannot understand why the Minister is not dancing up and down in fury demanding funds from the Minister for Finance, Deputy McCreevy, and the Taoiseach to deal with the matter. It is up to the Minister for Health and Children, Deputy Martin, to communicate a sense of urgency, yet he has spent the last 12 months talking about a smoking ban while deficiencies of the kind outlined in the report exist in our health service. He sends docile and obedient backbenchers out to defend the health service when he knows the level of deficiency and they do not.

He knows there is a capacity problem. He knows radiation treatment is not available to many who require it while some of those who can access it may not get the best outcome from it. From now on, it will not be because the pressures are so great. The Minister knows what that means. He realises that while a lack of radiation treatment is negative, poor radiation treatment damages people's health rather than cures them. Given the caseloads consultants and technical staff carry, there are bound to be mistakes. A less

than perfect quality of treatment will be delivered. That is the real scandal in cancer services.

Cancer is the greatest single killer in Ireland. Of every four deaths, one is due to cancer. Each year, approximately 20,000 new cases are reported. Despite these facts, the report under discussion paints a picture of cancer services would one expect of a developing country rather than of a modern State which is so often smug and self-congratulatory.

The first national cancer strategy was published in 1996 and its implementation stage was announced in 1997. That was a long time ago. It is a tragedy that the recommendations of the 1996 strategy are almost identical to the recommendations of the report before the House. There has been almost no progress in seven years. There continue to be major inadequacies and deficiencies in the service. Tragically, there is little prospect that things can be turned around in the short or even medium terms despite the fact that unprecedented resources have been available to the Government. At a time when it could have done a great deal in the area of cancer care, we have a radiotherapy service which fails to meet international standards at any level.

The most glaring example of shortfall is the lack of consultant radiation oncologists. If all of the approved posts were filled at this moment, we would have just 2.5 radiation oncologists per million of population. The international recommended standard is eight to ten per million. In effect, we have 20% to 30% of the staffing ratios currently accepted in most European countries. According to the review group, maintenance of existing radiation, oncology and medical staffing levels is not appropriate. It is very doubtful whether, even in the short term, it can continue to provide modern radiation oncology services.

The report deals with another major problem in the health service which is having an effect on delivery, recruitment of staff. Again, the Minister expresses no sense of urgency about it. The report highlights a case where two new consultants were approved by Comhairle na nOspidéal in 1999. However, by the middle of 2003 these posts were still not filled. It is unacceptable that it should take four years to fill a consultant post. At this pace the Minister must ask himself what is going on, why it is taking so long, what is wrong with the process. It is laughable to talk about doubling the number of consultants as recommended in the Hanly report if it takes four years to find two consultants.

Part of the problem of attracting new consultants in this specialty is that the caseload the existing consultants are carrying is so stressful, which does not encourage anybody into the service. There is undoubtedly a trade-off between the quality of care people are receiving and the quantity of care that is available. There is huge pressure on resources at St. Luke's and other hospitals providing treatment. This is evidenced by the fact that in Ireland each year only 35% to 36% of cancer patients receive radiation therapy

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at any stage in their illness, with only 20% of new cancer patients receiving it in the primary stage of the management of their illness. This compares dramatically with statistics in other western countries where radiation therapy is part of cancer treatment for up to 50% to 60% of patients. The 20% rate of newly diagnosed cancer patients receiving radiotherapy in Ireland is also well below international recommendations. The World Health Organisation suggests that radiation therapy services in any country should be sufficient to treat 50% of new cases diagnosed in any year. The service here has a very long way to go to meet international standards for patients receiving and accessing radiation therapy.

Little has been done to increase the up-take of radiation therapy among patients. There is a variety of problems, including lack of capacity and lack of information among doctors about the benefits of referring patients for radiotherapy. Alternatively, perhaps they recognise that the capacity does not exist or that there is a problem of access, that people have to travel so far that they decide it would be kinder not to refer them for this kind of treatment. For whatever reason, the Government is responsible for the fact that people are not receiving treatment. Only 20% of cancer patients on primary treatment are receiving radiotherapy treatment compared to 50% or 60% in other European countries.

The Minister may not like to admit it but, as with many services in the health system, where one lives can often impact on the level and amount of service one receives. According to the report — these are inexplicable regional variations — 8% of patients receiving radiotherapy treatment for breast cancer had their first treatment within a month if they lived in the Mid-Western Health Board area, compared with only 3% who lived in the Midland Health Board or Western Health Board areas. In the case of lung cancer, 43% in the eastern region received treatment whereas only 16% in the Western Health Board area received treatment. That is inexplicable. Why there is not a revolution when people realise what is going on in the health service in this regard is a mystery.

We talk glibly of matters of life and death, but this is a matter of life and death, and such variations are a hugely serious matter. The Minister must find out why these variations exist and tell us what he is doing to deal with them. It may be that the problem is lack of data and that if we had the data we might be able to explain it. I suspect it has much to do with waiting lists not just in terms of obtaining treatment but of getting a diagnosis, seeing a consultant and getting a referral to a hospital for further diagnostic work before treatment can be recommended. That may be the problem and it is another very serious deficiency in the health service. However, we will never know because we do not have the kind of data we need.

The report reveals the pressures on the radiation service in Cork and particularly Dublin. On a national basis 76% of all patients receive their treatment in Dublin, with 23% receiving treatment in Cork. Some, as we know, go abroad and pay for their treatment, giving up on this modern economy. Nevertheless, most of the patients receiving treatment receive it in Dublin. This means that an enormous number of people are travelling very long distances to receive treatment. We have had long debates inside and outside the House about the unfairness of people having to travel long distances, the lack of organisation in terms of making it easy for them to travel, the stress it puts on them and on their families and, ultimately, the inequity which results when doctors decide not to refer their patients because of the pain, stress and inconvenience it causes to families where somebody has been diagnosed with cancer.

It is indefensible that people living in Kerry or Donegal who need cancer treatment for palliative purposes, who are in pain and are in a critical condition, must travel long distances on bad roads to receive tumour reducing treatment in Dublin. That is outrageous. Many local groups were hugely disappointed by the location of the radiotherapy services recommended in the report. I hope a concerted effort will be made by the Department and the Minister to ensure at least while the services are being built up in the future that all patients can access these services with the minimum of discomfort.

The proposed second phase of the development of the radiotherapy service, where the provision of satellite treatment centres in Waterford, Limerick and the north-west are to be examined, sounds like a delaying tactic. However, I will not concentrate on that because I realise that if I go down that road it will be a distraction and will provide an excuse for the Minister to do nothing in the areas in which he has promised to do something immediately. That is not to suggest that the areas in question do not immediately merit treatment facilities. However, overall capacity must be the main concern. It is the lack of urgency to overcome capacity issues that is the most worrying aspect of the Minister's response to this report.

The number of people travelling — more than half the people seeking treatment travel very long distances — highlights the urgency to complete the radiotherapy treatment centre in Galway in particular and the expansion in Cork. The report stated that Galway's treatment centre was to be completed in 2003 or 2004. I understand that the Minister has indicated that the physical infrastructure will not be completed until 2005. Last spring the Minister sanctioned some of the staff to operate the linear accelerators in Galway. That was almost a year ago. Has there been any success in appointing that staff? One of the major problems is the difficulty and time it takes to accumulate the necessary level and range of expertise. Nobody knows better than the Minister just

how technical and complex are the needs of a professional modern radiation service. It takes a very long time to gather that kind of expertise together. What progress has been made? Will the full range of staffing be available when the physical infrastructure is ready or will there be further delays?

There is a country-wide shortage of linear accelerators. There are eight, although the report recommends 25 to 29 to achieve the 50% take-up of radiation therapy. That means we have less than one third of the required number of linear accelerators compared with, for example, the Netherlands, which has a population only four times the size of Ireland's but the number of linear accelerators, at 82, is ten times that of Ireland.

The Minister indicated, arising from the report, that future services will be located in two locations in Dublin and one each in Cork and Galway. He did not make clear where the Dublin services will be located, however. The staff of St. Luke's Hospital in Dublin are uncertain about their future. I would like the Minister to clarify this matter. I understand he intends to announce the Dublin locations next month, but I am anxious to be informed about the future of St. Luke's Hospital. I ask the Minister to be cautious in making decisions about the hospital, where expertise has been accumulated over a long time. The hospital, which is the backbone of the service, constitutes a vital resource. Regardless of whether the service is moved at some future date, it is critical that it is not run down in the meantime. It should be strengthened rather than regarded as something to be cast aside in the future.

We need to deal with the immediate needs. There is an urgent need for action on the development of services. As this is being done, we should ensure that services are capable of addressing the new forms of treatment emerging from the technical progress that is being made. There are many challenges and pressures.

Although the Minister has announced the national roll-out of BreastCheck, very little action has taken place and very little funding has been provided. If BreastCheck is rolled out, it will detect further cases of cancer, thereby putting greater pressure on the need for radiation therapy services. The clinical director of BreastCheck has said that the greatest challenge will be to get staff in place to roll out the programme and to treat those whose cancer is detected.

It is clear that the number of cancer cases will increase by 41% by 2015. Such a figure should make our blood run cold. Given that we cannot cope now, how will we be able to deal with such an increase just over ten years from now? Some of the reasons for the predicted large increase are not clear, but some of the increase will result from an ageing population and, perhaps, environmental factors. It seems that some of the year-on-year increase in the incidence of cancer cannot be explained.

The report under discussion states that the shortfall of clinical radiation oncology services in the Republic of Ireland is of such a magnitude that a major programme is required to rapidly develop treatment services to acceptable standards. The Minister should act on this statement and all the other recommendations in the report. He knows how long it takes to build up a body of expertise to provide a service and he should start to build it now. There should be a sense of urgency in this regard.

Issues relating to manpower, training and retention must be addressed. There should be a significant increase in radiation oncologists, radiation therapists, physicists, oncology nurses and other staff. The Minister knows that all aspects of radiation oncology, including imaging and simulated treatment, are vitally important. Every element of the team needs to be in place, of the highest quality and performing at peak. One cannot perform at one's peak if one is carrying a caseload which is four times greater than that which is recommended.

I could speak at length about various aspects of the service. Members often speak of life and death issues. Perhaps we use the term "life and death" rather loosely and glibly from time to time, but this is an issue of life and death. I ask the Minister not to procrastinate or to obfuscate on this issue but to act on this report. It is more important that action is taken in respect of this report than any of the other reports. Given that it will take a long time to deliver the type of service that Irish people deserve, we must start to put it in place now.

**Ms McManus:** I would like to share my time with Deputy O'Shea.

**An Ceann Comhairle:** Is that agreed? Agreed.

**Ms McManus:** The vital health issue of cancer care deserves better attention than it is getting in this debate, which is taking place in a Dáil week which has been arranged to take the bad look off the Government's penchant for long breaks rather than to ensure that we have an effective debate on such an important issue.

The level of cancer in Ireland is high, but the level of access to radiation oncology services is low. The report on the development of such services, which is under discussion in the House today, makes clear the principle that "equity of access to quality radiation oncology facilities is therefore a right of all cancer patients". We applaud this fundamental principle, particularly in the current context in which thousands of patients are or have been unable to access such treatment.

The rate of access in Ireland, which is appallingly low, varies on a regional basis. According to the report, the rate is 15% in the Western Health Board region but 24% in the Southern Health Board region. When skin cancer is excluded, the figure is lowest in the Mid-Western Health Board area at 18% — it is 19% in the Western Health Board area — and highest in the

[Ms McManus.]

eastern region at 27%. The report shows that the level of radiation therapy as part of primary treatment increased slightly between 1994 and 1999. It is relatively constant, at approximately 19% of all cancers registered.

It is startling that Ireland is so far behind other countries in this regard. The level is between 30% and 40% in Australia, between 40% and 55% in Canada, between 45% and 53% in Britain, and approximately 44% in the Netherlands. It is clear that we have a long way to go before we reach the standards that have been set in other European countries in meeting the needs of cancer patients.

I welcome this comprehensive report and I compliment those involved in its preparation. It is a clear statement of the dire state of our cancer services and the need for great improvements in radiation oncology services. It is late, however, as I note from my records that the publication of the report was expected up to two years ago. Perhaps the Minister will enlighten us as to why the delay was necessary. It was believed that political concerns in Waterford and the mid-west region were delaying the conclusion of the report, but I understand that a territorial battle was waged in Dublin between major hospitals seeking to have the service located within their ambit. The expert group did not reach a decision in the end. Rather than resolving the disagreement in question, it recommended two non-specified centres in Dublin, one north of the River Liffey and one south of it.

The expert group also ducked the important issue of the future of St. Luke's Hospital. I am enormously impressed by the work, dedication and professionalism of those who work at the hospital. I am worried about the pressures under which they work. I endorse the view expressed in the report that the ethos of St. Luke's must be retained in any future context. It is a great pity, however, that the task force did not see fit to define what that future should be. There are strong arguments for moving the service to a major tertiary hospital and integrating it into the mainstream. I worry that the empire-building impulses of existing hospitals have stymied such clarity of purpose. The Hanly report recommends the mainstreaming of specialist services, although it does not give much detail on the issue.

The proposal on the future of radiation oncology services in Dublin has been left in the hands of the Department's chief medical officer, Dr. Jim Kiely. Although I do not doubt that Dr. Kiely is a very capable man, I have to ask why the Minister did not trust his officials from the beginning rather than waiting such a length of time for a report which is inconclusive on the matter. The questions of whether the Mater Hospital or Beaumont Hospital is deemed to be the radiation therapy centre on the north side of Dublin, or whether St. Vincent's Hospital or St. James's Hospital houses the centre on the south side, are not a matter of huge concern to patients as long as they can access the care they need. The sensitivities are such that the report is inconclusive,

however. The point has been made, in terms of the future of St. Luke's Hospital, that if it is mainstreamed and brought on campus with one of the major tertiary hospitals happens, the sale of the site on which it is located would realise a considerable amount of funding that could assist in the expansion of what is an understandably costly service.

The battle in Dublin between prestige hospitals is of little interest to patients. What is important is access to quality care within reasonable distance and within a reasonable timeframe. This report has been eagerly awaited by many people. However, for those seeking a devolved service it has been a disappointment, people like Jane Bailey from Waterford and the thousands of others who marched in Dublin, Waterford and elsewhere for better cancer services. Many people feel let down. We need to listen to their concerns and worries. One could say such people are simply misguided but I do not think that is true. They understand, as the rest of us do, that specialist services need to be of the highest quality.

The public understands the concept of centres of excellence, as all of us here do, but that concept should not blind us to possibilities available to a Government that is richer in resources than any of its predecessors. There are possibilities to provide health services that could not have been realised in the past, yet nothing is happening that is commensurate with the capability we now have. I have no wish to denigrate the improvement we have seen. Additional consultant posts have been filled but the capability we now have is so radically different from what we had in the past that it is extraordinary how little improvement has taken place within the health service, particularly in terms of provision for cancer patients.

A major policy announcement was made in the budget about shifting civil servants around the country. The Government has no problem with the idea of devolution of services. Some 10,000 civil servants are to be decanted out of Dublin. This is Government policy and nobody is going to stand in the way of it. The Department of Arts, Sport and Tourism is going to Kerry and the Department of Community, Rural and Gaeltacht Affairs is going to Knock. The Government, through its Minister for Finance, decries the "Dublin mindset" while attempting to smother any serious critique of its decentralisation plans, yet when it comes to decentralising cancer services it adopts a totally different approach. It does not listen to people are clamouring for these services in other places; instead it adopts an unnecessarily "Dublin mindset".

Why can the Minister for Health not decentralise radiation therapy services? If patients have to travel long distances, which I question, does it always have to be people travelling from the regions to Dublin? Perhaps people in Dublin should be asked to make the journey for a change. There is no reason we cannot have the location of major services outside the capital city.

At least the approach would be consistent with the Government desire to decentralise.

I have an uncomfortable feeling about the fact that the radiation-oncology unit in Galway was announced years ago. Funding was provided yet we now have to wait until 2005 for it to be delivered. While I appreciate the difficulties of technology, I cannot comprehend why it should take so long. Conversely, the other day an announcement was made about a private outpatients' hospital in Dublin which will be built with the utmost speed, yet people in the western region are still stuck because the unit has not been completed there. What is the explanation? I suspect there are reasons that go way beyond issues of technological provision.

We can understand when the report argues for the centralisation of services in key locations. However, a driving force is evident behind this particular approach which is also evident in the Hanly report. The impetus for this approach is coming from hospital consultants. I do not have any problem with hospital consultants. I have great regard for them but they do seem to exert great influence with the Minister for Health and Children when it comes to policy making. I would like to see that teased out a little in terms of how decisions are made and conclusions are reached.

We have an extraordinary resistance from the Minister for Health and Children to a proposal that has come to him from the Mid-Western Health Board area. A total of €6.1 million has been raised towards the setting up a radiation-oncology centre in Limerick. The health board has committed a site to the project and a public private partnership has been proposed to manage the service. The only cost to the State is the treatment cost for public patients which would be borne anyway when such patients attend treatment in Dublin. While the costs to patients would be greatly reduced nobody on the Government side seems to take into consideration such matters as the people who travel long distances at great difficulty to access care.

According to Dr. Kevin Kelleher, director of public health in the Mid-Western Health Board, just 40% of cancer patients in the area who need radiotherapy treatment are receiving it. Approximately 750 patients require such treatment each year. There is clearly a huge unmet need and there is a cost involved if that need is to be met. At the same time a very simple measure is being proposed by people in that region that is highly cost effective in terms of meeting the care need, and not just of private patients who could access the care. Perhaps the Minister will tell us if something is happening in this regard as the people in Limerick are not aware of it.

As these reports are produced, there is a sense that there is an abstract concept about the health service that comes from a view that is very much centred on people delivering care at the highest level rather than the reality of the patient on the ground. Standards are very uneven across the country. Expertise is crucial in terms of cancer

care and this expertise varies considerably across the regions. There is worrying evidence about poor standards in parts of the country but that should not prevent us as a society determining that, as one of the richest countries in Europe, we can afford to provide cancer services with good capacity but also within reasonable distances. I will leave it to Deputy O'Shea to refer to the issue of Waterford and distances currently travelled by cancer patients as it is obviously something that concerns him.

There are issues about overall capacity. We have a Government that produces reports but never brings the matching money with the report. When the Canadian Government announced a major health care reform package, the \$42 billion funding required for its implementation was also announced. We need to have that kind of clarity when it comes to what is being proposed by any government.

Report after report comes out. The health strategy is a lot of words on pages. We do not get the delivery of the promise, which I find deeply disturbing. Yet again, patients are losing out. What they are getting is a lot of abstract notions and commitments. Today we have the Minister's commitment that geography will not be an issue. Geography is an issue. We all know it is an issue and we have to be clear about that. A clear policy determination is required to ensure that is not an issue and that we have delivery in terms of capacity building as well as the necessary funding. As long as the Department of Finance is, in effect, running the Department of Health and Children we are not going to see that.

**Mr. O'Shea:** Tá áthas orm an seans a fháil labhairt sa díospóireacht tabhachtach seo agus gabhaim buíochas leis an Teachta McManus as ucht an seans sin a thabhairt dom. According to the 2002 census of population, there are 423,000 people living in the south-east. It is expected that the numbers requiring radiotherapy in this region will reach 1,800 by 2015. About 600 new patients from the region are seen at radiotherapy clinics every year. Some 300 to 400 of those are referred for treatment, mainly to St. Luke's Hospital, where there are waiting lists. A total of 75% of breast cancer patients should receive radiotherapy but in the south-east only 48% receive it. We have all heard stories of women who opt for a mastectomy rather than leaving their families, feeling they cannot be spared. Patients with breast cancer have radiotherapy delivered over five to six weeks, up to ten minutes per day on a five-day basis. This entails either daily travel to the radiotherapy centre or staying near the centre where treatment is being provided. It cannot be stressed enough that it takes many hours to travel to Dublin from the south-east. People are spending unacceptable lengths of time on the journey. For patients who are in receipt of palliative care, radiotherapy will give them some comfort in the amount of life that is left to them. There are also patients undergoing radiotherapy



[Mr. O'Shea.]

in the hope of recovery. The present set up is unacceptable and barbaric in this day and age.

In its submission to the expert group on the future of radiotherapy services in Ireland, the South Eastern Health Board highlighted the fact that approximately 20% of cancer patients receive therapy, despite the fact that best practice suggests that 60% of patients of most cancers should receive radiotherapy. In section 7.6.6 of the report on the development of radiation oncology services, dealing with demographics, there is a serious discrepancy in the estimate of population in the south-east region. The report states: "CSO population growth models estimate an increase in population to approximately 418,000 by 2010 and to 423,000 by 2015." However, the population in the area has already reached 428,000. It is obviously time for a reassessment, in parallel with the phases of national radiation oncology service expansion. The report also states:

In the longer term the development of additional radiation oncology services within the SEHB will require particularly detailed review and analysis given the existing scale of population, the envisaged development resulting from the National Spatial Strategy...and the anticipated—

**An Ceann Comhairle:** The Deputy has one minute remaining.

**Mr. O'Shea:** The expert group used an incorrect figure as part of its assessment of the needs of the south-east region. As I pointed out, the figure forecast in the report to be reached in 2015 has been reached already. Findings such as this should be analysed. There are a number of ways of approaching this, some of which I have suggested here before. One is that the second super regional centre in Dublin should be shared among the south-east, the mid-west and the north-west. Other proposals have come from the Cancer Care Alliance. To tell people they will still be travelling the road to Dublin if they need treatment in ten, 15 or 20 years is unacceptable. This report shows a bias because the members of the expert group were mostly in Dublin or Cork. A more representative group should be put together to consider the problems in the south-east region.

**Mr. Gormley:** I wish to share my time with Deputies Ó Caoláin, Cowley, Twomey and Healy.

I welcome the opportunity to debate this report, although I regret the limited time available to the Technical Group to discuss this important matter. The findings of this report, which have been accepted by the Cabinet, represent the plan for radiotherapy services for the next 15 to 20 years. It is vital, therefore, that we get it right. Cancer is the most frequent cause of premature death

in Ireland, with approximately 7,400 cancer deaths occurring annually. At present approximately 19,000 new cases of cancer are recorded annually, with one in three individuals developing cancer in the course of their lifetime. For certain types of cancer we have the highest rates in western Europe. As has been stated here before and is stated in the report, we also have the lowest numbers of consultant radiation oncologists. This is a disgrace and an indictment of this low-tax, low-spend, low-standards Government.

As the report states, each year an estimated 35% to 36% of cancer patients receive radiation therapy at some stage of their illnesses, with 20% of new cancer cases receiving radiation therapy as part of their primary management. It also points out that our radiation therapy treatment rates can be contrasted with those of the United States, in which, in some geographic areas, an estimated 60% of all cancer patients receive radiation therapy as part of their care. Obviously, it is of critical importance that patients of equal need have equal access to radiation oncology services. Unfortunately, this report has failed to address the needs of cancer patients outside Dublin, Cork and Galway. While the Green Party acknowledges the need for a major national programme to develop radiotherapy services, we do not believe that the further centralisation of these services will increase patient access to radiotherapy for those patients in areas not facilitated by radiotherapy.

The backbone of national services at present is St. Luke's Hospital. The plan to develop two new radiotherapy facilities in Dublin, with a site on the southside to service much of the south-east, is simply the wrong prescription. Access to Dublin for people living in the country is extremely difficult and continues to worsen, with an average travelling time of between three and a half and four hours one way. Unfortunately, a fact that appears to have been overlooked in the recommendations of this report is that cancer patients are ill. Travelling takes a significant toll on them and it is extremely dangerous for an ill person to drive a car that distance. Any sane person would accept that. The Calman Hine report in the UK recommended that services should be planned to minimise travelling times and that ideally, patients should be within one hour's travelling time of their treatment centres. The Netherlands has one of the most advanced radiation oncology delivery services in Europe. An expert committee, commissioned by its department of health in 1999, considered the issue of regional variations in oncology services and inequity of access and recommended that the basic configuration of an average or model department would include four linear accelerators for the treatment of 2,000 patients. International evidence suggests that no one model of radiation treatment is universally applicable or successful, and that it is not possible to identify an optimal size for radiotherapy units. International evidence also exists to suggest that the ideal cancer care facility should provide ac-

cess for all cancer patients to care on a single site where surgery, chemotherapy and radiotherapy can be provided on a multidisciplinary basis. Unfortunately, such a service is not to be offered to cancer patients in the south-east, mid-west or north-west regions.

It is also recognised internationally that services should be planned to minimise travelling times while maintaining the highest standards of care. One hour is considered to be the maximum travelling time for a patient to a treatment centre. Transport infrastructure, therefore, is an important consideration in locating radiation oncology services. Unfortunately, across many parts of the country, the transport infrastructure leaves much to be desired. I am not sure when the Minister of State last used public transport, but our public transport is a disgrace. People are therefore reliant on cars for transport, forcing cancer patients to travel long distances to care centres. This is unacceptable.

Addressing the issue of access through the provision of accommodation is not the answer. Cancer patients need their families around at critical times in their treatment. The majority of patients can have radiotherapy on an out-patient basis. While dedicated transport in the interim will help, it still means daily travelling times in excess of six hours for the majority of cancer patients in areas not facilitated by radiotherapy services.

It is clear that the Government must provide the necessary resources for the regional cancer units which were designated in 1996, before proceeding with the regionalisation of services as directed by the Hanly report. The reality is that one in three people will need cancer services at some stage of their lives. This figure is, unfortunately, on the increase. I am calling on the Minister for Health and Children to make a commitment to invest in the required radiation oncology services. I also call on him to ensure that the needs of the patient and equity of access will be central to the new services and that they are delivered.

**Caoimhghín Ó Caoláin:** While there may be a satisfactory explanation, it is regrettable that the Minister for Health and Children, Deputy Martin, is not a participant in addressing this issue in the House.

**Mr. T. O'Malley:** The Minister is in Brussels.

**Caoimhghín Ó Caoláin:** I welcome the Minister of State, but I hope he recognises there is a certain air of unreality about a report, published on 9 October 2003, only being discussed in the Dáil on 21 January 2004. It does not instil confidence in the ability of the Government, or of the political system, to deal efficiently with vital issues that affect our people.

I am on record as welcoming the recommended improvements in radiation oncology services in this report of the expert group, chaired by Professor Donal Hollywood. The report follows the National Cancer Registry's report, Cancer in Ireland 1994 to 2002, which provided a comprehens-

ive and disturbing account of the extent of cancer in the country. Cancer is a fact of life and death; a reality we are failing to deal with effectively and humanely as a society. The one statistic alone that tells the tale is that a quarter of all deaths in Ireland are caused by cancer. It is all the more disturbing, therefore, that Professor Hollywood's report found what it describes as "a profound deficit in radiation oncology services" and a profound deficit in access to treatment that 50% to 60% of cancer patients require. That damning finding is a cause for successive Governments to hang their heads in shame.

Our focus must be on how to put it right and how best to deliver this life-saving treatment to our people that they expect and deserve. The report states that a major investment programme is required to rapidly develop treatment services to acceptable modern standards. When he published the report, the Minister for Health and Children said the Government accepted the recommendations and was commencing their implementation. The recommendations are comprehensive and complex and we, in the Opposition, have the difficult task of holding the Government to account on the implementation of each and every one. I hope all Members on both sides of the House will join in doing so because this is a life and death issue.

The report provides a detailed breakdown of radiation oncology needs now and in the future. The current status of the services and future developments in clinical practice are dealt with and there are many positive recommendations on infrastructure requirements and human resources. However, the main problem with this report is the proposed configuration of services and their restriction to three centres at Dublin, Cork and Galway. While the report examined different models, including more decentralised and diversified services, it opted for the centralised option, in line with the Hanly report and the whole thrust of Government health delivery policy. I accept that there are many considerations specific to radiation oncology delivery and such services cannot be provided in every hospital. However, the recommended configuration leaves out huge swathes of the country resulting in seriously ill cancer patients travelling long distances for essential, often painful, and distressing treatment. The Cancer Care Alliance has identified this massive shortcoming in the report and has called for radiotherapy provision in additional centres to Dublin, Cork and Galway. I support that call. I regret that the report does not recommend radiation oncology units in the north-eastern, south-eastern and north-western regions, though it acknowledges the aspiration in the north-east for such a unit. However, it is more than an aspiration. It is a vital need.

The report recommends "dedicated transport solutions" for patients in those regions who will have to travel long distances to access radiotherapy, but existing ambulance services are already totally inadequate. Neither the report nor the

[Caoimhghín Ó Caoláin.]

Minister have outlined what those transport solutions will be. In many parts of the country, both public transport and existing ambulance services are totally inadequate and over-stretched.

The second of the expert group's terms of reference stated:

On the basis of needs identified, to make recommendations on the future development of radiotherapy services, including links with radiotherapy services in Northern Ireland.

I must express disappointment that the report did not fulfil this. The report only deals with links to the Six Counties and the North Western Health Board. It has clearly failed to recognise the importance of the development of such cross-Border co-operation in health care delivery.

**Dr. Cowley:** I welcome this report, particularly its recommendation for a commitment to more funding for cancer care services. I also commend the Cancer Care Alliance which has been involved in giving support for cancer care and demanding greater expenditure in the area.

However, this report has its deficiencies. First, it does not adequately address the access to care issue, particularly for patients in the south-east, mid-west and north-west regions. Those are areas where cancer patients are not covered by services. The report refers to equality but it will not be able to deliver on what it states in ensuring equality of cancer care and that Ireland comes up the EU league table for cancer survival. The Cancer Care Alliance is suggesting an alternative that is practicable and less expensive than what the Government is proposing in this report. With the money the Government is spending transporting patients from the south-east, mid-west and north-west regions, it could pay for local radiation oncology units in these regions.

It costs €1.5 million to transport patients from the South Eastern Health Board area to Dublin annually but we could pay for a machine with that money. There is no need for so many machines in Dublin because that is feeding a centralised service, which is very expensive. I do not understand why the Minister could not put, say, a two-machine unit into Letterkenny Hospital to ensure that those who are unable to travel, half of whom require radiotherapy for palliative care reasons, suffer less pain. The report states that these multi-centre units are necessary to allow that excellent treatment to be given, which will make the difference. That service will be provided in Cork, Dublin and Galway but it will not be provided in the north-west, the mid-west or the south-east. Waterford, Letterkenny and Limerick hospitals provide two thirds of the necessary treatment but not the final part. There is no way, therefore, the treatment can be properly co-ordinated. This report will not realise what it sets out to do, namely, bring us up the league tables and give equality to those people.

There is great co-operation between the North and Letterkenny. The figures indicate that the population of Donegal is 150,000 while the population of the North is 1.5 million. The existing unit is located in Belfast. Why not make up the deficit by providing a unit in Letterkenny or even Derry? That would mean that 750,000 patients in the North plus the patients in Donegal could be treated. The Minister needs to examine that issue.

On the question of Dublin and St. Luke's, the Minister needs to address the problem of the deficit that will exist for the people in that area after the machines become obsolete. I ask him to conduct a review of the areas which were left out of the report, namely, the north-west, the mid-west and the south-east.

**Dr. Twomey:** I wish to voice my opposition to the radiotherapy report, especially in terms of the way it affects the patients of the south-east. Like the Hanly report, the people who are most affected by these reports appear to have the least say on the issue. As Deputy McManus pointed out, vested interests appear to have a higher priority in the way these reports are carried out than in the quality of care given to the patients. The radiotherapy report for the south-east states that the numbers do not add up and that that is the reason we do not have a radiotherapy unit, yet there are plans for a private hospital in Waterford where it is intended to build a radiotherapy unit. These issues do not add up.

Neither of the two reports answered the serious questions being asked by people like myself. The concerns we highlight are not being addressed by anyone. We are accused of being parish pump politicians and told that we should listen to the experts but, unfortunately, the experts do not answer our questions.

A further concern about the health system is the health service executive. If this executive is unaccountable to the Dáil in the same way the NRA is unaccountable in its decision-making process, where does that leave us? We have no purpose in being here if we cannot get straight answers to the questions we raise, whether they are on the health service or the infrastructure. It appears now that Mr. Kevin Kelly will become the *de facto* Minister for Health and Children in the same way Mr. David Begg appears to be the *de facto* Minister for Transport. That is something of which this House needs to take control. We legislate for the people, not outsider interests.

**Ms O. Mitchell:** Hear, hear.

**Mr. Healy:** This report has been widely welcomed inside and outside the House and by many Deputies this morning, but I do not welcome it because it is biased in favour of the centres in Dublin, Cork and Galway. It institutionalises inequality of access to existing cancer care services and it institutionalises cancer care apartheid. It fails to meet the needs of cancer patients outside the Dublin, Cork and Galway areas and it does not best serve cancer patients outside those areas.

It highlights the idea of centralisation of services as against the regionalisation of services. The regionalisation of services, particularly in the area of cancer care, is vitally important for the quality of care necessary for cancer patients throughout the country.

Big is not always best and centralisation is not always the best option. I challenge the priorities and proposals in the various health reports published over the past 12 months. The regionalisation of health services, particularly cancer services, is vitally important if we are to give equal access to cancer patients throughout the country. Regional services must be put in place in Waterford, the south-east, the mid-west and the north-west to give equality of access to patients.

In the South Eastern Health Board area, from which I come, approximately 600 patients are diagnosed with cancer each year. As Deputy O'Shea said, by 2015, 1,800 patients will require radiotherapy services. The current position is that less than 40% of patients in the south-east get radiotherapy services. There are no pre-operative radiotherapy services available and little or no palliative care radiotherapy services. It is vitally important that this report be redrafted and represented on the basis of the regionalisation of radiotherapy services for cancer patients.

**Dr. Devins:** I congratulate the members of the expert group for their commitment to this crucial issue. The recommendations made by Professor Hollywood and his team will provide us with a first class cancer treatment model system for years to come. The report is an excellent analysis of radiation oncology and provides a detailed plan for the future development of radiology oncology services nationally. The development of a first class radiation oncology service as recommended by the report is a top priority in cancer services. It is only right that the Government focuses on the development of services here as a priority.

Approximately 7,500 people lose their lives to cancer every year. It is the most frequent cause of premature death in Ireland. Cancer affects every person in Ireland in some way. Every one of us has known somebody who has been afflicted with this vicious disease. One in three individuals develop cancer in their lifetime, which is a startling figure.

The Government has worked hard to promote the prevention of smoking related cancer in Irish society. Various campaigns have played an important role in reducing the number of smokers here. The smoking ban, when implemented, will also play a vital role in preventing numerous deaths as a result of cancer caused by smoking.

The Government is committed to the development of cancer services. Since the implementation of the national cancer strategy, which commenced in 1997, there has been a cumulative investment of approximately €400 million in the development of appropriate treatment and care services for people with cancer. The sum of €29 million was provided last year to ensure that we

continue to address the increasing demands in cancer services throughout the country in such areas as oncology-haematology, oncology drug treatments and symptomatic breast disease services.

Cancer services throughout the country have benefited from this investment, which far exceeds the €25 million initially thought to be needed. Among the range of other initiatives, this investment has enabled the funding of 85 additional consultant posts, together with support staff in key areas such as medical oncology, radiology, palliative care, histopathology and haematology.

The national cancer forum is currently developing a new cancer care strategy. The aim of the new strategy is to re-examine the strategy devised in 1996 in light of service and clinical developments since then and to set out the key priorities for the development of cancer services during the coming years. It is expected that this new strategy will be completed early this year and I ask the Minister to act on it as soon as possible.

The national extension of BreastCheck was announced in 2003 following the success of phase 1 of the programme. That follows on from the scrutiny of the programme by the All-Party Committee on Health and Children. Under the extension, approximately 150,000 women in the target population of 50 to 64 years of age will be eligible for screening. It is expected that approximately 510 cancers per annum will be diagnosed among this population. Detailed planning for the national rollout of the programme is currently taking place.

The new radiotherapy department which is currently being commissioned at University Hospital, Galway, is of particular importance to me and my constituents, as this centre will provide services for the north-western area. I welcome the fact that this centre will be operational shortly. I also point out that great strides have been made in the cancer treatment unit at Sligo General Hospital, particularly in the area of chemotherapy. However, I recognise, as I am sure do all Deputies, that there is a shortfall in clinical radiation oncology services at present. I am delighted the Government has accepted the recommendations of the report and agreed to provide for a major investment programme to help develop treatment services to acceptable modern standards.

The first step in developing services of the highest standards is the development of a network of large centres forming the backbone of possible future expansion. It is important to note that the group believes that the development of these centres as a clinical network is of paramount importance and will in the shortest timeframe begin to address the deficit in radiation therapy services that has been identified. Some Members will be more concerned with vote grabbing than health. They will scream for these services in every town and village regardless of the recommendations of the experts. We must get the facts straight. The creation of these centres of ex-

[Dr. Devins.]

cellence will ensure that cancer patients get the best treatment available and, as a result, fewer people will die.

A recent patient study carried out found that distance to travel ranked 13th in order of importance for those seeking treatment, while the highest level of patient care was considered the most important aspect of the service. This report points out that the most important element the Government must deliver is the availability of the highest quality radiation oncology service to patients who need it.

The first phase of the programme will see the development of a clinical network of large centres in Dublin, Cork and Galway. They will have the expert staff and treatment infrastructure necessary to permit a rapid increase in patient access to appropriate radiation therapy. It is the best model to rapidly provide this much-needed service. It is important to emphasise that what we are dealing with here is merely the first phase. The next phase will involve consideration being given to the development of further services in Waterford, Limerick and the north-west. That consideration will be extremely important to cancer patients in my constituency of Sligo-Leitrim who currently have to travel long distances to receive expert treatment.

The north-west is very spread out and the location of a cancer radiation service must take into account geographical factors. There is no doubt that Sligo town is most strategically placed for such a service. It has an excellent hospital with a large range of specialties and the provision of radiation oncology in Sligo would ensure that patients not only from Sligo but from north Mayo, Roscommon, Leitrim, Donegal, west Cavan and west Longford would be able to receive their radiology treatment by travelling from home on a daily basis. I ask the Minister to consider imaginatively proposals which the North Western Health Board will present to him shortly.

I totally support the recommendations of the report to provide a backbone of service provision in centres of excellence throughout the country to ensure that every cancer patient receives first class quality care. I welcome this report. It represents an important step towards the provision of world class radiation oncology services in Ireland. Its recommendations will form the foundation of a cancer treatment service of which we can be proud in the future.

**Mr. Moloney:** I welcome the report and am pleased to speak on the important issue of cancer treatment services.

I accept the point made by the Opposition spokesperson on health, Deputy Olivia Mitchell, that very few issues are a matter of life and death but this is one of them. It is important to recognise that it is not merely a question of supporting this report because we are on the Government side or the Deputies opposite opposing it

because they are on the Opposition side. I welcome the report.

I reflect on the debate some years ago on the provision of regional cancer treatment services outside Dublin, specifically in the Midland Health Board area. By coincidence, the regional director for cancer treatment services at that time was Professor Hollywood. I specifically remember the divided opinions not only of politicians representing the Midland Health Board area, but also of the medical people. I heard similar divisions echoed in the Chamber today. For the non-professional people involved in the provision of health services, this always causes great concern. I will not argue on the basis that we should have a super centre to provide services in each region. That would be a nonsense. My colleague, Deputy Devins, stated that of the 15 points listed in terms of the priority of need, geographic location is ranked 13th. That is an important point to remember in this debate. The most important fact in addressing this issue is that the Minister has decided on a process and the necessary funding has been provided to enable it to commence. Of all illnesses, the highest increasing incidence is of cancer.

I reflect on the debate in the late 1980s and early 1990s in my region to which I referred. At that time Professor Finlay, the chairperson of the National Cancer Forum, suggested Tullamore as a location for a centre for the provision of chemotherapy services. Unfortunately, that issue was perceived to be political at that time because it arose during the term of the Fianna Fáil-led Government in 1997, but a decision on it had been taken in 1994 by the then Minister for Health, Deputy Noonan. At the time I complimented and applauded him for taking that decision. However, as a result of the background of political involvement, the sad reality was that the service was not provided until five years later. The issue became the subject of a High Court hearing into how the decision was made, whether on the basis of political or geographic needs. I hope we will not waste time in this debate on that score.

If I may, I would like to be briefly a little parochial. St. Luke's Hospital is the hospital designated to treat patients from the Midland Health Board region. I support that position. I am not seeking the location of a centre for the provision of the service in my region. I merely ask that the patients from the Midland Health Board area be given the same priority as patients from the Eastern Regional Health Authority. That is a fair request. Not everybody is parochial or not everybody from outside Dublin seeks a service in his or her region.

I welcome the report. While some people will claim we have had report upon report on this issue and that delays in the provision of services exist because of the commissioning of reports, a matter as important as the provision of such services requires in-depth analysis and an in-depth report. People will be quick to criticise the Department for commissioning these reports, but

when a report is as substantial and as well put together as the report in question, it is easy to recognise the merit of such an approach. The expert group under Professor Hollywood compiled a document that thoroughly examines the provision of radiation oncology services in Ireland and the members of that group should be congratulated on their work. This report will have far-reaching effects on the future of cancer treatment.

In the four counties of Laois, Offaly, Longford and Westmeath each year 1,600 people present with cancer related illnesses. Of that 1,600, 1,200 presented for treatment in Dublin up to four years ago. It took five years to convince the people of that region that they were not being deprived of services because the centre was being located in the centre of the region rather than in the other two hospitals in the region. Clearly, the service could not be provided in three hospitals and time was wasted in that regard.

Cancer is becoming a more serious problem threatening the health and well-being of Irish people. Statistics prove that cancer is becoming more of a problem for people and those statistics should spur us on to supporting the recommendations rather than delaying them. Every year 7,400 people die of cancer. It is estimated that one in three people develop cancer and one in four will die from the disease. There were 19,500 cases of cancer in 1998, which is frightening enough, but by 2015 it is estimated that almost 27,000 people will develop cancer each year.

Obviously these statistics are frightening and it is no wonder the Minister and Minister of State are anxious that this area of medical treatment is examined. If we are to tackle this problem, we must ensure we have an efficient plan in place to make the most of our scarce health resources to treat those suffering from this disease in the best possible way.

It is accepted by everyone that surgery, chemotherapy and radiation therapy, when used together in varying combinations and sequences, provide the best solution. It has also been shown that patients who avail of all appropriate forms of treatment in a certain timeframe have a much better chance of surviving cancer. With that in mind, the report recommends that radiation oncology be combined with other cancer treatments and that is the basis of the argument for developing a supranational cancer service. It would mean developing a system to provide these services in one location and this should lead to the best possible treatment of cancer patients.

The report proposes the development of four national centres in Cork, Galway and in two locations in the eastern region, probably in Dublin. Given the need to develop these services as quickly as possible, the approach put forward by the expert group is probably the only realistic approach which can be implemented. However, the report also provides for the development of second phase radiotherapy services, with the south-east, north-west and midlands suggested as areas

which would see such developments. However, given the distances to be travelled, we would also have to ensure regions that do not make claims for services are recognised in an open and transparent way. We do not want a second tier of services. I refer specifically to my area, the midlands, among others.

Geographic location is an issue which affects any possible solution to the illness treatment question as areas demand services within their county boundaries. The report points out that geographical considerations ranked 13th of 15 considerations put to cancer patients. People might suggest that it would be in the country's interests to have cancer patients treated in their own regions but we must get our cancer services up to the highest possible standard. That is the first step. We must also develop the four proposed centres proposed in the report.

Patients identified receiving the best possible care, obtaining information about their condition, reducing the waiting time between diagnosis and treatment, and communication with medical and other health staff as the most important aspects of the service. Once those have been developed, then geographic considerations will clearly become more important and the question of regional centres may have to be addressed. This is especially relevant given the recommendations of the recent Hanly report. If we are truly to have a comprehensive regional provision of cancer treatment, then we must give that serious consideration.

Obviously these services will not be introduced in the short term nor are we demanding that, but we need to think about the kind of cancer service to be developed in the long term. Now is the time to think of the first proposed phase of changes in the health services, but we should also consider the second phase.

I support the report and look forward to the development of cancer services. I am pleased that Professor Hollywood is involved, as we in the midlands have come to know him well due to his involvement as regional director. Knowing the pressure he came under for four years and the fact that eventually he had to go to the High Court to back up his deliberations, I am certain he has proved himself to put the interests of the patient first. I welcome the report and look forward to its implementation.

**Mr. Neville:** I propose to share my time with Deputy Deenihan.

**Acting Chairman:** Deputy Deenihan has his own slot.

**Mr. Neville:** He wishes to speak now. I too welcome the report. It was first promised in February 2001, then in February 2002, and was eventually presented to Government in October 2003. The delay was discussed earlier.

I have one serious difficulty with the report, which is that the Mid-Western Health Board has been confined to satellite status in the key deliv-

[Mr. Neville.]

ery areas. This is unacceptable and the Minister of State should deal with this in his reply. The Mid-Western Health Board has been sold down the drain by the report. I analysed the backgrounds of the 23 members of the board, of whom 16 came from Dublin, four from Cork, one from Northern Ireland, one from the Western Health Board, one from the South Eastern Health Board and another member who was originally from Dublin and was transferred to the North Eastern Health Board during the deliberations. There was no member on the board from the mid-west and there was no one to speak for that region during the committee's deliberations.

The Minister of State knows there was a detailed proposal before the committee from the mid-west region for the establishment of a radiotherapy service in the area. He is also aware of the concerns of people in the mid-west who want a full radiotherapy service in Mid-West Regional Hospital. The absence of proper radiotherapy services in the mid-west has been an issue on the doorsteps during every recent election campaign. If the recommendations of the report are implemented as they stand, that absence will continue, which is unacceptable. People in Dublin, such as the 16 people from Dublin who were on the committee, do not understand how difficult and traumatic it is for those in the mid-west to access services in Dublin and Cork. The proposal to establish a radiotherapy service in the mid-west for the benefit of cancer patients in the area was ignored.

This unique proposal was adopted unanimously by the health board at a meeting on 17 January 2003. It is the unanimous view of the members and staff of the Mid-Western Health Board that the Department of Health and Children should respond favourably to this proposal that a public private partnership between the Mid-Western Health Board, the mid-west hospital development trust and the Mater Private Hospital be established in the region. It is an example of the mid-west making a proposal on how to provide services in the region. The Department is not being asked to make a proposal, as the health board is making the proposal and is seeking the Minister's support rather than coming to him with a begging bowl and asking him to provide a service.

The Mid-Western Health Board proposes providing a site adjacent to the existing cancer centre at the Mid-West Regional Hospital. There is planning permission for a radiotherapy unit in the hospital.

The development trust proposed to provide approximately €6 million for the building and equipping of the unit and the State would not have to provide any money for the construction of the building. There will be no cost to the State in establishing the service, as the Mater hospital will be responsible for its operating costs. Yet, the report has ignored this proposal.

There are currently four centres, with two private facilities, providing radiotherapy. Three of the centres are in Dublin and Cork and this does

not meet the existing demand. People in the mid-west region are subjected to long waiting lists and have difficulty in obtaining treatment due to the distances involved. Patients often have to spend six weeks away from home while awaiting cancer treatment in Dublin or Cork. The Minister of State, Deputy Tim O'Malley, will appreciate that this is extremely stressful for cancer patients and their families. The proposal to establish a local unit will transform the lives of these patients and their families.

A constituent recently asked me to make representations to the Mid-Western Health Board seeking financial assistance to have his children visit his wife who had been in St. Luke's for several months. He could not afford to bring them to Dublin. A relative of mine is in receipt of palliative care in the Milford Care Centre. He travels to St. Luke's by ambulance to receive special treatment. His cancer is at an advanced stage and the trip causes much stress. This is unfair and wrong. We are not supposed to become emotive about such things. However, when one sees the suffering people go through, that the service is not locally available and that patients must make a round trip to St. Luke's, one feels that this is unfair and unacceptable. That this will continue after the implementation of this report is unacceptable. The Minister of State is from the mid-west region and should try to influence the approach in the area. Only 40% of those requiring treatment in the region are treated locally. This is a damning indictment of the level of treatment available to people in the region.

There were 29,812 deaths in Ireland in 2001. Of these, 7,577 — one in four — died from cancer. Ireland has the third highest cancer rate in Europe and many of those who die are on so-called waiting lists. It is difficult to tell someone who is on a waiting list for cancer treatment that one will try to intercede on his or her behalf. One must tell them that they will be called from the list as they cannot get preference over people placed before them. People will die in these circumstances. It is unfair and unjust that people awaiting treatment should die in this day and age.

Some 16% of cancer patients in Ireland receive radiotherapy, while the EU average is 66%. The highest percentage of patients receiving treatment in a European country is greater than 80%. These statistics prove that the Government has abandoned the 1996 national cancer strategy. Our concern is that the best parts of this report will also be abandoned. Given that the Government abandoned the 1996 strategy and notwithstanding the grandiose statement made by the Minister of State, Deputy Brian Lenihan, at the commencement of this debate, what confidence can we have that this report will be implemented?

Under the stewardship of the Minister, Deputy Martin, patients with cancer have had to resort to court action to vindicate their rights to lifesaving hospital treatment and care. This is surely an indication of how the national cancer strategy was abandoned. The Minister has described this as

unacceptable as if he was a disinterested observer rather than a member of the Government charged with responsibility for the provision of timely and appropriate care.

For a person with cancer, stress and the physical and psychological difficulties experienced can create tensions and such a person is anxious to get timely and appropriate care. We know that cancer can develop rapidly in some people. People need immediate care and waiting lists are inappropriate for cancer sufferers as they know their life is increasingly threatened as time passes. The record of the Government in this area is abysmal. No attempt has been made in the past six years to change the way our health service operates to deliver more cohesive and accessible patient care for cancer sufferers.

The current Administration has had more money available than any previous one, yet cancer services have not been taken care of. It is indefensible that patients suffering from cancer in the 21st century have to wait for essential treatment because of the lack of hospital beds. It is disgraceful that eight years after its launch, the national cancer strategy is not further advanced. It is offensive for the Minister to blame hard-pressed hospitals, rather than his own inaction, for delays in the delivery of services.

The Government has failed to give priority to cancer services that would see more people survive cancer, have an enhanced quality of life and enjoy more years with their families and loved ones. Life is precious. Everybody wants to extend their life and people diagnosed with cancer want immediate treatment so that they might have the opportunity to share a longer life with their loved ones. We all know of people who lived for 15 or 20 years having received good and immediate care. The longer one waits for essential treatment, the less time one is likely to have to spend with loved ones.

There is paralysis of analysis in the provision of cancer services. We must provide world-class cancer services. We have highly skilled, highly motivated, compassionate and dedicated health professionals. We have wonderful palliative care facilities and incredible patient support services. I am sure the Minister of State will join me in paying tribute to the excellent service provided by the hospice service. I think of the Milford Hospice in the mid-west which provides excellent care and I pay special tribute to the work carried out there.

While there is immense goodwill and generosity from the public, the lack of political will, action and leadership to deal with this is unacceptable. The sad fact is that the inaction of the Government is costing lives. Set against a backdrop of the list of achievements, such as that offered by the Minister of State, Deputy Brian Lenihan, the Government's failure to implement the vital strategy is a shameful breach of faith for cancer patients, their families and those who care for them.

I urge the Minister to ensure that the failure from 1996 onwards to implement the cancer strategy is not repeated and that the main recommendations of the report concerning the development of radiation oncology services in Ireland are implemented. I again urge the Minister to address the issue of the failure of the group to address the need for a full oncology service in the mid-west region.

**Mr. Deenihan:** I thank Deputy Neville for sharing his time with me. I welcome the report on the development of radiation oncology services in Ireland. The treatment of cancer is a major challenge to the health service. Approximately 21,000 new cancer cases are recorded annually and one in three will develop cancer in the course of his or her lifetime. Cancer is more common in older people and, as the population ages, we can expect increases. Since 1994, cancer mortality rates have decreased as a result of improved diagnosis, earlier intervention and improved and more widely available treatment. However, cancer will continue to challenge the health system to deliver effective, timely and comprehensive care.

The availability of radiation treatment is a glaring deficiency in our national service and is reflected in figures which suggest that as few as 20% of cancer patients receive radiation oncology when international experience suggests it should be at least 50%. Professor Donal Hollywood, chairman of the expert group, warned that the non-implementation of the report's recommendations was not an option. He said it must be done as anything else is indefensible. The report identified profound shortfalls in terms of staffing levels to treat patients requiring radiotherapy. There are 2.5 radiotherapy oncologists per 1 million of population as compared with the recommended number of eight to ten per 1 million. There is also a shortage of linear accelerator machines for radiotherapy treatment. A recommendation in the report is to increase the number of linear accelerator machines from eight to 26 by 2008 and to 35 by 2013. This will allow an additional 10,000 patients to be treated. By 2015 the number of new cancer cases per year is expected to increase to approximately 27,000.

According to the report there are just eight permanent consultants in radiation oncology. It further states that it is immediately evident that there is a considerable shortfall in consultant numbers. This equates with 2.2 radiation oncologists per 1 million population, the lowest in western Europe. Both Norway and the US have 14 specialists per 1 million people. The report further states that for medical staffing requirements to address the expected increase in incidence in the forthcoming decade, nine to 12 radiation oncologists will be required per 1 million of population.

I will now turn to the southern health region and Cork University Hospital. Cork University Hospital was identified for further development as one of the super regional centre locations. Ap-



[Mr. Deenihan.]

proximately 96% of those with cancer in the Southern Health Board area use the existing services at the hospital. However, additional patient populations attend from the South Eastern and the Mid-Western Health Boards areas — hence the need for facilities in Waterford and Limerick to take the pressure off Cork.

The Central Statistics Office population growth models for the Southern Health Board area anticipate an increase in population to approximately 592,000 by 2010 and 604,000 by 2015. The group's analysis of the estimated Southern Health Board population base and projected cancer caseload provided the basis for the development of additional radiation therapy facilities at Cork University Hospital. The proposed equipment infrastructure and staffing levels required for the future are, in part, dependent on the future patient caseload that may attend from the future potential partnership in providing oncology care between the Southern, Mid-Western and the South Eastern Health Boards.

In 2002, almost €15 million was invested in phase 1 of the substantial new building project development in Cork University Hospital for radiation oncology services. This involved the commissioning of two linear accelerators. The existing service will not meet the existing or future treatment requirements of the patient population in the Southern Health Board area and adjacent catchment areas. Patients travelling from County Kerry have experienced extreme hardship when the linear accelerators were not working in Cork University Hospital. The delay in accessing treatment can be fatal. I agree with Deputy Neville on the provision of services in Limerick, which would suit patients from north County Kerry. The mid-western hospital development trust is offering a considerable amount of money when such a facility it is staffed. In view of this, I ask the Minister of State to press to have the process speeded up for Limerick. This would lead to an improvement in services for people not only from the mid west region but also for north County Kerry as they would no longer have to travel the long distance to Cork. Limerick is seen as the centre for north County Kerry while Cork is the centre for the south county. My colleagues and I would give every support to the Minister of State, Deputy Tim O'Malley, in furthering the case for such a facility in Limerick.

**Cecilia Keaveney:** Cancer is one of the few issues debated in the Chamber that is a matter of life and death. One in three people is likely to contract cancer at some point in his or her life and 7,500 die from it each year. It is, therefore, a very significant issue. A number of years ago I visited some of the key London hospitals with multi-disciplinary facilities for treating breast cancer. The message from every consultant, patient and former patient was not to politicise the issue of cancer nor fight to have a facility placed in one's local town because one is a local politician,

but to put the patient first and ensure the patient determines the issues at hand.

I accept that on certain issues it is very dangerous to be parochial, yet I am being parochial now because the argument stands up. I remember 1996 when, as a newly elected Member to the House, I contributed to the debate on cancer facilities. The then Minister for Health, Deputy Noonan, announced that the national facilities for cancer treatment would be located in Galway, Cork, Dublin and perhaps Athlone. When I asked about provision for those north of the Galway to Dublin line, people looked at me in surprise because they thought County Donegal was close to Galway. People do not realise that as a Deputy for Donegal North East, Dublin is 20 miles nearer than Galway. Some people in my constituency are even further away.

The report states that it is outside its scope to investigate properly the links with Belfast, which I suggest is the medium-term solution for my constituency, with links to Altnagelvin in the longer term. There is no motorway from Dublin to Derry, because the numbers to Aghnacloy do not stack up. The road does not stop at Aghnacloy, it stops in Derry, yet because it is beyond our scope and terms of reference, we cannot include the geographical reality in our plans. I acknowledge the difficulties and dangers of a political representative putting politics before patients, but in this case we have recognised eastern, western and southern multidisciplinary facilities. Therefore, there needs to be a unit located geographically north, although I am not saying it has to be on Malin Head. Taken together, the population of the Derry and Donegal hinterlands, together with Tyrone, Fermanagh and parts of County Antrim, comprises a critical mass of patients similar to that of Dublin, Cork and Galway. It is unacceptable to delay the provision of such services into the future — it must be done now.

Back in 1996, when I asked someone why we did not use Belfast for such services, they commented — and I hope they were joking — that it was bad enough to have an illness like cancer without being bombed in Belfast as well. I thought that comment was appalling. We have good facilities and opportunities to use them. Letterkenny hospital is doing very well and I commend the Department for investing in facilities there. The current problems with the accident and emergency service in Letterkenny should be examined immediately, instead of dealing with them in the medium term.

I have not read the report from cover to cover but I have read much of it. The report's summary states that the shortfall in clinical radiation and oncology services in the Republic of Ireland is of such magnitude that a major investment programme is required to rapidly develop treatment services to acceptable modern standards. The report goes on to stress the paramount importance of the shortest timeframe to begin to address the profound deficit in radiation therapy. The report's depth of detail is significant and puts a fin-

ger on the pulse of what is happening. It has to be acknowledged that much work has been put into producing the report. One may ask why radiation therapy is so important but the report summarises the reasons. It states that radiation therapy is an important treatment modality used in the management of cancer. Some 50% to 60% of patients will require that form of treatment for their illness, and failure to deliver modern radiation therapy can result in a reduced chance of curing patients.

I have personal experience of a family member who died of cancer and I know that one grabs on to every opportunity and offering of hope in such circumstances. My father, who died of cancer, was an undertaker. He could never understand why people were taken away from Letterkenny Hospital to St. Luke's or other cancer hospitals when they were very seriously ill. He always told us: "It is a terrible thing to make that poor person suffer the whole way up to Dublin when there is no hope." However, when he was in the same situation we would have taken him to the moon for treatment because we wanted him to get better. Therefore, I want to see the necessary facilities being provided as close as is practical to the patients through a patient-focused approach. I remember a warning about this matter from a group of experts in England. I am not seeking such services to be located in the town I represent, but in an area where there is a critical mass of patients that would merit a multidisciplinary approach to the provision of radiation oncology services.

Many people have criticised the Hanly report but places such as Letterkenny need the support outlined in the report. Experts should be operating around the country instead of only in a small number of hospitals. The same argument applies to the decentralisation of the Civil Service. There is no point in putting people into a small, medium or even a large hospital on their own because people need time off. That can only be arranged through having colleagues in the same profession to provide support services and make judgments in difficult medical cases. It cannot be achieved unless we bring medical experts together in regional centres. I believe in the backbone principle whereby one can work from a spine, but my argument is that we need a spine in the North as well.

Beever Park was the main cancer hospital in Belfast. I note it is spelled "Belvoir" in the report but it is known colloquially as Beever Park. Its services are currently in the process of being moved to the Belfast City Hospital. Anyone who has visited Belfast recently will have seen the massive investment that is being made in that hospital. The relocation of those services means there is already a centre in Belfast. People living in my area of Donegal are 90 minutes from Belfast, while it may take them five or six hours to travel to Dublin or Galway. However, that does not take away from the fact that there is excellent co-operation between health boards and the air service between Dublin and Derry, and from Car-

rickfin to Derry, which has alleviated some of the pressure on patients.

I acknowledge the work of the friends of these hospitals who have been fundraising continually to develop buses for patients so they can be moved in relative comfort. It is not an ideal situation when patients have to travel 200 miles to receive radiation treatment for a short period. It is a life-saving process, however, which they see as their only hope. I can say that from experience.

Over the Christmas period I attended a service for someone who had died and the bereaved family pleaded with me to get the radiation oncology services to their area. That echoes what everybody else is saying about this matter. In his speech earlier, the Minister of State repeated the Government's commitment to developing a significant radiotherapy programme. The development of those services along the lines recommended by the report is the single most important issue in cancer services in an acute setting. The major developments have taken place in Dublin, Cork and Galway and without those services where would we be? I acknowledge that great work has been achieved in Dublin but I wish to reiterate that I live further from Galway than from Dublin.

The Government has decided that in the further development of services, consideration will be given to the north-west. Distance is a hardship and the crux of my argument is that it is not acceptable where an alternative exists. Since 1996, there has been a major catalyst for the redevelopment of cancer services in Northern Ireland, which resulted in the development of a cancer centre at Belfast City Hospital, as well as the development of a network of four regional centres. The relevant centre for my area is Altnagelvin Hospital in Derry. It is important to have a patient-centered service to cater for the critical mass of Donegal and its surrounding areas. That is a valid argument, as it is for so many other aspects of the health service.

The report recommended the transfer of oncology treatment services from Belvoir to Belfast City Hospital, as I have outlined. Representatives from the north-west are putting an updated case for the provision of such services. The report acknowledges that the development of links with Belfast city and the aspiration for a medium to long-term solution for radiotherapy services between the North Western Health Board and the Northern Ireland health care agency should be examined by the appropriate agencies in both jurisdictions. Such a task is outside the terms of reference and timetable of this group.

In this post Good Friday era we have cross-ministerial councils and we in Donegal have long called for the recognition of the island of Ireland in the provision of services — whether roads, transport, cancer or health services. We in Donegal live next door to large hospitals and live with the reality of working together. If I have a serious car crash or any other injury, I am more likely to be brought to Altnagelvin than to Letterkenny.

[Cecilia Keaveney.]

We accept and want that reality and the time is gone for whatever obstacles stop that happening. We do not accept that these issues can be beyond the timetable or terms of reference of this group. We talk about giving everybody equal opportunities and access to the health services. Therefore, we must look at the situation that exists rather than at some line on a map.

I agree with the recommendations made in the report. It recommends: a further examination with the appropriate Northern Ireland health care authorities of the feasibility of commissioning appropriate additional treatment facilities in partnership with the development of additional treatments at Belfast city; the formalisation of an additional consultant radiation oncologist attending sessions at appropriate hospitals in the north-west; the rapid recruitment of an additional consultant radiation oncologist with dedicated sessions at one of the North Western Health Board specified regional oncology centres with a full support team; the development of additional consultant provided radiation oncology clinics at which significant elements of new patient assessments and follow-up could be undertaken; the development of regular multidisciplinary meetings with consultant radiation oncologists held within appropriate North Western Health Board hospitals; and the development of telemedicine.

Technology has moved on so much that we should no longer be tethered by old means of communication. We should move on and embrace the opportunities that exist for telemedicine. Until we get radiation oncologists trained and accepted in the field — the 1993 figures recommended 6.5 radiation oncologists at a time when we only had two per million of population — we need to maximise those we have. While they are by no means sitting in corners twiddling their thumbs, they should be encouraged to link in with services in the regions through telemedicine where practical and where patients' lives are not threatened.

The development of additional hostel accommodation for both patients and families who have to travel long distances to facilitate attendance for treatment is a particular requirement for people who have to travel to Belfast, Galway and Dublin treatment centres. This is important. People sometimes only think of the patients, forgetting that they need their family. Accommodation costs can be expensive and there should be some effort made to provide this facility. People do not need hotel facilities but need to be able to rest and make a cup of tea and get back to the hospital. That is their priority and we should try to make progress on this.

I have spoken to the Donegal Association on this matter. Each county association could perhaps draw up a list of county-based bed and breakfast accommodation near hospitals which they could provide at a low rate to patients' families from the county. The co-ordination of services

already in existence could ease the expense on families.

The report indicated that there is a rise of 4.7% in the contraction of melanoma by men. I know a family whose 35 year old son died from melanoma cancer. We travel more to the sun for our holidays but we often forget the dangers of the sun. These dangers need to be highlighted, particularly as we approach the summer. The health safety promotion agencies have done some good work in this regard. We need to talk about those cancers about which we can do something. The health promotion with regard to smoking is a key promotion in this area. We need now to focus on melanoma, particularly before the summer.

Given that the Minister of State with responsibility for older people, Deputy Callely, is present, I thank him for the recent allocation of €2.8 million to an Alzheimer's unit for Carndonagh in my constituency. While I have been positive in what I have said on this report and the investment and work going on, there is a lot still to do.

**Mr. Callely:** I thank the Deputy. She sought and worked hard for that unit.

**Cecilia Keaveney:** I acknowledge the great work of the hospice in Donegal town and Carndonagh and the Foyle Hospice. We should also think of the practitioners of over 65 years who might be in a position to serve their country.

**Mr. Perry:** I am delighted to speak on this matter and welcome this report. The number of consultant radiation oncologists we have per million of population is the lowest in western Europe. Each consultant radiation oncologist supervises the clinical management of a patient case load up to four times that suggested in a number of international guidelines published in the mid-1990s. The maintenance of existing radiation oncology medical staffing norms is inappropriate in the short term and the existing medical staffing levels cannot continue to provide modern radiation oncology treatment services. These are some of the main criticisms in Professor Donal Hollywood's report and are clearly an indictment of the present situation and our health services. The report is welcome. However, it comes with a backdrop of a health service which has €10 billion a year spent on it.

We are looking at a two-tier health service. I say this with regret. The report is significant but we must also consider that we have had three other reports in recent months — the Brennan, Prospectus and Hanly reports. The Brennan report was set up by the Minister for Finance and its main focus was on financial management and control. It recommended the establishment of a health service executive. It did not recommend the abolition of the health boards but suggested stronger powers for the executive management. It also criticised the control and budgeting system and suggested better governance arrangements, including budgeting to a level of consultant general practitioner and head of professional ser-

vices. It strongly recommended the separation of public and private practice within acute hospitals and consultant contracts, particularly new contracts. It suggested the need for improved consultant general practitioner pharmacy contracts and recognised a significant ICT deficit.

In 1996, the Fine Gael Minister for Health, Deputy Noonan, recommended a health strategy. What was discussed then is very similar to what is outlined in the report before the House. It is also very important to highlight the recommendations of the Prospectus report which was initiated by the Minister for Health and Children. Its purpose was to review the structure and organisation of health services. It recommended the establishment of a health service executive to allow the Department to concentrate solely on policy matters and the abolition of a large number of agencies, including the health boards and the ERHA. It strongly recommended the separation of hospital and non-hospital services and suggested that hospital services should be managed through networks. It also recommended that non-hospital services should be organised into a single national system to be managed through four regional health offices servicing population centres of approximately 1 million. These should be supported by 32 local health offices organised on existing community and care service lines.

The Hanly report was initiated by the Minister for Health and Children in response to the working time directive and it focused on hospital services only. It recommended a consultant provided service and confirmed that hospital networks, with one major hospital and two to three local hospitals in each network, would serve a population of 350,000. Research was carried out on the Midwestern Health Board and the Eastern Regional Health Authority and the recommendations will be piloted in these areas. There are major implications for smaller hospitals throughout the country, including those in Roscommon, Monaghan, Ballinasloe and Nenagh. All of this has an impact on very important cancer services and accident and emergency departments. According to the report, there has been a failure to recognise poor ambulance service coverage. The fact is there will be a second Hanly report.

There have been a great many reports, but waiting lists must still be addressed. It is very important to define what is meant by the term "waiting lists". The statistics and performances quotas for waiting lists and times refer generally to in-patient services only. It is not uncommon for patients to have to wait a long time for an out-patient appointment. This is an important point as a patient will usually have to see a consultant at an out-patient clinic before his or her name is added to an in-patient waiting list. In some specialities the waiting time involved can be considerably longer than on the in-patient list. In the ERHA, waiting times can be considerable as there are 16,000 people waiting to get on the waiting lists of Dublin hospitals. This can very much be incorporated into the general list of 27,000.

For every person on a waiting list, there are 14 people waiting to get on to it.

Against the backdrop of the Brennan, Hanly and Prospectus reports, this latest report is very welcome. What is needed now is action. The issue is management and control when taxpayers are spending €10 billion on health services. We are talking in the 21st century about something which should have been discussed 20 years ago. It must be remembered that the Government has been in power for seven years. Clearly, the responsibility belongs to it and people are fed up. While I welcome this report, it is simply another of what are termed "shelf-warmers" in the supermarket business. These reports are used to warm shelves and fill up space. The professor and his team have done an excellent job and the report is excellent. What is needed from Government now is a clear plan of action as to when its recommendations will be implemented. There is a cancer victim in one of every four families. They do not want to be told that another report is out. While we all welcome this report, it should be borne in mind that there are people waiting for cancer treatment in remote parts of the country. It must be remembered that the Department does not maintain lists of people who can pay for services. I inquired last week at the Committee of Public Accounts if a list was maintained by the Department of people availing of private health services and if there was a waiting list. There is no waiting list. The Department has no data from the private sector, which is wrong and unfair.

There are 27,000 people on waiting lists who will hear the Minister say the lists are being reduced. Last week, we discussed the outrageous fact that €250 million which was to be allocated to reduce waiting lists was spent on the appointment of consultants. The money was not focused in any way on the reduction of numbers on long-term waiting lists. Today's debate focuses on a very important document. While we have this major report, what people want are clear indications of good management. A feature of a well organised health service is proactive management of a service plan and a budget to allocate resources. It must be asked how challenging are the service plan and its targets. An example of how things have gone wrong is that health boards have recurring budget surpluses in certain areas year on year. They have failed to use fully the funds they have been given when there are long waiting list times for basic services. Why do health boards wait for the Department to provide extra funds for new services rather than redeploy funds within their own structures?

There is a degree of uncertainty about what is to happen in terms of the recommendations of the Brennan, Prospectus and Hanly reports. The report under discussion was not mentioned in any of those reports. I am astonished that when those reports were being compiled, this major document about cancer services in the regions was not examined. People must travel from the regions to avail of services in Dublin, where the ERHA sys-

[Mr. Perry.]

tem is very badly managed. Last week at the Committee of Public Accounts, we heard that 350 beds were occupied by persons who were clinically fit to be discharged. Beds were being held which could have been freed up. This inefficiency in one section filters right through the health board system. It is the same in any health service. If there is mismanagement in an accident and emergency department, it will go right through the hospital. People will be taking up beds who should be discharged to nursing homes. Where the average cost of keeping someone in a nursing home is €700 to €800 per week, it costs €4,000 to keep them in hospital where they should not be. This has an impact on the provision of care to those most in need of it.

We talk of prioritising investment, but 70% of the €10 billion invested in the health service is spent on administration and stacked-up costs. The appointment and training of more consultants is critical, but it is equally important to ensure that the system is efficient at all levels. What steps do health boards and management take to assess, evaluate and prioritise needs and to design and deliver services to meet them in the most cost-effective way? There is a great deficiency in this area. Examples of failures include the cutting of basic services such as home help aids and appliances by health boards. Health boards and agencies are constantly being held to ransom by hospitals and voluntary agencies. Boards of management fail to bring policy reports to monthly board meetings and fail to produce evidence of new or innovative service delivery.

There is constant friction between board members and management. Research and evaluation services are poorly developed. It all starts at the bottom where we should ensure the provision of a full range of comprehensive and integrated services to meet needs. That should be the basic criterion in any hospital no matter how large or small, but that is where no such provision is made. Every opportunity for partnership and collaboration should be grasped but it is not.

I am concerned about what is recommended in the report. It recommends trauma centres and centres of excellence in areas with a population of 350,000. However, we are talking  
1 o'clock about the north-west, an elderly population and people who will have to commute to the new regional hospitals. It is important that demographics and age profile are taken into account.

I am disappointed that the Minister is not present to answer the question from Deputy McManus about the source of the money to match this report. The Minister should say he is delighted to welcome the report, inform the House how much he is allocating for its implementation and spell out how it will be implemented to reassure people in Sligo, Donegal and elsewhere that a service will be provided, staff appointed and somebody in charge to implement the recommendations of the report actively. We

are running a health service for four million people with 100,000 people working in the system. It is outrageous that we do not have a state-of-the-art health service.

The National Treatment Purchase Fund was also discussed. In a two-tier health system there those with medical cards and those without who rear a family and cannot get a private appointment. They must wait for an appointment to see a consultant to get on a waiting list and must travel to Dublin for treatment. That is a poor service. These people need to be taken into account. My heart goes out to them.

Screening is also done on an *ad hoc* basis. The Government's announcements about reductions in the size of waiting lists, the spin put on the effectiveness of the health service, what will be done, the Government's commitment and so on mean nothing. Actions speak louder than words. People want action.

On the hospice service, I met the director of the Northwest Hospice service in Sligo before Christmas. It provides an outstanding service. The level of goodwill towards hospice care is extraordinary. More than €1 million was collected locally through voluntary sponsored swims, walks and so on. A full-time oncologist is being sought for the hospice unit in Sligo. It has a shared appointment with the hospice in Donegal, but it is not working. Having visited the hospice, I am aware of the level of commitment and round-the-clock service it gives with nursing staff visiting homes. It is an extraordinary service. The best evidence of the Government's commitment would be to prioritise funding for hospice care, which is for people who have a short time to live. The sheer commitment and professionalism of nursing and medical care and management is extraordinary. They do a difficult job and should not be hampered by lack of funding.

I am disappointed by the level of public health awareness and the lack of emphasis on public health promotion. In recent times there has been a certain amount of advertising on television. How much of the €10 billion is being spent on public health awareness? Health promotions in schools include anti-smoking campaigns, which I support. However, people are not aware of how they can improve their health, especially through dietary means. The allocation of funding for public health from the Department is minimal and should be examined in a meaningful way.

Services for older people and cancer care services are also a problem. Home support, respite and care services, increases in housing aid for the elderly and staffing increases in community hospitals are important. More therapeutic staff are required. All these areas under the heading of care for the elderly are important. We are duty-bound to ensure the provision of services for older people. The Minister of State, Deputy Callely, has examined these services and has a clear interest in their provision. He has been identified as standing up for the interests of older people. It is a pity there is no Minister of State

with responsibility for cancer services. The importance of that specialty is recognised within the health services. Funding should be ring-fenced and there should be a budget plan. All the reports — Brennan, Hanly and this massive document — do not matter to people waiting for essential care and families who are traumatised when a young mother or a young father is diagnosed with cancer. They do not want a report. They and their families want action.

**Minister of State at the Department of Health and Children (Mr. Callely):** I have listened to the different statements in the House and thank all Members for their contributions. The report on the development of radiation oncology services is the most authoritative analysis of radiation oncology ever undertaken here. Its authors are experts in the development and delivery of radiotherapy services. A number of speakers have rightly complimented the authors on their analysis and recommendations.

The membership of the expert group was broadly representative of the stakeholders in oncology care and represented a wide geographic spread. Membership included patient advocate groups such as the Irish Cancer Society and Aid Cancer Treatment. The Irish College of General Practitioners was also represented and expertise from Northern Ireland cancer care also contributed to the work of the group.

The recommendations of the report, published on 9 October last, have been accepted and endorsed by the Government. It provides the only sustainable plan for the future development of world-class radiation oncology services nationally. The Government is not prepared to compromise on this objective. My colleague, the Minister for Health and Children, Deputy Martin, has made it clear that the development of these services on the lines recommended in this report is the single most important priority in cancer services in the acute setting.

The Government accepts that there are major deficiencies in the provision of radiation oncology services. There is widespread agreement in the House that radiotherapy services need to be expanded. I wish to point out that this deficit is national and, if we are to overcome it, we require a national approach and not one that is fragmented and disjointed. The establishment of the group, the development of the strategy and the publication of the implementation plan comprise a clear recognition of the seriousness with which we are addressing the shortfall in radiation oncology services.

Given that we are coming from a relatively low base, we have an opportunity to expand and develop our services in line with international best practice. We can develop a national radiation oncology service that is integrated and multidisciplinary and which best serves the interests of patients. This opportunity should not be pushed to one side and replaced with a policy of fragmented piecemeal development that does not meet the

needs of cancer patients. Such a policy will not attract and retain the necessary medical and scientific skills that are required to develop radiotherapy and oncology services. As Deputy McManus intimated, patients understand the concept of centres of excellence. The realisation of this concept is at the core of the Minister's strategy for radiation oncology.

The report on the development of radiation oncology services has received a significant amount of praise at national and international levels. The director of the radiation oncology sciences programme of the National Cancer Institute in the United States has praised as extraordinarily impressive the report's thoughtfulness, thoroughness, synthesis and action plan. He has stated that the plan we are beginning to implement is an outstanding step in the right direction. The chairman of the expert group has received correspondence from the European Society for Therapeutic Radiology and Oncology, congratulating him on what is considered to be one of the most comprehensive and best strategies that has ever been seen in this field. Our national experts and the international experts should not be ignored. We need to benchmark how we organise and deliver our services against international practice. Ireland's population is too small for us to be able to afford to ignore international evidence in respect of how quality cancer care can best be delivered.

The principles and recommendations underpinning the report are based on providing a top class service that is comparable to any quality service that exists internationally. The Government is committed to providing the best radiotherapy services possible. We do not suggest that this is an easy task, that it is without challenges or that it can be carried out overnight. We suggest that the course has been charted for us, that we can adhere to that course and that we remain committed to the development of a world class radiotherapy service.

There seems to be concern in the House about the development of a service that provides equal access for all. I understand such concerns and I fully support such development. I assure the House that the principles of equity and access will underpin the development of future services. Radiation oncology centres will be required to provide services on an equitable basis which ensures that patients of equal need have equal access. This task is not without challenges as it will require the development of innovative transport and accommodation arrangements for patients in outlying regions. The national radiation oncology co-ordinating group, which was established by the Minister for Health and Children on the publication of the report, is addressing this issue. It has met once and is due to meet again at the beginning of February. The deliberate multidisciplinary composition of the group is necessary to ensure that there is a cross-professional insight and understanding that informs the development and implementation of the group's remit.

[Mr. Callely.]

The co-ordinating group counts among its members a consultant radiation oncologist from Belfast City Hospital. This provides an important expert input from a neighbouring health system that is considerably closer to meeting the needs of radiotherapy patients as a consequence of the flagship radiotherapy developments at Belfast City Hospital. The objective of the group is the development of a national integrated network of radiation oncology services. This is another indication of the progress being made in the implementation of the report's recommendations.

The House is aware that the Government has also decided that consideration should be given, in the future development of services, to developing satellite centres in Waterford, Limerick and the north-west. Such consideration will take into account the international evaluation of satellite centres, the efficacy of providing this model and the need to ensure quality standards of care. I emphasise, however, that the development of the backbone of the service is the greatest priority. Reference was made to the 1996 national cancer strategy and the lack of progress on its implementation. An independent evaluation of the strategy was launched last December. The evaluation concluded that the key goal of the 1996 strategy, a 15% decrease in mortality among those under the age of 65, was achieved in 2001, three years ahead of target. This reflects the additional investment in cancer care of approximately €550 million since 1997.

The report on the development of radiation oncology services is now the policy of the Government. I assure Deputy Perry, who questioned the implementation and funding of the report's recommendations, that my Department is fully focused on implementing the recommendations. If we are to provide equitable and high quality services, it is important that we move forward in a sustainable and planned way. I understand that this is the only way to achieve high quality radiotherapy services. It is the only way in which the Government will allocate resources to the services as it is the only way to meet the needs that exist.

*Sitting suspended at 1.20 p.m. and resumed at 1.30 p.m.*

#### **Message from Seanad.**

**An Ceann Comhairle:** Seanad Éireann has passed the Appropriation Bill 2003, without recommendation, and the Social Welfare Bill 2003, the European Arrest Warrant Bill 2003 and the Personal Injuries Assessment Board Bill 2003, without amendment.

#### **Messages from Select Committees.**

**An Ceann Comhairle:** The Select Committee on Transport has completed its consideration of

the Aer Lingus Bill 2003, and has made amendments thereto.

The Select Committee on Communications, Marine and Natural Resources has completed its consideration of the Dumping at Sea (Amendment) Bill 2000, and has made amendments thereto.

The Select Committee on Enterprise and Small Business has completed its consideration of the Industrial Relations (Amendment) Bill 2003, and has made amendments thereto.

#### **Public Service Management (Recruitment and Appointments) Bill 2003: Second Stage.**

**Minister of State at the Department of Finance (Mr. Parlon):** I move: "That the Bill be now read a Second Time."

I am pleased to introduce the Public Service Management (Recruitment and Appointments) Bill 2003. This is a key public sector reform measure. The public service has a major role to play in the economic and social life of the country. A modern and flexible recruitment system for the public service is essential in supporting the wider modernisation programme set out in the strategic management initiative and in Sustaining Progress. The human resource management working group, a cross-departmental working group established under the strategic management initiative, recommended to the Government that the structures governing the recruitment of civil servants should be reformed. In particular, it was decided that there should be an option for public service bodies to recruit directly as well as through the Civil Service Commissioners. New approaches to the management of public service organisations can only be effective where the recruitment system works in support of those changes. It is not enough to have the right management systems in place, we must also make certain that the best people are selected in a timely manner and are working where their skills and experience can be of most benefit.

The measures in the Bill introduce an important new element of flexibility into the recruitment system. As a result of the changes being introduced, public sector organisations will be able to recruit the staff they need when and where they are needed. The measures will also ensure that the best people are recruited by requiring that best human resource and recruitment practice will be observed at all times. The institutional arrangements contained in the Bill are specifically designed to make sure that recruitment procedures are in line with best practice and will remain so as best practice evolves.

I draw the attention of the House to the support this Bill offers for the decentralisation process announced by the Minister for Finance in the 2004 budget. In the near future, the headquarters and sub-offices of Civil Service Departments and other agencies will be decentralised to locations outside Dublin. It is noteworthy that this Bill is being presented to Dáil Éireann at this time. The

changes being introduced will be vital in ensuring that decentralisation works successfully. One of the main aims of the reforms is to allow public sector bodies to tailor recruitment to their own needs, a factor which will be particularly important during the decentralisation process and in supporting the work of those bodies when they are established in their new locations.

The measures in this Bill are part of the strategic approach to management of human resources in the Civil Service and in the other public service organisations to which it will apply. The Bill is not an isolated initiative. It is a significant element of the programme of public service modernisation which was agreed with the public service unions in Sustaining Progress. I am happy to report to the House that the public service unions have been fully consulted about these measures and they agreed to the introduction of the Bill in Sustaining Progress. The changes being introduced are another sign that the benchmarking agreement implemented in Sustaining Progress has produced real, practical changes in the way the public service operates. I ask the House to consider and welcome the Bill in that light.

The Civil Service and Local Appointments Commissions and their staff have performed a very important role over the years. The efficiency and probity with which the commissioners have carried out their work has been a major factor in creating a civil and public service which has allowed the State to develop and prosper. There have been many examples abroad of public confidence in the institutions of Government being undermined in part because of a failure to maintain the probity of the public appointments system. It is to the credit of the commission that this did not happen in Ireland and, moreover, that there has never been even the slightest possibility of it happening. This is a major achievement. Nevertheless, we must accept that all institutions need to adapt and change to take account of the new challenges facing them. We know that the commission's role was largely established at a time when the public service was smaller and was expected to deal with a much narrower range of functions.

As Irish society has changed, the role and function of the civil and public service has also changed. There are many more organisations in the public sector carrying out a wider range of far more complex tasks. This means we must change the way we manage our human resources in the Civil Service. It means giving Secretaries General and Departments the ability to manage their Departments and offices more effectively.

In recent years it has become clear that the public appointments system is not flexible enough to meet modern labour market conditions. On occasion, the Civil Service has found it difficult to recruit the staff it needed because of labour market pressures when the centralised recruitment system could not respond quickly enough to the recruitment needs of complex organisations which were responding to the demands generated

by economic expansion. The Government could not allow these bottlenecks to persist. No organisation can allow itself to be put in the position of being unable to recruit the staff it needs, when they are needed, to carry out its work. The reforms proposed in this Bill are designed to modernise the recruitment system so that it can meet the service's requirements and at the same time ensure it will be flexible enough to deal with any future changes in the labour market.

Deputies will agree that there is a major public good in ensuring the fairness and probity of all aspects of recruitment to the public service. I know from personal experience and from my experience as a public representative that it is widely accepted that when anyone applies for a post in the civil or public service, his application will be treated in a fair and impartial manner. I have never heard it said that a public appointment handled by the Civil Service and Local Appointments Commissions has been in any way improperly influenced. People have confidence that following interviews or examinations, the best people are appointed to jobs. In any reform of the recruitment system it is essential that the public trust established by the commissioners over the years is maintained. The Government is determined to make certain that this public confidence in the probity of the system will not be undermined. I ask Deputies to bear in mind that many of, if not all, the new institutional arrangements in the Bill have been designed to ensure that this key public value of probity is preserved.

At present, recruitment to the Civil Service and the Garda Síochána is carried out by the Civil Service Commission, while recruitment to senior posts in local authorities and health boards is carried out by the Local Appointments Commission. The Bill will repeal the Civil Service Commissioners Act 1956 and amend the legislation dealing with the Local Appointments Commission. The Bill proposes to create two new bodies, the Commission for Public Service Appointments and the Public Appointments Service. The Commission for Public Service Appointments will become the sole regulator for public service recruitment. It will set standards for recruitment to the Civil Service and public service and will monitor compliance with those standards.

In accordance with the policy of devolution of authority, public service bodies regulated by the commission will be allowed to undertake their own recruitment. This is a departure from the present system applying to the Civil Service and the Garda Síochána, both of which are now obliged to recruit through the Civil Service Commission. It will be a matter for the Garda Commissioner and the Secretary General of each Department to decide whether to avail of the opportunity to apply for a licence to recruit. If they decide to apply for a licence they will be able to recruit directly from the labour market without the requirement to use the centralised recruitment agency as an intermediary while following the standards laid down by the commission. How-



[Mr. Parlon.]

ever, if they decide to continue to use the service of a centralised agency, that option will continue to be available.

The commission for public service appointments will license public service bodies to recruit, according to clear codes of practice, on their own behalf or with the assistance of private sector recruitment agencies specifically approved by the commission. The commission will have the authority to alter or revoke a licence or to issue directions to a licence holder. These arrangements are designed to maintain the probity of the recruitment process.

The Bill also provides for the establishment of the public appointments service as the centralised recruitment body for the public service. The professionalism and expertise in public service recruitment that has been developed within the Office of the Civil Service and Local Appointments Commissioners will now reside within the public appointments service. This body will continue to play a critical and vital role in the future of public sector recruitment and in future development of human resources management across the public sector.

The Bill is arranged in eight Parts and contains two Schedules. Part 1 provides for the dissolution of the Civil Service Commissioners and the Local Appointments Commissioners. It also allows the Minister for Finance to appoint a day on which the commission for public service appointments and the public appointments service will come into being and determines which public service appointments are covered by the legislation.

The Department of Finance and the Civil Service Commission are meeting to plan and implement the establishment of the commission for public service appointments and the public appointments service. The new bodies will share the financial and staffing resources which are allocated to the Civil Service Commission. A director will be appointed to head the office of the commission. An adequate number of staff of the Civil Service Commission will be seconded to the commission for public service appointments to set that body on a firm foundation, although the commission may opt to appoint its own staff in the long term. The remainder of the staff of the Civil Service Commission will be transferred to the public appointments service. It is intended that arrangements will be in place to allow the Minister for Finance to establish the new bodies by early summer 2004.

On establishment day, appointments to the Garda Síochána, to most positions in the Civil Service, and to certain managerial, professional and technical posts in local authorities, health boards and vocational education committees will be covered. Section 6 permits the Minister for Finance to make orders extending the application of the Bill beyond these appointments. However, certain appointments are excluded from the scope of the legislation and the Minister cannot make an order bringing them within the remit of

the Bill. These include appointments made by the Government or the President and appointments to posts established under the Constitution. A number of other appointments are excluded, but the Minister may make orders bringing them within the remit. It is the Minister's intention to ensure that, in time, the overwhelming majority of public service posts will be subject to the system of regulation established by the Bill.

There have been comments that the Government is using the Bill to take power to appoint its own advisers to pensionable posts in the Civil Service. The Minister for Finance said this week:

The Government is not taking any power to appoint its advisers to pensionable Civil Service posts. There is nothing unusual in what the legislation intends, and there will continue to be a bar on appointments of the kind mentioned.

The Minister further explained that section 19(5) of the Ethics in Public Office Act 1995 states that appointments of special advisers to established permanent and pensionable posts in the Civil Service cannot be made using section 13 of the Civil Service Commissioners Act 1956. I am sure that the House will recognise that, as the new Bill repeals the entire 1956 Act, to reform the recruitment system, it is necessary to make new provisions to secure the continuing prohibition on the appointment of special advisers to permanent posts.

**Ms Burton:** There are no new provisions. There is a code of practice but no new provisions.

**An Ceann Comhairle:** Allow the Minister of State to continue without interruption.

**Mr. Parlon:** I have already outlined the main provisions of the commission for public service appointments and these are set out in Part 2. Between three and nine persons may be appointed as commissioners. The Ceann Comhairle, the Secretary General to the Government and the Secretary General with responsibility for public service management and development in the Department of Finance will be commissioners, *ex-officio*. Other commissioners, who will be appointed by the Government, will serve for a renewable period of up to five years.

The commission will establish standards of probity, merit, equity and fairness to govern the recruitment and selection of appointees and will publish them as codes of practice. It will grant recruitment licences and can also issue instructions to licence holders and revoke licences, where appropriate. The commission will report to the Oireachtas every year. The commission will prepare and publish codes of practice which will set out the principles to be observed by licence holders in recruitment to the public service. Each code will include instructions on probity and fairness, the need to ensure that candidates are selected on the basis of merit, the protection of the

public interest, the implementation of best practice and the general procedures to be adopted to deal with grievances and complaints brought forward by candidates. The commission may consolidate, revoke or amend a code as it sees fit.

Except in the case of the public appointments service, which will hold a recruitment licence on the establishment day, recruitment licences will be granted for the conduct of recruitment processes only where codes of practice for the posts concerned have been published. This will ensure that all recruitment processes are governed by codes of practice approved by the commission. Candidates will be selected for appointment in the order of merit as determined by the recruitment process. As an additional safeguard, there is a provision in this Part that requires persons who have knowledge that there has been an attempt to influence a recruitment process to inform the commission. While this Part gives the commission responsibility for setting and safeguarding standards of probity in recruitment, it also provides them with the powers necessary to enforce standards.

The commission may investigate the exercise of recruitment functions by any licence holder or recruitment agency. Licence holders, recruitment agencies and any other person who may have information which is materially relevant to the exercise of functions under the Bill must co-operate with an investigation. It will be an offence to obstruct an investigation and a person found guilty of such an offence will be liable to summary conviction to a fine not exceeding €3,000 or to imprisonment for a term not exceeding two years or to both.

Taken together, these responsibilities and powers will ensure that the high standards of probity which have been the hallmark of the Civil Service Commissioners and the Local Appointments Commissioners will also characterise recruitment under a licence issued by the commission for public service appointments. Probity is essential as it is not the Government's intention to introduce flexibility at the cost of lowering of standards and undermining public confidence. The Government is satisfied that the Bill strengthens and protects the high standards that have been established in this area.

The number of recruitment agencies has increased greatly. These agencies operate to a high standard and have a great deal to offer public sector organisations in carrying out recruitment. The Government wants to give public sector bodies the opportunity to draw on this expertise in identifying and selecting the best people for a specific job. Accordingly, provision is being made in the Bill for licence holders to receive assistance from these professional agencies. To maintain the probity of the recruitment system, responsibility for recruitment will remain with the public service licence holder. While a licence holder will be able to enlist the assistance of approved recruitment agencies, it will remain the licence holder's duty to ensure that the recruitment agency com-

plies with the conditions of the recruitment licence issued by the commission.

Part 3 deals with the public appointments service. This will be independent in the exercise of its functions, which will include acting as the centralised recruitment, assessment and selection body for the Civil Service and public service bodies where it is requested to do so; ensuring that the Commission's codes of practice are followed in the recruitment process; undertaking other selection competitions, including promotion competitions and competitions to posts in organisations outside the Civil Service, where requested by the relevant Minister; and providing expert services on recruitment, assessment and selection matters.

The board of the public appointments service will consist of a chairperson, its chief executive and seven ordinary members. The board's functions will include considering and approving plans and strategic objectives put forward by the chief executive, monitoring the public appointments service in the exercise of its functions, and ensuring that appropriate review procedures are put in place for recruitment and promotion procedures. Throughout the Bill, the Government is determined to uphold the probity of the system. It is a requirement that the board members must not participate in political activity. This is essential to ensure that there will be no suspicion of interference in the work of the public appointments service.

Part 4 sets out the provisions relating to recruitment licences. The commission will consider applications for recruitment licences from the chief executive of any public service body within the remit of the commission. Recruitment licences may be granted for specific positions. Each licence will also include the terms and conditions upon which it is held. Licence holders may delegate all or part of the task of recruitment to the public appointments service. In those circumstances, the chief executive of the public appointments service rather than the licence holder will be responsible for adherence to the terms of the licence.

The commission may issue instructions and advice to licence holders in situations where it forms the view that an aspect of the recruitment process has been or is likely to be compromised. The commission may amend a licence and may revoke a licence if necessary. Where it is deemed necessary to revoke a licence and a recruitment process is already in train, the commission will have the power to make transitional arrangements.

Part 5 sets out the obligations applying to candidates in respect of recruitment and selection procedures. Candidates taking part in competitions within the civil and public service also have important obligations which the Government wants to set down in statute.

This part of the Bill prohibits, in any recruitment, selection or promotion competition within the public service, the provision of false information, canvassing or bribery, personation and inter-

[Mr. Parlon.]

ference with the competition in any way. A person engaging in any of these activities is guilty of an offence. Where a person has been found guilty of the offence, and was or is a candidate at a competition, he or she will be disqualified as a candidate. If he or she has been appointed, he or she will forfeit that appointment.

Part 6 deals with selection for promotion and provides that the Minister for Finance, following consultation with any relevant Ministers, may request the PAS to hold promotion competitions for civil servants or other public servants.

Part 7 sets out the powers and responsibilities of the Minister for Finance and other Ministers regarding recruitment and selection. Part 8 contains technical provisions dealing with transitional arrangements, repeals of legislation and consequential amendments of legislation.

Anything commenced but not completed before the establishment day by the Civil Service commissioners and the local appointments commissioners may be carried on and completed after that day by the PAS, if it relates to the conduct of a competition, or by the commission in all other cases.

Schedule 1 lists a number of scheduled occupations. Recruitment to these occupations is outside the remit of the Bill, although the Minister may make an order bringing them within its remit at some future point. Schedule 2 sets out consequential repeals, revocations and amendments to Acts and statutory instruments.

As I said at the outset, this Bill introduces important reforms in a key area of the civil and public service. The way recruitment is managed in any organisation can affect every aspect of that organisation's work. It can affect the way its customers see it and it will affect the way in which its employees work. The whole culture of the organisation can be shaped positively if the recruitment process is handled properly.

I am sure the House will agree that this is particularly relevant to public sector organisations. The civil and public service is there both to advise the Government and to implement its policies on behalf of the community. Public sector recruitment must continue to be open and fair. All members of the community who apply for a post in the public service must believe that their applications will be treated impartially. If this were ever to change, the effect on our public service would be very serious. It would alter the way our public and political institutions operate and change the nature of Irish public life for the worse. The Government is determined to reform the recruitment system, but it will not undermine the trust and confidence which the public has in public service recruitment.

At the same time, the civil and public service must be in a position to recruit the staff it needs quickly and efficiently. In particular, the service needs to be able to compete with the private sector to select its staff from among the best available people. Without the ability to act in this way,

the quality of service available to the public will suffer.

The Public Service Management (Recruitment and Appointments) Bill meets these requirements. The measures will provide the public service with the recruitment mechanisms it needs in a changing, modern economy while maintaining the fairness and probity of the public service recruitment system. I commend the Bill to the House.

**Mr. R. Bruton:** It was interesting that the Minister introduced this measure as an important support to the decision the Government has made to introduce decentralisation. I want to make some comments on that aspect at the outset.

This Government has developed a cock-sure confidence in its own invincibility in recent times and we saw the highest watermark of that fact just before the election when the Taoiseach promised that hospital waiting lists would be ended within two years. That did not and will not happen, and the Ceann Comhairle is better placed than most to know that. People might ask if that was a lie. I do not believe so but it does tell us something about the extent to which the Government has become detached from reality in its decision making process and the recommendations it makes for policy change.

Although the Minister of State, Deputy Parlon, had no hand, act or part in it he appears to be very enthusiastic about this decision to transfer one third of the centralised Civil Service or major Government controlled executive agencies to 53 locations throughout the country. How would we expect a decision like that to be taken in a modern democracy that valued transparency and accountability? Would we not have expected to see a strategic policy statement indicating the strength and weaknesses of this change, the possible threats it might pose to the delivery of quality services and the opportunities it offered in terms of regional strategy? Would we not have expected to see some sort of coherent policy statement, founded on proper principles, which would have evaluated the risks and opportunities, followed by a coherent policy based on those evaluations? However, that is not what we saw.

This measure was produced like a rabbit out of a hat at a time when the Government was introducing a budget which offered little to the public. It was a good opportunity to create something of a smoke-screen around the budget but that is of minor importance. People can forget about the smoke-screen around the budget. It does not matter much. It is a passing issue, but what we are left with in respect of this decision is something we will have to live with forever.

The Ministers are asking us to make a simple act of faith. They are saying they have looked into their hearts and they know what is best for the country. It is the duty of this House not to accept such acts of faith but to put such decisions under serious scrutiny. However, what we are seeing

from the Government is a complete refusal to put decentralisation under any such scrutiny. There will be no Second Stage or Committee Stage debates and no serious strategic papers presented to allow us evaluate these issues. Instead, the Government is pushing ahead with the measure.

Every day we see more clearly how flawed the decision making process has been. For example, and this was identified quite early, only one quarter of the jobs proposed for decentralisation would go to hubs—

**An Ceann Comhairle:** Deputy Bruton, I am reluctant to intervene but a passing reference to decentralisation was in order as the Minister of State raised it.

**Mr. R. Bruton:** Absolutely.

**An Ceann Comhairle:** We have now gone on to debate decentralisation as an issue in its own right.

**Mr. R. Bruton:** I beg to differ, a Ceann Comhairle.

**An Ceann Comhairle:** We are discussing the Public Service Management (Recruitment and Appointments) Bill 2003.

**Mr. R. Bruton:** Absolutely, and if this is to be—

**An Ceann Comhairle:** I ask the Deputy to speak to the Bill.

**Mr. R. Bruton:** This is a Second Stage debate about the principle of this Bill—

**An Ceann Comhairle:** The principle of the Public Service Management (Recruitment and Appointments) Bill.

**Mr. R. Bruton:**—which is to support decentralisation. We have an opportunity in this House to question whether the foundations of the Bill are well-founded.

**An Ceann Comhairle:** The Minister of State made a reference to decentralisation. Deputy Bruton is entitled to do the same but not to debate decentralisation as an issue in itself.

**Mr. R. Bruton:** I will not debate decentralisation as an issue in itself but the Minister of State has indicated that the public service management legislation—

**Ms Burton:** On a point of information and to be helpful to Deputy Bruton, the decentralisation programme is specifically referred to in the explanatory memorandum.

**An Ceann Comhairle:** We have already discussed that.

**Ms Burton:** It is specifically referred to both in the Minister's press release and in the explanatory memorandum as being a core element in the reasoning behind this Bill.

**An Ceann Comhairle:** It is appropriate to discuss the relationship between decentralisation

and this Bill but to discuss decentralisation as an issue in itself is not appropriate on Second Stage.

**Mr. R. Bruton:** I would like to continue, hopefully uninterrupted. I would like to make the point—

**An Ceann Comhairle:** The Chair never interrupts, Deputy. The Chair intervenes.

**Mr. R. Bruton:** We are told the public service unions have been consulted about this legislation which is key to the implementation of decentralisation. Nonetheless, we have also heard from the same public service unions the Minister said he has consulted and obtained their agreement, that they have serious misgivings about the way in which this Bill will be used to drive forward decentralisation. We know there is not a high level of support for moving in the particular offices. We know also that the Government did not evaluate the view of public servants affected by—

**Mr. Parlon:** From where does the Deputy know that?

**Mr. R. Bruton:** From surveys in the Department of Enterprise, Trade and Employment and from the Association of Higher Civil Servants. It is becoming clear that the Government carried out no such survey. If the foundation of this Bill was based on a strategic evaluation of the way the changes would impact, we would have expected the Government to carry out such a survey. However, no such survey was carried out. When some of the public service unions raised issues of concern in this respect, the Minister of State's party leader had the truculence to say it is the Government who governs and the Civil Service who must obey. The public service is not a plaything of the Minister of State's party, the Tánaiste or the Government. It is an institution that has served us well. It is not to be used frivolously to serve the short-term political interests of any party. It is important that we hear the views of public servants.

Prior to introducing the Bill, did the Minister of State carry out an evaluation of the risks attendant on using the new powers it proposes to provide that there will be local recruitment in the various decentralised offices of staff to these bodies? Has he carried out a risk assessment of that? Has he heard from the accounting officers in the departments involved as to how they have evaluated the impacts and risks to their bodies of the change that is occurring, including the fragmentation of their operations?

Past experience informs us that to transfer one job in the public service by decentralisation requires at least three movements of staff elsewhere in the public service. We are talking about 30,000 people being moved around like pawns on a chess board to facilitate this decision. I wonder how the Bill will handle such an impact on the coherence of government within those organisations to which such staff will be recruited.

2 o'clock

**Mr. Parlon:** The Deputy's colleagues have been calling for decentralisation for the past 12 months and insisting that it happens soon.

**Mr. R. Bruton:** I will yield to the Minister of State if he is seeking to make a comment. He is not seeking to do so but merely to interrupt.

**Mr. Parlon:** The Deputy asked me a direct question.

**An Ceann Comhairle:** Allow Deputy Bruton to continue without interruption.

**Mr. R. Bruton:** These are not frivolous issues. Recently the Comptroller and Auditor General drew our attention to the role of an accounting officer, which is not the same as that of a Secretary General, as the Ceann Comhairle is aware. An accounting officer has a separate role. One aspect of that role is to evaluate the risk to his or her organisation of the major changes envisaged. Where an accounting officer evaluates such change and finds that the impact of it on his or her organisation is serious and may have damaging effects, he or she is obliged to make recommendations to the Minister concerned. If the Minister does not act on those, the accounting officer is obliged to report that to the Comptroller and Auditor General. These are not light matters but measures put in place by the Oireachtas to try to protect the people from poor decision making by the Government of the day. They are to ensure that the accounting officer, who has a separate role of accountability to this House through the Comptroller and Auditor General, would not have his or her role in this regard trampled upon by the Minister concerned or the Government seeking to achieve certain ends without the risk assessment that must accompany them. I would like to hear from the Minister of State and from accounting officers how they have evaluated the impact of the implementation of decentralisation by way of this Bill on their operations.

I foresee chaos and vastly experienced teams being dismantled to try to reassemble them in new locations. I foresee officials with vast experience, say in fisheries, suddenly finding themselves dealing with prisons and officials with vast experience in education dealing with environmental protection. What will fall through the crevices? Will we find that very costly errors will be made, as happened in the past? The Ceann Comhairle will remember in the case of the EU Presidency when some 50 posts were temporarily moved in the Department of Justice, an issue regarding the resignation of a judge was mishandled because people who had been moved did not know exactly what needed to be done. How much greater will such errors be when 30,000 such movements are taking place, which is the likely impact of this measure? These are not frivolous issues that are being raised by public servants who have expressed concern. They are issues that need to be addressed in some way by this House. If the Minister of State does not accept that we can examine some of these issues by way of this Bill, how will

we get accountability from the Government for decisions that could have a dramatic impact on the way public service is delivered and managed?

Part of this Bill has come from the strategic management process and the document *Delivering Better Government*. The background to the Bill was originally the document *Delivering Better Government*. It was significant that when the high level group of public servants considered the issue of public service reform they rejected the Minister of State's proposals. It was surprising he did not advert to that fact. They said that we should not go down the route the Government proposes in respect of public service recruitment but that we should prioritise other issues. Such issues include the need for much more rapid delegation of responsibility down the line to line managers, much more performance oriented evaluation, reward related to performance within the public service and much better financial management systems put in place. It is not an accident that the review of the strategic management process recently completed for the Taoiseach indicates that progress on many of these issues has been extremely slow. Yet, the Government has not introduced proposals to accelerate these vital areas of reform in public service, but one that was rejected by what was in the document, *Delivering Better Government*, on the basis that the priority lay elsewhere. Is the Minister of State deciding to go for the softer option, the thing that is easy to do?

It is easy to produce a Bill and have it passed by the House, but it is much more difficult to bring in serious public service reform. Are we seeing a lazy approach to the public service reform agenda, with the Minister of State following the line of least resistance in respect of recruitment without thinking through and delivering the other changes? Many would say that one of the tragedies decentralisation will impose on public service reform is that so much energy will be put into shifting bodies and offices around the country that the appetite, ability and capacity of the public service to address issues such as performance management, the putting in place of proper financial management systems and the introduction of the modern human resource approaches that are needed, will be dissipated in chasing and organising the replacement—

**Mr. Parlon:** The Deputy underestimates them.

**Mr. R. Bruton:** I can yield to the Minister of State if he wishes to make a point. He keeps interrupting but will not accept the offer.

**An Ceann Comhairle:** The Minister of State will have an opportunity to speak at the conclusion of the debate.

**Mr. R. Bruton:** I am willing to give him the opportunity to speak if he wishes because I would like a serious dialogue on these issues.

The serious public service reform agenda, identified in the document *Delivering Better Government*, has, according to the document from PA

Consulting, not delivered much of what was hoped for. It has made progress but such progress has been slow in many important areas. In the most vital areas of performance, reward systems and delegating authority down the line to manage resources according to objectives, much of what was needed has not happened. One of the victims of the decentralisation decision will be the lack of progress in these areas. I would like the Minister of State to deal with that point.

Another issue that arises out of the Bill is cross-cutting policy. One of the most serious flaws in the way we have managed public service over the years is that Departments have operated in a pipe-like fashion, in that they do well within their own territory, but they have found it difficult to cope with cross-cutting issues such as dealing with children who present behavioural difficulties, an issue which crosses from health to education to the Garda Síochána to numerous different agencies. Two measures raise question marks over this area. Recruitment will be devolved to the managers in these rigidly defined line systems and there will be decentralisation, which creates a geographical separation.

Two decisions by the Government raise question marks over the capacity of Departments to create integrated responses to problems, the resolution of which require the addressing of multiple factors. As the Minister of State rightly said, we are facing increasing complexity in the kinds of problems with which the Government has to deal and increasingly they require cross-cutting responses from a range of Departments. However, the Government proposes two measures, one of which — decentralisation — will result in officials being further away from one another. There will also be separate recruitment, which will mean that staff recruited will not come from shared pools of experience. Rather, a manager will recruit to fill positions for specific roles that he or she has defined within his or her narrow range of competence. There are issues to be addressed in that area. I want to tease out with the Minister of State how this will work in delivering coherent responses to some of the difficult challenges we face. This is a matter of considerable concern.

The Bill is not necessarily a bad thing. It is enabling legislation which introduces desirable flexibilities if correctly used in appropriate circumstances. The Minister of State dealt at considerable length with the need for probity in recruitment, which will no doubt be secured. It was one of the achievements of our Government to introduce the notion that there would be no jobbery in the public service and that absence of jobbery has been a lasting, valuable aspect of the public service. This will be preserved in the new environment but there are other issues to be addressed in moving from what the literature calls "career-based public services" to "position-based public services" — we have had a career-based public service and the Minister is proposing a move towards a more position-based service. One would

not just have early entry points, with people creating a career as they moved between Departments within a centralised career structure.

The Minister is right in saying we need to think of changes to ensure we do not put round pegs in square holes, but we must also ensure the powers in the legislation are used productively. We do not want to see the public service peopled with technocrats who are good at making widgets. When widgets are no longer needed and we need to do something else, it would be very hard to move those people from the very specific tasks for which they were recruited. They would be permanent, pensionable workers who did not come through with generalist skills and the capacity to move from place to place. There are significant public policy issues here separate from the question of whether public servant X can deliver objective Y within the next two years. No doubt the Bill allows him or her to do so, but government is a job that goes on forever. We have to anticipate whether the Bill's powers will be used in inappropriate circumstances to create rigidity, narrow skills and an inability to cope with change. That should be teased out and the Minister should show how he will ensure the Bill does not result in that kind of approach.

That is why Delivering Better Government took the opposite view to what is being proposed, stating that it is important to retain the career structure but suggesting building flexibilities within that. It did not go for the changes which are now proposed. I know there were inflexibilities in the operation of the Civil Service Commission, such as the long delays in recruitment referred to by the Minister. People could have six months to decide whether they wanted to accept a job while an agency continued with no one in place. Could these problems have been overcome by policy changes within the existing structure or is it right to move to this new structure? Have those issues been resolved in the new structure? Many of these issues appear to be procedural matters such as bureaucratic drag, bad practice and inertia rather than legislative failure, which is the resolution on offer here. I see what the Minister is driving at but I want to be convinced that checks and balances are built into this Bill and that it will be supervised properly.

I would have been much happier with this proposal if we had seen a strong approach to delegating functions from the public service or if we saw managers trying to achieve objectives while being spenceled by something wrong with the recruitment practices. No such evidence has emerged. It is significant that the Bill, while it addresses entry and recruitment, is very ambivalent on promotion. If one is trying to create human resource managers who can respond flexibly to complex challenges, as the Minister described the purpose of the Bill, it is not just the recruitment of clerical officers or executive officers which matters. There is also the issue of promoting people and putting those with experience into positions of responsibility. That is what makes an organisation

[Mr. R. Bruton.]

dynamic and capable of delivering. We need open competition in that area but the Bill is remarkably silent on this, perhaps leaving it to some other day when orders may be introduced to deal with the issue.

We will not see transparency and openness introduced in many of the promotion competitions which are vital in putting experienced, skilled and focused people into positions. I would be more convinced if the Bill addressed not just early recruitment but promotion and a human resource management strategy which would deliver quality governance in complex areas. The Bill was not put in that context by the Minister of State in his speech, which gave us the nuts and bolts of the rolling out of the measure. That is not good enough because these decisions will be in place for a long time and will colour the way the public service operates for many years.

The issue of promotion is particularly important. I was surprised that only one third of posts for promotion are open to anyone in the public service. By and large posts for promotion are confined, for example, with only those in the Department of Education and Science going for promotion posts in that Department. Having just one third of posts open for competition seems a bizarre restriction on the talent of public servants. This has probably grown out of historic negotiations, and one of the changes suggested under Sustaining Progress is to expand that figure from one third to 50%. Why 50%? Why have any such restriction?

I was amazed to read of a restriction if one proposes to recruit from outside for positions at higher executive officer level and upwards. One can only recruit from outside to the extent that people have been poached from public service positions to the private sector. One cannot envisage a person coming from the private sector into the public sector at HEO level or upwards unless someone has been poached by the private sector for such a position in the previous year. What kind of sense does that make? The Bill supposedly addresses recruitment and promotion but there is no mention of these bizarre restrictions on a modern public service. It is difficult to understand why such restrictions should remain in place and the thought process behind them should be explained. We should have a proper human resource management strategy which states that we need to change those restrictions. I was surprised that we had to negotiate and make benchmarking payments to find that we would use a competitive merit-based system for promotion. Imagine having to negotiate to use such a system.

We have serious problems in human resources, which the Government has ducked. It has brought in this easy measure to open up initial recruitment into the public service, but teeming beneath are restrictions which prevent the many talented people in our public service from getting to positions where they can have the greatest im-

pact. Combining decentralisation with these powers creates the worry that this inward thinking, the notion that one does not look outside one's Department for recruitment, will be reinforced. If a Secretary General has recruited for a position in the Department of Arts, Sport and Tourism in Killarney, and posts have traditionally been filled internally, it will be much more difficult to believe the Secretary General will see the merit of looking to a talented person in the Department of Education and Science. Decentralisation runs the risk of reinforcing the anomalies that exist rather than flushing them out. I would like to see these being flushed out before moving on to a recruitment Bill.

The way in which the Government handled benchmarking was a tragedy. While the benchmarking commission called for €1.3 billion to be paid in benchmarking arrangements, it argued that approximately €900 million of this should be conditional on an agenda to drive public service reform. The Government sat on its hands and did not put a reform agenda on the table. It did not drive any union beyond established positions in trying to buy reform. In this Bill the Government has proposed timid reforms for new recruits and does not address the serious issues that must be faced if we are to deliver better government.

A Bill such as this would make more sense if we had good systems of delegation, performance management and financial management in place and could see that recruitment difficulties were at the core of the issue. If this Bill addressed promotion as well as new recruits and swept away many of the artificial restrictions that prevent the public service achieving its potential, then I would be more persuaded that this would complement much of the good work being done in strategic management. I fear that this Bill, proposed as a key support structure for decentralisation, will drag the public service in the wrong direction.

This is not the fault of the Bill; it is the marriage of it to a decentralisation process that has not been properly thought out. The Government has not evaluated the threats of the process and its difficulties have not been troubleshoot with a view to finding resolutions before commitments were made. This is the tragedy of the approach we are taking to public service reform. Opportunities are being missed. Short-term political decisions are driving some of the thinking and the long-term consistent work is being compromised by this approach.

**Ms Burton:** The Labour Party has grave reservations about sections of this Bill, especially those relating to the appointment of special advisers and canvassing for public service appointments. The Ethics in Public Office Act 1995, initiated by the Labour Party in the rainbow Government, forbade the appointment of special advisers to permanent positions in the Civil Service. The Minister of State has confirmed that the new Bill proposes to repeal that section without explana-

tion from the Minister in the explanatory memorandum. The Bill provides that the newly established commission for public services appointments may allow special advisers to be appointed to established positions. This means that special advisers may be able to circumvent the rules on open, competitive recruitment to the public service, despite the claim made by the Minister of State.

The response by the Minister for Finance, Deputy McCreevy, to the Labour Party's criticism of the Bill is to say that the public interest will be protected by such appointments being governed by a code of practice to be approved by the new commissioners for public service appointments. The Minister of State, Deputy Parlon, reiterated this in his speech. This is a feeble substitute for a legislative bar on such appointments. The Labour Party will table an amendment to have the bar on the appointment of advisers clearly set out in the new Bill.

The statement from the Minister for Finance, published on the Department's website, states:

the public interest is protected in the new Bill by provisions which prevent the appointment of anybody to a permanent and pensionable position unless this is done by a selection process which has been approved by the independent Commissioners for Public Service Appointments and which has taken place under a code of practice issued and authorised by them.

A code of practice is a poor substitute for legislative certainty. Will the Minister of State inform us that, if section 19(5) of the Ethics in Public Office Act is to be deleted, why a similar, clear and unambiguous section repeating the bar has not been included in the new Bill? Codes of conduct should be omitted as they are variable. The Labour Party will demand a clear replacement ban barring the appointment by Ministers — as has happened in the past — of special advisers in the last days of Government to permanent, established positions in the Civil Service. The Minister of State has not answered the Labour Party's correct and justified qualms on this.

The Labour Party also seeks amendments to section 56 that provides for a statutory ban on canvassing for appointments. These are now, correctly, subject to criminal sanction. However, a breach of the ban on canvassing gives rise to criminal liability on the part of canvasser only. A Minister who was canvassed and acted on foot of such a communication to secure an appointment is not guilty of a criminal offence. My party will submit an amendment that makes the reception of such interference by a Minister a criminal offence. I want the Minister of State to give a clear commitment that this will be included in the Bill.

In the discussions on decentralisation, many Government Deputies commented on the number of communications they received from civil servants anxious to relocate to their constituencies. Deputies referred to this in the House and

also at the meetings of the Committee on Finance and the Public Service where they boasted about the quantity of correspondence. Any use of influence by politicians in public service appointments and relocations should be statutorily barred if we are to maintain the integrity of the public service recruitment process. The Government has been in office for seven years and I understand the all-powerful feeling that applies to its members. However, I am sure this is something the Government will live to regret in future.

The Government proposes to break up the centralised public service recruitment system that has served the State well since its foundation. While the Labour Party is anxious to support any changes that improve the delivery of public services, there are many questions that need answers to justify such a radical change of policy. This is especially true in the context of the Government's decision to decentralise 44 Departments and agencies throughout the State. The Bill proposes to dismantle the Civil Service Commission and the Local Appointments Commission and to replace them with the two new bodies, namely, the commission for public service appointments and the public appointments service. It will allow Secretaries General of Departments to acquire recruitment licences to recruit staff directly or to use private recruitment agencies who become licence holders under the Bill.

While the origin of the legislation appears to have been negotiated as part of Sustaining Progress, there has been no public debate otherwise on the merits or demerits of these radical changes in recruitment to the public service.

While the existing public service recruitment procedures can be seen to be slow and cumbersome in certain respects, especially at the height of the Celtic tiger, public confidence in the integrity of the public service recruitment process, whether to the permanent Civil Service or to agencies such as the Garda Síochána has been high. The Government is risking this reputation for integrity by the lack of debate and clarity on the proposed changes.

With the localisation of recruitment provided for in the new Bill, together with the decentralisation of 44 Departments and agencies throughout the State, there is a real fear that there could and will be excessive localisation of recruitment and the loss of a unified Civil Service career structure and appointments system which, for the most part, has served the State well since Independence. By relocating Departments and agencies throughout the country, the question arises as to whether a Department or agency based in counties Kerry or Mayo end up favouring local applicants for public service jobs. After the country gained its independence, the first Government introduced the Local Appointments Commission partly to cut out excessive canvassing by local politicians in favour of local candidates' appointments to local authorities.

Members will recall the awful competition in the aftermath of the decentralisation announce-



[Ms Burton.]

ment between the Minister for Foreign Affairs, Deputy Cowen, the Minister of State at the Department of Finance, Deputy Parlon, and the unfortunate Member on the Government side, Deputy Fleming, who are all representatives of the Laoighis-Offaly constituency, as to who was quickest in bringing home the bacon. The Minister considered himself the winner. The Minister of State, Deputy Parlon, had posters and leaflets welcoming civil servants to Parlon country. I want an assurance that the Bill will not facilitate a culture of local favouritism in appointments to Departments located outside Dublin. We need to be reassured where appointments to decentralised Departments are concerned that, where somebody from County Donegal applies to a Department in County Kerry or somebody from Dublin, where a third of the population now lives, applies for an appointment around the country, a culture of excessive localism will not develop in time.

**Mr. Parlon:** We will introduce some balance. It will not just be Dublin based.

**Ms Burton:** To my knowledge, civil servants have competed successfully in an open competition for appointment to the Civil Service, the Garda Síochána and other posts in Dublin and throughout the country. The parents of young people starting out on a career could be satisfied up to now that, having entered a competition for the Civil Service, appointments would be decided in order of merit under the aegis of the Civil Service Commission. If the system in Civil Service Commission and the Local Appointments Commission is not broken, why fix it? Confidence in public institutions has been all but destroyed because of corruption in certain areas in recent years. On this issue there has been insufficient consultation, thought and perhaps respect for the history of this State.

I wish to quote from Mary E. Daly's book, *The Buffer State: the Historical Roots of the Department of the Environment*. The Ceann Comhairle as a commissioner is probably familiar with this history. It recalls the appointment of the local appointments commissioners. I want to inform the House what happened and why public service and the local authority appointments were correctly taken away from the direct influence of politicians and Ministers. There was a good reason for it.

**Mr. Parlon:** There is no intention of doing anything differently.

**Ms Burton:** In her book Ms Daly states:

IRA veterans were not alone in expecting preference. If the Mulcahy papers are typical, every minister was bombarded with requests from friends and acquaintances, parish priests, reverend mothers or Christian Brothers seeking employment for relatives, neighbours or former pupils.

One of the correspondents, Jim Kennedy, town clerk of Nenagh referred to the widespread belief that one can always "pull the strings" in Ireland. That was in the 1920s.

I refer to the statement last year by Mr. Tom Geraghty, the general secretary of the Public Service Executive Union, on Civil Service reform in which he states:

In a society where pull and influence are second nature to the point where they can be described as part of what we are, the reputation for probity on the part of the commission, the Civil Service Commission and the Local Appointment Commissioners, has always stood as a bulwark against corrupting influences. These proposals could all be put at risk.

The Minister can respond to the Labour Party fears by introducing clear amendments and accepting from the Labour Party clear amendments to the proposed legislation that would put beyond doubt the capacity of Ministers to interfere in the appointments process. That is all that we ask, and I would have thought that, as a member of the Progressive Democrats, the Minister would have agreed with me.

The three-man boards of the Local Appointments Commission and the Civil Service Commission, run by the Ceann Comhairle, the Secretary General to the Government and the senior Secretary General from the Department of Finance — the lonesome threesome — have done their supervisory job well. It must be asked why both boards of three will be replaced by nine others on each board? I have heard no complaints that the three were inadequate to the job. The six extra appointees will have associated costs. Of the six, only half must show clear knowledge of the Civil Service. We will have two new boards, each with nine members, and leaving out the present three members of each board, we will have 12 new plum appointments to State boards.

The Minister could again divest the Bill of the odour of patronage and jobs for the boys by making these non-party political appointments and by taking the power from the Minister of appointment except by designation. I do not know the reason for nine commissioners on both the new boards. I have heard no complaints about the job done by the existing three. I would like an explanation on costs.

Money appears to be no object for the decentralisation proposals. Approximately two years ago, the Taoiseach presided over the opening of state-of-the-art new offices with dedicated interview rooms, conferencing facilities and so on for the Civil Service Commissioners in Abbey Street beside Jervis Street at a cost of €3 million to the Exchequer. It is not clear from the Bill if the new body will also be relocated to Youghal. What will happen to this purpose-built building, which also cost €3 million? Will it be like the relocation of the Legal Aid Board to Cahirciveen, where the 42 transfer appointments that arose as a con-

sequence could not be filled by transferees from Dublin? Additional people had to be appointed instead and the Legal Aid Board now has two headquarters, effectively. The staff who are entitled to remain in Dublin stay there, while the new people work from Cahirciveen. That has been done at a cost to local legal aid services in areas such as Blanchardstown, which is in my constituency, and I presume in other parts of the country where legal aid services, particularly for less well off members of the community, are urgently required. It appears there is no money for our hospitals but we seem to have money to burn for the additional cost of the new structure, including purpose-built offices at a cost of €3 million.

The Minister of State commented on recruitment agencies and the granting of licences. For a number of years, it has been the practice in the Civil Service — it is a practice that I endorse — for external consultants and experts to be members of interview boards where they have a special expertise to offer. In that way, interview boards are not simply confined to serving members of public services and local bodies. However, will the Minister of State spell out the terms and conditions under which private recruitment agencies will operate as recruiters for the public service? The Minister of State said in his speech that we now have many recruitment agencies in the country, and indeed we have. Some of them prospered to the point of making fortunes and then collapsed, while others carry on a good level of business.

I would like the Minister of State to spell out in detail under what criteria these recruitment agencies will operate. I am particularly anxious to know that. Some of these recruitment agencies might be influenced by American standards whereby, in recruiting for multinationals, candidates are effectively screened for what one might call not so much their party political compatibility to the company to which they are being recruited, but rather their overall political compatibility. In other words, somebody who might be deemed to be of a too radical or inquiring mindset might, in the general psychological profiling and screening used by such agencies, be cut out of the recruitment process.

Before Deputy John Bruton arrived I reminded the Minister of State, Deputy Parlon, of the work that was done by the first Government of the State in appointing the Civil Service Commission and the Local Appointments Commission.

**Mr. J. Bruton:** Hear, hear. It was Kevin O'Higgins.

**Ms Burton:** It was Kevin O'Higgins.

**Mr. J. Bruton:** He was from Laoighis-Offaly.

**Ms Burton:** I read out some of the correspondence according to which, at that time, every nun, priest and reverend mother in the country put in requests for people in their schools or towns to

be appointed. That process was removed from the political sphere, however. The Minister of State still has to convince us that in seeking to introduce changes which will provide for a better standard and streamlining of public service recruitment and will allow the best recruits to join the public service at the appropriate levels, all risk of interference by the political process, including the Minister of the day, will be removed from the public service recruitment process. It is perfectly acceptable to seek to introduce such changes, which have their genesis in the strategic management initiative, which was initiated about ten years ago.

**Mr. J. Bruton:** By our Government.

**Ms Burton:** It was endorsed by successive Governments. While it is entirely laudable to address that matter, we must ensure that all risk of political interference is removed, but the Bill does not do so. The Minister of State has not convinced us of that in his speech today, and neither has the Minister for Finance. In an era of tribunals, public confidence in the integrity of public institutions has become severely damaged. I share the view that the public service recruitment system is not broken but requires reform. However, if it is not broken, why replace it without any detailed debate by new structures that do not offer, in my party's view, guarantees against political interference?

The Minister of State flew the flag to welcome his civil servants to Parlon country. However, if and when decentralisation becomes established ten or 20 years down the road, and Civil Service recruitment has been broken up among 44 agencies, what will happen to the unified Civil Service? In addition, promotions across a dispersed and localised Civil Service will be much more difficult. There is also the question that if a Department is based in Kerry, what will happen to candidates who apply from other parts of the country? How can we ensure that they will get a fair crack of the whip? It has become fashionable for Fianna Fáil and the Progressive Democrats to claim that decentralisation is part of balancing the scales as against Dublin. The fact that the Civil Service is based in Dublin has never barred people around the country from joining it. We are entitled to ask, however, if excessive localisation and the break up of the existing Civil Service recruitment structure will produce a culture of localisation.

Deputy Richard Bruton alluded to the fact that this deal was stuck, and the Bill arises, as part of the negotiations for Sustaining Progress. As I understand it, several problems were identified in those negotiations. At the height of the Celtic tiger period, people left the Civil Service and it was difficult to stage Civil Service recruitment drives and get enough people to take on the jobs available through competition. There were several reasons for that. The private sector was roaring ahead but also public servants were being considerably underpaid compared to their private sector

[Ms Burton.] counterparts by factors of up to 20%, particularly in areas such as information technology.

There has also been a desire on the part of Secretaries General of a number of Departments to have the power to hire and fire. The Bill adopts the terms of the Unfair Dismissals Act for the public service, rather than the previous situation whereby a civil servant effectively had to be dismissed by the Cabinet. I would welcome the application of the Unfair Dismissals Act to the Civil Service code. However, in attempting to introduce such elements of reform, which the Labour Party supports, the Minister of State must also ensure that the Bill is not contaminated or tainted by suggestions that, in different ways, Ministers and other politicians will be able to exercise undue influence.

I wish to raise another query, which perhaps the Minister of State will answer. My understanding is that the regulations relating to part-time working will also apply to the Civil Service, as a consequence of the Bill. The legal interpretation I have received is that with the application of general employment regulations to the public service, various elements of regulations and legislation regarding part-time work will apply to the public service.

Currently, there is a capacity, particularly within local authorities, to appoint people to temporary and part-time positions. This applies, for instance, to students during the summer holidays. In many parts of the country, they are normally not subject to open competition recruitment. The provisions of legislation governing part-time work apply in colleges, for instance, where part-time or temporary work contracts are concluded by way of a public appointment structure. If people work on a part-time or temporary basis for a sufficient period, under evolving EU legislation they accumulate full-time rights. Considering how general employment legislation will apply to public servants, including local authorities, will the Minister ask his civil servants the position regarding people who get temporary appointments through limited or no competition, for example summer jobs, in their local authority? Unless the situation is regularised and the position regarding temporary recruitment is clarified, it could be a back door to a permanent position in the Civil Service.

The Government appoints working groups, committees, etc., on any and every matter. This fundamental change in how matters have operated in the State since the time of Kevin O'Higgins is amazing. This House has had no opportunity to discuss these changes. I suggest that the particular process suggested in this Bill should be agreed between all parties in the House so that public confidence in the probity and integrity of recruitment can be retained and maintained.

**Mr. J. Bruton:** Hear, hear.

**Ms Burton:** This is critical. I am prepared to give an undertaking on that on behalf of the Labour Party.

This Bill arose from the process involved in Sustaining Progress. The parties involved in that agreement are all batting for their own corner — the Government, the Civil Service unions, employers, farmers, etc. Doing a deal on something as fundamental to the State as public service recruitment through the mechanism of Sustaining Progress is not the same as having a proper and full public debate and discussion, followed by all-party agreement. This would maintain the probity and integrity of our public recruitment system rather than having people feel it is tarnished by jobs for the boys and an inside track for certain political parties and Ministers.

**Mr. Boyle:** I wish to share time with Deputies Ó Caoláin and Joe Higgins.

**An Ceann Comhairle:** Is that agreed? Agreed.

**Mr. Boyle:** In this mock sitting of the Dáil where the business of the Dáil was ordered before the recess, the Government is determined that three hours is sufficient time to debate a Bill of this type. The issue of public appointments deserves a more wide-ranging debate. It is particularly disappointing that section 7 of this Bill precludes any —

**An Ceann Comhairle:** Discussion of the Bill will adjourn this afternoon. It will not conclude.

**Mr. Boyle:** I appreciate that. However, I protest at the manner in which it has been put in at a time when we are not having ordinary business of the Dáil.

There is a need for a more wide-ranging debate on public appointments. Section 7 of the Bill specifically precludes Government appointments. If we are interested in bringing about public confidence in the area of public appointments and to areas of public life outside of civil servants, local government, agencies such as the Garda, health boards and VECs, we need to tackle the issue of political appointments. The Green Party has called for a public appointments commission for several years. If we are to have that, we must have a procedure whereby candidates can be nominated, adequately assessed and appointed by a process in which everyone can have confidence.

Appointments to many State agencies are a mismatch and are direct political appointments. We have those civil servants who are chosen because of the Civil Service culture not to challenge Government decisions and we have those in the social partnership system who have direct appointment rights to such bodies. Some bodies seem to have more direct rights than others and interest groups are not represented at all. For example, in the planning and environmental protection areas, no environmental pressure or campaign groups are represented yet there is constant representation by groups such as IBEC.

We do not have a system whereby candidates can be nominated by a wide variety of sources, including other political and Opposition parties, to go before an independent agency to have their

credentials assessed and to be directly appointed. They do not even come before the committee system in this House, as we see in other parliaments which examine the membership of such public bodies. As a result of our appointment procedures we get flawed decisions. We had an example of such a flawed decision with An Bord Pleanála's decision in my constituency last week. An Bord Pleanála is an agency appointed in the manner about which I have spoken. Its members are direct political appointments, members from the Civil Service, local government and IBEC as a social partner. It has no representative of community interests or environmental groups.

We also have the compromising of independent action from standalone agencies because of the method of appointment to such groups. An Bord Pleanála is meant to be a standalone agency, yet decisions are made not on planning grounds but on the nature of Government policy at a given time. What is the point, therefore, of having a Government standalone agency?

If the Government was proposing to introduce a technical measure to bring in a new all-embracing body, it might be welcome. Instead of putting in place systems which will work — I feel the Civil Service Commission works better than the Local Appointments Commission — the two new bodies will create confusion rather than clarity in the area of public service recruitment. The commission for public service appointments proposed by the Government seems to be a type of appointments regulator. The Government has developed a mania in recent years for standalone agencies rather than the direct work agencies to which we have been used.

Secretaries General of Departments now have an option of either going through the public appointments service or of getting a licence to make their own appointments. There is no adequate explanation in the Bill as to the reason the Government wants to do this. If it is a development of the strategic management initiative, this has not been spelled out in the Bill. If the Government intends to bring more able, creative and independent-thinking people into the Civil Service, I cannot see how it will be done through this procedure. This procedure allows either a *laissez-faire* or standardised approach to public service recruitment. Perhaps, because we have a coalition Government, it does not know what it wants. It is promoting a Bill which is putting forward two different approaches with regard to political appointments.

Despite what other Deputies have said, I agree the Local Appointments Commission is in need of reform. As someone who has been involved in local government for over 12 years, I have often found frustrating the mechanism by which people have been appointed. There have been problems with interview procedures where people being appointed in Cork, for example, had to be interviewed by people from Donegal and Monaghan and people from Kerry and Tipperary had to do

the interviews for people from County Cavan. I would like to see an end to this type of practice.

The range of local government legislation we have seen introduced in recent years which allows people appointed through the Local Appointments Commission to write their own job specification is a major flaw in the legislation. The Government should have addressed this issue in this Bill or shown some indication of wanting to address the issue. In Cork City Council, for example, I know of an incoming city manager who, before he even took up his position, asked the council to oblige him with the right to decide whether he could extend his seven-year contract. That request was acceded to. That type of practice regarding contracts offered to public servants demonstrates the need for reform in this area. What the Government suggests is not reform but just a shuffling of the deckchairs.

What is the Government policy with regard to reform in the area of Government appointments. Does the Government intend to continue with political patronage or has it any proposals to fit in with a new commission of public appointments which will take all public appointments into account? Will it carry on regardless and appoint party political people on the basis of services given to political parties, thereby diminishing the agencies to which they are appointed by not taking proper account of their skills and abilities and subsequently watering down any decisions those bodies are likely to make? How does the Minister of State envisage the two new bodies will fit in with his proposals for what I must insist on calling his "office relocation programme"? I have seen no decentralisation proposals from the Government.

**Mr. J. Bruton:** It has centralised the health service, not decentralised it.

**Mr. Boyle:** That is one area in which the concept has been seen. Decentralisation or centralisation relates to the decision-making process. We will continue to have centralised decision-making bodies in Departments wherever they are located around the country.

The difficulties inherent in the Government's rash attempt to move offices have been pointed out by many and are being confirmed by the week. They have been further cited by Civil Service unions. They underline a culture in the Civil Service which this Bill could have addressed but does not. Since the inception of the State, the Government has believed in the concept of generalism among civil servants. It is held not to matter whether a civil servant works in one Department or another or that a Department is relocated from Dublin to another part of the country as long as a certain number of people are available to staff the new office. My experience as a member of the Committee of Public Accounts is that even the limited practice of office relocation has involved the loss of moneys to the State due to the poor management of change. Costs have been

3 o'clock

[Mr. Boyle.]

incurred due to the loss of specialisms within Departments and the difficulties of finding people to make up the numbers between the new centralised location and the old centralised location. As a result, the committee has had to deal with the consequences of ill thought out policies. I fear policies will continue to be ill thought out in the future. I hope the Committee of Public Accounts will not see the same things happen in Laoighis-Offaly in a year or two. They have happened in several Departments already. The manner in which the Government is handling this issue does not inspire much confidence.

This Bill represents a missed opportunity. There is scope for real reform in public service recruitment and this legislation should have embraced public appointments generally to lay waste finally to political patronage. The opportunity should have been taken to instil full public confidence in the process. Instead, the Government has chosen to travel a more narrow road by rationalising two bodies only to replace them with two others. This will further confuse rather than clarify the system. Rather than attempt to amend a Bill of this nature, we should seek to introduce more focused legislation.

**Caoimhghín Ó Caoláin:** The explanatory memorandum to this Bill states that the new flexibilities it contains will support the Government in its decentralisation programme. How exactly the legislation will help is not clear, but that the Government needs help is an undoubted fact. Since the announcement of decentralisation in the Minister for Finance's Budget Statement, the proposed programme has been slowly unravelling. There was an initial expression of surprise from the Civil Service unions which highlighted the poor quality of the Government's communication with civil servants on decentralisation. The programme has huge personal implications not only for individual civil servants but, indeed, for their families. We are not talking about just over 10,000 people, but perhaps 50,000 people who will be, I hope, voluntarily displaced.

We have heard that a previously agreed Teagasc decentralisation was postponed because it was superseded by the Government's new plans. The real reason for the postponement became apparent when it was learned that Teagasc staff had reached a preliminary agreement with the Department of Finance and the Department of Agriculture and Food for an average once-off payment of €6,000 for those who opted to relocate outside Dublin. Will the Minister clarify if it is the Government's intention to renege on this agreement and to stop the Teagasc decentralisation lest the payment lead to knock-on claims from other decentralised civil servants? The unions are justifiably angry at this development. They have pointed out that the agreement was self-financing from the restructuring plan.

A survey in the Department of Enterprise, Trade and Employment showed that only 69 of

503 respondents were interested in taking up any of the 250 positions to be relocated to Carlow. As the Minister of State, Deputy Parlon, is a man of some noted song and other entertaining values, I suggest he teaches his party leader, the Tánaiste, the words of the song "Follow me up to Carlow". It might come in useful in this proposition.

**Mr. Parlon:** Cavan did not manage too well either.

**Caoimhghín Ó Caoláin:** I am sure the Minister of State will manage well, with a pint in both hands perhaps.

**Mr. Parlon:** I would not set too much store on polls.

**Caoimhghín Ó Caoláin:** Yesterday, we learned that the Department of Justice, Equality and Law Reform advertised for the post of assistant secretary as follows: "The person appointed must be willing to accept liability to transfer to any location that may be designated for the Department." It sounds like the terms and conditions of my employment in the bank where I worked at one time, where a similar arrangement was in place and one could be moved anywhere at the drop of a hat.

**Mr. Parlon:** It happens in most companies.

**Caoimhghín Ó Caoláin:** As it relates to the Department of Justice, Equality and Law Reform, the matter has caused huge concern among civil servants. It raises a question mark over the claim that decentralisation will be voluntary in nature. It raises a real question about future recruitment practice. The question must be posed whether all such posts in future will be advertised without mention of a specific location for employment. That is a very important matter.

This all adds up to a right mess which is solely of the Government's making. It cast doubt over a decentralisation programme which should be beneficial to civil servants and to every one of the host communities and their wider hinterlands. Having promised decentralisation since the 1999 budget, the Government has brought its programme forward in a hamfisted way with an eye not to possible delivery but only in the context of the upcoming elections in June.

I am anxious to hear how the Bill will aid the decentralisation programme. I look forward to hearing the Minister explaining this in more detail. The Bill arises partly out of the Sustaining Progress agreement. It seeks to reform the system of recruitment to the public service. It introduces significant changes and raises a number of questions and issues which I wish to address briefly. Perhaps these matters have been addressed and clarified in the process of negotiating the Sustaining Progress agreement, but such is the nature of that process as operated by the Government that we, the elected representatives of the Oireachtas, know absolutely nothing about it. We are effectively excluded. We do not have the benefit of the direct dialogue between the Government

and unions on this matter. This is especially regrettable in the context of this legislation which concerns those employed directly by the State on behalf of the people whom we represent.

It should be said that, by and large, we have a very commendable Civil Service. It is staffed by dedicated people and has rightly — I emphasise rightly — earned praise for the impartiality and fairness with which it carries out its functions. Contrary to the lingering myth of a highly paid job for life, the lower grades in the Civil Service are staffed by some of the worst paid workers in the State. That is a disgrace and it should be rectified. If it is not rectified, the new recruitment structures set up by this Bill will find it extremely difficult to attract people to Civil Service jobs that pay far less than equivalent positions within the private sector.

Corruption in the recruitment of civil servants, especially at local level, is a problem in many countries and was once a major problem here. We should be extremely careful, therefore, about making changes to a system which, it is generally agreed, has served us well and ensured fairness in appointments and in delivery of service. I am conscious of exceptions over the years and questions that could be raised about that statement.

**Mr. J. Bruton:** When was that a problem here? Corruption was never a problem at any time.

**Caoimhghín Ó Caoláin:** I wish, without the interruption of the back bench Member from the Fine Gael Party—

**Mr. J. Bruton:** Will the Deputy yield?

**Caoimhghín Ó Caoláin:** I certainly will not yield to Deputy Bruton who has made a career of interrupting when this Deputy is speaking. My main concern about the Bill—

**Mr. J. Bruton:** The Deputy is inaccurate in what he is saying about the Irish Civil Service.

**Caoimhghín Ó Caoláin:** Get on to Washington and be done with it. My main concern about the Bill is the role it gives private sector recruitment agencies in the process of Civil Service recruitment. They will, of course, act under the conditions and codes of practice drawn up by the new commission for public service appointments. Departments and other branches of the public service will have the option of using private recruitment agencies or the new public appointments service. However, I wonder if all the potential problems of such a procedure have been fully examined. Will these private firms be as fully accountable and transparent as the existing structures for appointments? I hope the Minister of State will elaborate in his summing up and on Committee Stage.

The Bill provides that the Minister can exempt certain categories from this Bill, and Government appointees to boards, etc., are automatically exempt. I have repeatedly argued for a fair and proper system of appointment for such positions. I regret that the opportunity of this Bill was not

used to put one in place. This Bill comes at a time when the Government has frozen public service recruitment and when many branches of the public service are understaffed and unable to properly fulfil their functions. This is especially so at local government level. The public is rightly more concerned with the delivery or, in many cases, the non-delivery of the services they need than with the nuts and bolts of how appointments are made.

Another concern I have is the need to include in this legislation in some way the requirements for affirmative action, for example, with regard to the hiring of people with a disability. There are no affirmative action measures incorporated in this Bill. That is a particular failing, particularly as today the Taoiseach is engaging in a back-slapping exercise on the European Year of People with Disabilities. Again, I would like to hear what the Government has to say on this matter. The Garda Síochána is covered by this Bill, but that is an area which requires separate and detailed legislation as part of the fundamental reform of the Garda which is urgently required.

I look forward to addressing these and other issues that have been raised in the course of the debate on this Bill. I would ask the Minister of State, Deputy Parlon, to address some of the questions I have raised in his response on Second Stage.

**Mr. J. Higgins:** I am afraid we are starting at a huge disadvantage in the consideration of this Public Service Management (Recruitment and Appointments) Bill 2003 because of the attitude of this Government towards the public service. We cannot trust this Government with the public service. Its neo-liberal philosophy, its increasingly right-wing philosophy and policies are inimical to the very concept of public services. That has been more than borne out by the raft of key sectors of the public sector that have been privatised. The Government's approach to the decentralisation of the public service showed the utter contempt it has for the public service and for the thousands of public servants who perform such critical work in this State. The very Minister who introduced the Bill today, the Minister of State at the Department of Finance, Deputy Parlon, with all the finesse of a greedy claim jumper in the old west, laid claim to a whole sector of the public service for his constituency almost before the Minister for Finance sat down on budget day having made his announcement on decentralisation.

**Mr. Parlon:** Immediately afterwards.

**Mr. J. Higgins:** Deputy Parlon could be compared to a slaver of old, sailing down through Laoighis-Offaly with a human cargo to deliver to the area in the interests of advancing his own political career, displaying utter contempt for public service workers. What confidence can we have in regard to this Government coming forward with what it claims is a major reform for the betterment of the public service?

[Mr. J. Higgins.]

I have serious misgivings about some of the provisions of this Bill. In the devolution to local management there is a greater risk of the possibility of discrimination against candidates presenting for employment. There is undoubtedly a possibility of more covert political vetting of people presenting for appointment on the basis of their ideas. The current Minister for Transport, Deputy Brennan, for example, is a notorious advocate of privatisation of key public services. I certainly would not be convinced that the philosophy of that Minister cannot be transferred to the appointments commission in various ways. We could, therefore, have discrimination against very well qualified applicants on the basis of whether or not they were advocates of privatisation, or whether or not they favoured the public service and were philosophically committed to the public service rather than privatisation. This is a very real danger that will have to be examined before this Bill finishes its passage through the Dáil.

On local authorities, the Bill outlines many general policies and proposals on the devolution of recruitment. Will the appointment mechanism for county managers, for example, be changed under this Bill? Will it be possible for the Secretary General of the Department of the Environment, Heritage and Local Government, through the public appointments service, to have county managers recruited in a particular way? I have a very real problem with this, given the right-wing bent of the current Minister for the Environment, Heritage and Local Government or possibly future Ministers, on key environmental issues, for example, incineration as a method of dealing with waste management, or the privatisation of refuse services. No one can convince me that if responsibility for recruitment is devolved in this way, the philosophy that has been pushed in the Department for almost seven years by this Government will not filter through in the vetting of those applying for senior positions in local government. That is something that must be carefully scrutinised.

The provision in the Bill for the privatisation of recruitment to the public sector is astounding. We should not be surprised by it, however, given the commitment of the Minister of State, Deputy Parlon, to right-wing government and the Government's general policy in this regard. This sinister proposal is inimical to the well-being of public services. Private recruitment agencies will usually be infused with the values of privatised industry, including multinational corporations. Rather than having a commitment to what the public service is about, many privateers are hostile to it. This is a dangerous step for the future of the public service because it jeopardises the recruitment of public servants committed to public service. It makes more likely the introduction into the public service of the multinational corporations' philosophy of private capitalism, which is increasingly promoted by the Government.

The public service I want to see is one committed to delivering a good quality of service to the people without introducing the values of Ryanair and other companies run by new-age capitalists. The interests of ordinary people are not foremost in the minds of such people. I oppose the potential privatisation of recruitment to the public services.

I note that the Minister proposes to retain for himself the right to appoint the commissioners to the Commission for Public Service Appointments and to the Public Appointments Service. This is in line with the policy pursued when many supposedly independent boards were being established in all areas of public activity. Will the *Fianna Fáil* tradition of appointing party hacks to such important positions, which has been maintained by the Government, apply in this instance? People have been appointed to many crucial public bodies and semi-State companies not on the basis of their expertise in the relevant area of activity but on the basis of their loyalty as hacks to the dominant political party. The Bill provides for the continuation of this system. Many questions remain to be answered. This Bill is not in the interests of a better public service.

**An Leas-Cheann Comhairle:** I call Deputy Nolan.

**Mr. J. Bruton:** I wish to point out that I have been waiting a long time to speak.

**An Leas-Cheann Comhairle:** In the good old days, the Chair was free to call a Deputy if he or she had been waiting a long time to contribute to a debate. Decisions are made by the Whips in these times, so I must alternate with the other side of the House by calling Deputy Nolan.

**Mr. J. Bruton:** I thank the Chair for his explanation.

**Mr. O'Connor:** We are not guilty.

**Mr. Nolan:** I wish to share my time with Deputy O'Connor.

**An Leas-Cheann Comhairle:** Is that agreed? Agreed.

**Mr. Nolan:** I welcome the introduction of the Public Service Management (Recruitment and Appointments) Bill 2003 and commend the Minister on bringing it forward. It is timely that we should debate and discuss this legislation shortly after the announcement of the details of the decentralisation programme. I wish to refer to Deputy Ó Caoláin's comments about corruption in local authorities in this context. I was a member of two local authorities for more than 30 years during which I never encountered corruption on the scale alleged by the Deputy. I am sure other Members can speak for themselves.

**Ms Burton:** Unfortunately, some of us have encountered it.

**Mr. J. Bruton:** We have seen it in Dublin.

**Mr. Nolan:** We have evidence of one case of corruption in recent months.

**Ms Burton:** It is unfortunate.

**Mr. Nolan:** I can only speak of the local authorities of which I was a member.

**Mr. R. Bruton:** Perhaps it will be decentralised.

**Mr. Nolan:** I cannot condone any allegation of widespread corruption in local authorities.

**Ms Burton:** Deputy O'Connor will be able to inform Deputy Nolan about it.

**Mr. O'Connor:** Only from what I read.

**Mr. Nolan:** In the interests of fairness, the sins of the few should not be foisted on those first class public servants who have run our local authority system for more than 100 years.

**Mr. O'Connor:** Hear, hear.

**Mr. Nolan:** I would like to highlight a matter indicative of what we are trying to avoid by introducing the Bill. Before I became a member of a local authority, rate collectors were purely political appointees. It was right and proper that the system of appointing them was changed. Any member of a county council present when rate collectors were appointed could only say that the system was wrong. The political beliefs of applicants had a large bearing on whether they were offered the position in question. A great deal depended on the party which happened to be in control of the relevant local authority. Those days are behind us and no one would like to see them return.

The decision to introduce the Bill was correct because the economic and social climate has changed in recent years. If a section of a Department needed short-term expertise in a specific area, it was unable to recruit the necessary specialist swiftly. The role of consultants has become dominant in recent years. It would be interesting to ascertain the amount of money paid by local authorities and Departments to consultants in the past ten years. This money had to be spent because public bodies were unable, under the terms of the system in vogue at the time, to acquire the specialised knowledge they required to help them make serious decisions. Certain consultants have made large fortunes from the shortcomings of the recruitment system within the departmental structure.

The system of recruitment to the public sector has worked well and served the country well. It is right, however, that we should examine our systems from time to time and make the necessary changes and improvements. The timescale involved in recruitment to the Civil Service has always been a problem for senior management in Departments. The fact that we have succeeded in ensuring that quality public servants found their way to the top is a testament to the success of the system which has been in operation for such a long time. In my dealings with public servants

during my time as a Member of the House, I have found that the standard of senior and mid-ranking civil servants is as good as anywhere in the European Union or elsewhere.

A new code of conduct for civil servants, advocating a customer-friendly approach, has been introduced in the past ten years. Politicians and the general public found it difficult to get a speedy reply to queries about 15 years ago. Some people were deterred from seeking information or making queries because of the attitude of some Departments. Senior civil servants and their Ministers brought about a change in the system, however, with the result that people now feel free to pick up the telephone to seek information. They receive a speedy response to their queries from civil servants. That was a step in the right direction. What the Minister is now introducing is also an improvement on a system that has worked well.

In regard to decentralisation, I refer to what Deputy Ó Caoláin said about the lack of interest among staff in the Department of Enterprise, Trade and Employment to seek a transfer to my home town of Carlow. Prior to the announcement by the Minister on decentralisation, I tabled a number of parliamentary questions to various Ministers. The responses I got indicated that over 400 civil servants from various Departments had applied to transfer to Carlow. In the context of 250 jobs being transferred from Dublin to Carlow, the Deputy need not worry that sufficient applicants will be available to transfer there.

**Mr. J. Bruton:** What about Teagasc?

**Mr. Nolan:** Carlow will probably be one of the most successful areas in the country in terms of the decentralisation of civil and public servants. Following the Minister's announcement the numbers seeking a transfer to there have increased. As a result of the movement within and between Departments, one will find that more people will transfer to Carlow as it is within commuting distance of Dublin.

I envisage that the timescale for decentralisation will be shorter than was originally anticipated by the Government. The first step we saw in the context of recruitment was the seven-year contract introduced for county managers by the Department of the Environment, Heritage and Local Government. This system has worked well from the point of view of the county managers to whom I have spoken, as it gives them a timescale in which they have to perform.

The changes being introduced are vital to ensuring that decentralisation works and works well. A significant element of the programme of public service modernisation was agreed with the public service unions in the negotiations on Sustaining Progress. The unions have been fully consulted about these measures and are aware of the proposed legislation which the Minister is now introducing.

Up to now there has been a lack of flexibility in the recruitment system. When enacted the le-



[Mr. Nolan.]  
 legislation should give more flexibility to Departments when seeking to employ specialists in particular areas. The changes being introduced are vital to ensure that Departments operate effectively. We must be mindful that as society has changed, so too has the role and function of the civil and public service.

Giving Secretaries General the ability to manage their Departments will bring about more efficiency and ensure the working of the Department is more effective. The proposed changes will allow for the fastest possible response to the changing economic and social climate. The Government could not allow the continuation of the current bottlenecks which exist in certain sections of Departments. No organisation could allow itself to be put in the position of being unable to recruit staff that are urgently required. I commend the Minister on the introduction of the Bill and look forward to its speedy passage through the House. It is an opportune moment for this move in the right direction.

**Mr. O'Connor:** I am conscious of the fact that in taking my ten minutes I am holding up a distinguished former Taoiseach. As the Leas-Cheann Comhairle said, this is now our system.

**Mr. J. Bruton:** Not at all. I am sorry, I did not mean to make that point.

**Mr. O'Connor:** Perhaps the Deputy will refrain from telling the nice Fine Gael people in Tallaght that I did that because I want to keep on their good side.

I heard a soundbite from the Green Party earlier concerning mock sessions. Such a view is unfortunate. It is good that the Dáil has come back early. We conducted much good business yesterday when the Taoiseach was present, as well as today. I note from the attendance today that the Members present include party leaders and other distinguished Members of the House. I do not believe we are attending mock sessions, they are very important.

I compliment the Minister of State, Deputy Parlon, on his work. He is well able to defend himself from colleagues across the floor. He is doing a good job and long may that continue. I have lots of things I want to discuss with him in regard to my constituency and I would be happy to have an opportunity to do so.

The need for change provided an impetus for the legislation. Throughout our lives there are periods in which we need to change. Without being facetious about it, I was always happy to stay in Tallaght and not move into the city. It was because the good people of Dublin South-West were kind enough to elect me, I now have to come into Dublin city every day. This is something I am not very happy about, nor are some of my colleagues for various reasons. I had to change my life and I would be just as happy if this were not the case. However, change is a feature of all our lives and we all go through such

periods. Perhaps the older we get, the more used we become to adapting to change. Change is a theme which recurs through the legislation and I feel very positive about this.

The legislation originated from a need within the public service which arose during the height of the skills drain from the public to the private sector between 1998 and 2001. It allows for the recruitment of replacement specialists on a more streamlined basis. It is ironic that the Bill and the benchmarking process, another component of a belated response to that era, should now become the catalyst for a radical and fundamental shift in the performance, activity and reorganisation of the civil and public service.

Following the announcement in the budget of the decentralisation programme involving the relocation of over 10,000 public service jobs to 53 provincial centres throughout 25 counties, my colleague the Minister for Finance, Deputy McCreevy, has started a process that will contribute greatly to regional development. It may also change the national, or perhaps Dublin, view that the national interest is only determined in Dublin and reduce the growth of population and infrastructural demands that have become a major disincentive to the Dublin area.

Tallaght is a major population centre located a short distance from the city centre. It is the third largest population centre in the country, in which a number of Departments already successfully operate and it contains further potential for the future movement of public service staff. During my time in the House I will keep this matter on the agenda.

I read with interest the newspaper articles on the difficulties these changes pose for the various parties promoting interest, or lack of it, on the proposed moves. From my conversations with civil servants, who do talk to us, while some do not wish to relocate, a majority of civil servants appear to want to move out of the city. If this is the case, the amount of interdepartmental transfers in the coming years will be significant which will place a major demand on training sections within Departments as well as the Civil Service itself.

This level of change and movement of personnel offers a unique opportunity for the restructuring of management and updating of work practices in all areas of the service to make it more efficient. Newly transferred, experienced, enthusiastic and committed staff will be capable of rising to the challenges which relocation will provide. In addition to the opportunity for civil servants, the moves will also provide an opportunity at the 53 locations across the country for local development and create the foundation for the positive growth of local communities as well as the provision of local services that are not creaking at the edges and failing to meet current needs.

It is important that public sector workers and their unions come to terms with the changes envisaged. Their contribution to their place of work

is and must continue to be acknowledged and rewarded but a stark reminder is necessary to remind them that the taxpayer pays the Bill. There is an erroneous perception that public sector workers own part of the body in which they work. The blocking of change by sectoral interests against the larger interests of the country, when it is the public purse that supports these sectors, is not the way forward.

This Bill has been drafted to reform the recruitment and appointment process of the Civil Service and certain other bodies in the public service and, for that purpose, to provide a new management structure to replace the Civil Service and Local Appointments Commissions. It is appropriate to acknowledge the contribution of the work of the commission to the public sector. While reading through the annual report for 2001 I realised for the first time the level of activity in which it is engaged in processing more than 49,000 applications and appointing more than 5,000 candidates in that year. I have mentioned the value for money mantra in previous debates. The average cost per appointment that year was €2,000, which, in comparison with private sector recruitment companies, offers great value to the taxpayer for this highly accredited service.

The Bill will establish the Commission for Public Service Appointments to oversee the implementation and development of these structures in the public interest, taking account of the need to uphold the standard of impartiality in the recruitment and appointment process. In addition, it will provide for the establishment of the Public Appointments Service as a recruitment and selection body for the Civil Service and other public service bodies. It will allow the introduction of flexibility into the recruitment process by enabling the licensing by the commission or the Public Appointments Service for any part of these public services to undertake their own recruitment in respect of one or more classes of employees. This Bill will contribute towards providing a modern and efficient framework for public service recruitment, which will allow for increased flexibility while maintaining the current high standards by giving Departments and other public service bodies the ability to recruit staff directly as well as through a centralised system. It will support the Government in its decentralisation programme and provide career paths for civil servants around the country which up to now were not available unless they returned to Dublin. The Bill repeals the Civil Service Commissioners Act 1956 and introduces a new framework for recruitment to the Civil Service.

I am sorry to mention this on a day on which we are all being polite, but I have seen the Members opposite engaging in point-scoring in the media over the appointment of special advisers to permanent positions. With some disappointment I note that while their misinterpretation of that

section of the Bill was placed in the public arena, the Minister's rejection of the Labour Party's contention has gone unnoticed.

**Ms Burton:** The Minister was able to prove nothing. He was not able to answer the Labour Party's questions, unfortunately.

**Mr. O'Connor:** The Deputy knows that heckling upsets me. She should not interrupt me in my last couple of minutes. When she was missing earlier I intended to describe her as one of the popular members of the Labour Party who is present today. Let us retain our civility.

**Ms Burton:** I thank the Deputy, but the fact remains that the Minister was unable to answer the questions.

**Mr. O'Connor:** A happy new year to the Deputy also.

The framework consists of an oversight body, to be known as the Commission for Public Service Appointments, a centralised recruitment body, to be known as the Public Appointments Service, and a system of voluntary recruitment licensing. Although I am at a loss as to why there is a need for the two entities, I accept that wider and wiser counsel has gone into this detailed and extensive Bill. As a Fianna Fáil backbencher I do not intend to go into detail on the sections of the Bill. However, I acknowledge its importance in the continued development of our public service system. I commend the Bill to the House and look forward to supporting it.

**Mr. J. Bruton:** This week, when the Dáil resumes, is a good time to consider the performance of the Government in public service management over its seven years in office. A Government should be judged by the things it can control. It should not be judged by the things it cannot direct, such as the world economy or international interest rates, but by such things as management of the human resources under its control. That is what public service management is about. This Bill is supposedly about the management of the public service. However, it is also, unfortunately, about dismantling some of the greatest achievements of the Cumann na nGaedheal and Fine Gael parties, namely, the Ministers and Secretaries Act 1924, for which Kevin O'Higgins and others were responsible, and the Civil Service Regulation Act 1956, for which the late Gerard Sweetman, with whom I served briefly in this House, was responsible. These two Acts gave us a unified Civil Service, unified in its service to the nation, its probity, its system of recruitment, its non-political character and its absence of regional or sectional loyalties. The Government, in this Bill, proposes to put all that aside and replace it with a structure that will be disaggregated, disunited and disbursed.

Before accepting the advice of the Government on such a fundamental matter of public manage-

[Mr. J. Bruton.]

ment, the House should ask itself whether the Government has a record of such success in this area as to warrant its advice being taken on such a serious matter. In preparing this speech I reviewed some published opinions of the Government's advisers on its performance in public service management, including the NESc report, the PA Consulting report, the report of the Comptroller and Auditor General and the GM market research report. As Taoiseach, I put in place the tools for my successor to use. I published the White Paper, *Delivering Better Government*, in 1996 to give effect to the strategic management initiative and reorganise the Civil Service on the basis of greater openness, customer focus and value for money.

In March 1997 the of which I was Taoiseach Government, through the then Minister for Finance, Deputy Quinn, introduced the system of comprehensive public expenditure reviews to guarantee value for money and re-enacted the Public Service Management Act 1997 to give Ministers and the Taoiseach all the legal authority and powers needed to put their policies into effect. How has this Government used these powers over the past seven years? What value has it added during its years in power?

The NESc had the following things to say about how the public service was managed in that period. It agreed unanimously that after six years there were still "weaknesses" in the management of public expenditure. It said that the national development plan was "unlikely to be delivered either on time or on budget". Speaking of the waste crisis, it unanimously decided that "the problem seems to be passed from one agent to another". It expressed deep concern about Ireland's competitiveness against the background of the highest inflation rate in Europe and the rising value of the euro and concluded that "neither Government of the traditional kind, nor social partnership, as it currently exists, is capable of meeting the key challenges" facing Ireland. These are unanimous findings about the Government after six years in office from the Government's own advisers. What has gone wrong?

The underlying reasons for this colossal public service management failure can be found in a little-read report by PA Consulting which was presented to the Taoiseach a little over a year ago. It dealt with the implementation by him of the White Paper, *Delivering Better Government*, which I had initiated. We must remember that the purpose of that paper was to deliver value for the people's money. It required the preparation of statements of strategy as a basis for allocating resources and monitoring results in each Government office. While statements of strategy by individual Departments and offices had indeed been prepared, PA Consulting found that there was

"little evidence of a central co-ordination of Statements of Strategy" within the Cabinet.

The report states, "No attempt appears to be made to bring together the aggregate set of Statements of Strategy, to establish some coherence and integration among them, and to evaluate their alignment with the priority areas set out in the programme for government." In plainer words, the consultants found that in government there was no central co-ordination of what different Ministers were doing to ensure the more economical achievement of results. Now, after seven years of failure, this situation is to be deliberately worsened by the Minister for Finance's budgetary proposal to sprinkle Civil Service offices all over the country. This will make co-ordination, which is not taking place at present, physically even more difficult than it has been over the past seven years.

As Taoiseach, in terms of delivering better government, I stressed the need to manage properly issues affecting two or more Departments, the so-called cross-cutting issues to which Deputies Richard Bruton and Burton referred earlier. Child care and traffic are examples of cross-cutting issues where people's interests are not looked after due to the lack of co-ordination between individual agencies or fiefdoms. The problem of delivering better government was identified before Fianna Fáil and the Progressive Democrats took office. However, the PA Consulting Group found that after six years of Government, "progress on cross-cutting issues has been disappointing with the system still struggling to find practical, collaborative mechanisms to progress the management of those issues."

With the Government six years in office, terms such as "disappointing" and the "system still struggling" stand out. These are the words of consultants paid by the Government. Consultants are inclined to tell the person who is paying them what he or she wants to hear. However, in this case, this is not what the Government would have wanted to hear. Cross-cutting issues in public service management may have been difficult to manage over the past seven years, even when all the offices to be co-ordinated are situated in the one city. These issues will now be even more difficult to co-ordinate when offices will be spread all over the country, hundred of miles away from one another in some cases.

From a close reading of the PA consultants' report, it becomes clear that Ministers themselves were personally to blame for this failure. The consultants had even to go so far as to recommend publicly that Ministers should join their management advisory committees to review progress and priorities at least once every two months. They had to be told publicly to turn up to their departmental offices at least every two months to meet with senior officials on management advisory committees. Obviously, some of

them had never even once met their management advisory committees. That this had to be put in an official report and such a recommendation made to Ministers after six years in office, is acutely embarrassing. It shows that Ministers were not bothered enough to devote two or three hours every two months to the systematic overview of their ministerial responsibilities. They were too busy opening pubs and petrol pumps in their constituencies to devote time to the job as Ministers for which they were paid.

**Mr. Connaughton:** They were putting up posters.

**Mr. J. Bruton:** Regular attendance by Ministers at management advisory committee meetings will now be made even more difficult by the fact that some management advisory committee participants will have to be in Dublin with their Minister attending at or near the Dáil, while others will be in departmental headquarters in the regional town in which the Department is located. Finding diary time for management advisory committee meetings with Ministers present will be much difficult in the future than in the past.

If Ministers were setting such a poor example in attending management advisory committee meetings and had to be reprimanded publicly by the Taoiseach's consultants, it is not surprising that the PA consultants found there were other problems further down the line as well. The survey stated that 67% of civil servants still believe that underperformance at work is not challenged. It appears that Ministers had no interest in performing at all. The consultants also stated:

Although the principle of connecting performance by public servants and reward had been acknowledged in these [Government] documents, no concrete steps had yet been taken in this direction.

This is six years after the Government came into office. With two thirds of civil servants saying that underperformance among their colleagues was not challenged, is it any wonder that public spending has more than doubled in the last seven years. What has been happening to the people's money? Did the Government check up on how well it was spent? Did it have the know-how to do so? Did it check up on underperformance? The answer is "no".

As far as measuring value for money to customers is concerned, the PA consultants stated, "Work remains to be done in terms of assessing whether service standards and performance indicators have been established — if so, have these standards been met?" After six years in office the Government still did not know and could not tell the consultants when it spent public money, what standards of public service it was setting and, if it had such standards, whether it was achieving

them. Ministers were, and remain, lost sheep without a shepherd in a fog of their own making.

In his report, the Comptroller and Auditor General said that the most basic job of evaluating how well money is being spent under the current Government, "that there is still a wide variation in evaluation capacity." Is that not a fine expression? There are some people who do not know their elbow from any other part of their anatomy as far as evaluation is concerned. The Comptroller and Auditor General reported that many Departments still have a "considerable distance to go" — another fine phrase — to integrate evaluation into decision making. In other words, to figure out whether they are making a good decision or a bad one, they still have a considerable distance to go. What is the point in evaluating anything if it does not influence decisions? Evaluation may involve cheques for consultants but if it is not integrated into decisions it is a waste.

Under the White Paper, Delivering Better Government, Departments were instructed to plan expenditure three years ahead so that long-term decisions taken now would be obvious to the Dáil and the people. The PA consultants discovered that this requirement for three year planning was being treated as a joke by all Departments, especially by the Department of Finance. The report revealed:

A prevailing view among these managers was that once a new estimates cycle [for the next year] got underway, the financial projections previously prepared and submitted for "Year Two" of the [previous year's] multi-annual cycle were essentially disregarded in favour of a new discussion ... essentially focusing on the next twelve months only.

No business or household would plan its finances on a 12-month only basis. However, the Government, led then and still, by two accountants, does. That is not a charge from an Opposition politician, but from a highly respected international consultancy firm.

PA consultants also found that, "The link between financial analysis and decision-making remains relatively weak in many Departments/Offices." Another report, also prepared by the Government, gives us an insight as to why the results achieved have been so poor. Basically, Ministers have completely failed to communicate their public service change agenda to the people charged with putting it into effect. NGM Market Research surveyed civil servants and found that 40% of respondents were not aware of any initiative under the change and modernisation programme, five years after it had been launched. How can people implement a policy of which they are unaware? The programme consisted of 18 initiatives and 40% of the Civil

[Mr. J. Bruton.]

Service could not name even one of them. NGM Market Research also stated:

Too much communication about "Change and Modernisation" takes place in written form (e-mails, newsletters and magazines)...that civil servants want more face to face communications (information sessions, training and direct communications from immediate managers).

If the Civil Service is to be broken up geographically, with the senior managers and their Minister in Dublin while the other officials are located in headquarters in the regions, there will have to be even greater reliance on written forms of communications, e-mails and the like, and even less time for face to face communications. In other words, matters will worsen, not improve.

These official reports prepared for the Government are a devastating indictment of its public service management record over the past seven years and a testament to a dysfunctional Government. Against the background of that record, the Dáil should not delegate, as the Bill proposes, to the Government the power to license individual offices to recruit staff directly who will not be part of a unified Civil Service. Whatever chance there is of coherence in a unified public service, even under the Government, there will be much less chance of it in a disunited, desegregated Civil Service of the kind the Bill proposes to create.

Problems of this nature cannot be overcome by publishing and sending out codes of practice. If the people conducting the recruitment on a delegated basis are as aware of these codes of practice as they were of the 18 items in the Government's changed management programme, we can say the codes of practice will not be worth the paper they are written on. In any event, codes of practice are no substitute for a coherent central management system with a single ethos of service.

Inevitably, people on short-term contracts, and I assume many of these people will be on short-term contracts, will keep an eye out for their next job. This goes against the Civil Service ethos, yet it will be encouraged under the Bill. If the Government is to disaggregate recruitment and allow individual offices recruit their own staff, they can only be recruited either on the basis that they will stay in that office forever or, alternatively, that they are there on short-term contracts.

It is important to reflect on this. If a Government office somewhere in the country performs a service the Government believes it no longer wants and the staff were recruited only for that office, it will be next to impossible for the Government to close down that office for two reasons. First, the people whom it will remove because the service is being discontinued will not be part of a unified Civil Service and cannot be easily moved into other jobs in other functions. Second, the closure of an office in a rural town will

be much more politically difficult than would the closure of an office in Dublin.

If, for instance, there were a major Civil Service office in Mountbellew, it would be extremely difficult for Deputy Connaughton, as Minister responsible or as a member of the Government, to agree to anything happening of that nature. This measure will mean that it will be much more difficult for offices to be closed, first, because under the Bill the people recruited will be part of an enclosed one-office service and not part of a single service and, second, an office located in some Minister's town is next to impossible to close, regardless of the strength of the argument. The existing Civil Service Commission guarantees probity and fairness and the protection of the public interest. Codes of practice will not guarantee anything. They will be no more than an elaborate hand-washing exercise.

It is important also to recognise that, in breaking up the Civil Service Commission, we are dumping on the scrap heap a reservoir of institutional memory that has been built up over generations since 1924 on how to recruit people fairly and deal with the pressures that are an inevitable part of a recruitment process. That is now to be dispersed and lost.

It is interesting that it was a Government backbencher, Deputy O'Connor, who pointed out that the cost of recruitment by the existing system, which the Government wants to dismantle, is lower, at €2,000 per job, than the cost of recruitment in most private sector recruitment entities. It is interesting that the point was made by a Government backbencher, Deputy O'Connor.

**Mr. Connaughton:** This could be an historic day because, if one were to take literally what the Minister proposes, that great bastion of decency, honesty and reliability that I and thousands like me for many years have believed the Civil Service Commission to be is about to be disbanded. That would be a serious failure. I do not know the reason behind it but it is a serious matter. I hope it will receive much more attention in the Chamber because it will be asked why the Government is doing this.

I will deal with the decentralisation programme shortly. I have a particular view on it. There are many aspects to decentralisation that could and should work but, in so far as this major change is concerned and if my reading of the Bill is correct, it appears it will be the responsibility of the different Departments to decide to employ their staff. It is difficult to know where the checks and balances will be in respect of fairness. Every Government which tried to do this over the years, especially the senior partner to which the Minister of State is joined, managed to ensure in whatever way that its own were appointed to prominent positions. If one is to judge by the strokes being pulled in the Minister of State's party concerning decentralisation, it would appear the flavour of that is beginning to spread through to the junior infants as well.

**Mr. J. Bruton:** A viral infection.

**Mr. Parlon:** The Deputy did not receive his fair share the previous day.

**Mr. J. Bruton:** There is no known cure once one contracts that disease.

**Mr. Connaughton:** From my knowledge as a Minister of State in a Department for five years, I take my hat off to civil servants. Such officials, especially those above a certain level, take their positions seriously and work hard. Above and beyond that, however, the most important issue, now that the Government has decided to break up the Civil Service Commission, is that, over the years, I have never heard of the Civil Service Commission rules being broken. That is an important point. There are few institutions in this State about which we can say that.

I do not know what influence the Civil Service Commission will have on the break-up of the different Departments or what is intended in the Bill in terms of the way that will work. Will the Minister of State outline when replying the type of integration civil servants can expect? Under his new scheme, if someone is employed in the Department of Agriculture and Food, for example, and he or she wants promotion and to move on, as normally happens in every civil servant's career, what is the interaction between that civil servant in the Department of Agriculture and Food and the Department of Foreign Affairs or another Department, for example? Will the Minister give an undertaking to the House that the passage which has existed over the years will remain?

What consistency will there be in recruitment by the various heads of Departments? How will that be done? I assume one of the reasons for this, as the Minister of State said, is that the Government wants to recruit relevant people when they are needed in Departments. What the Department of Foreign Affairs might want would not be what the Department of Defence wants. If staff are recruited on that basis, what will happen when they want to interact with each other as the years go by and there is a cross-over of staff? If that turns out to be the case, it will run against the concept of decentralisation because staff will be recruited on a short contract basis only. That will not appeal to most people who join the Civil Service.

We have been lucky in this State over the years to have had career Civil Servants who have performed extremely well. The Civil Service is like every other system, it is not without its faults. There is the issue of seniority versus ability, about which I have spoken on many occasions over the years, but that is not what is at stake in the Bill. It is a different matter, whether people will believe the reason the Government wants to break up the Civil Service Commission. That is the bottom line. Will they believe there is an ulterior motive behind it such as that if it is broken down into the various Departments it would be much

harder for it to act as a watchdog? Would that mean that as the years go by there would not be the same degree of scrutiny and honesty as there has been for many decades in terms of the Civil Service Commission?

I find it difficult to understand the connection between this Bill and decentralisation. Irrespective of where a Department is based, I would have thought it would want to be in a position to select and employ the best possible manpower available. There is the question of what the Civil Service Commission has been doing. I did not know until I heard Deputy O'Connor refer to it that from a recruitment point of view, the commission seems to offer the best value for money. That is an unchallenged assertion. There must be some other reason for what is proposed.

Under the current system, why is it not possible to make the changes proposed within the influence of the Civil Service Commission? Why can it not continue to operate as an overarching body? Why is it necessary to break it up? Following the Second Reading of this Bill, many people will take this matter seriously and ask a question I asked earlier, namely, why is the Government doing this. A great number of people will say that it must have some ulterior motive or it would not do it.

There has been much talk and smokescreens around this issue since budget day when the decentralisation programme was announced. The Minister was present when I said that I did not have a problem with the concept of decentralisation — I never had a problem with it. However, I have three issues concerning it. If one were to talk to the Minister, Deputy McCreevy, he would say he had everything to do with it and the Minister of State had nothing to do with it. If one were in Sligo, Longford or Laoighis-Offally, the Minister of State would say he had everything to do with it and the Minister had nothing to do with it. Irrespective of which Minister was responsible for it, one would have expected that counties would have been treated fairly under the decentralisation programme. However, the Government did not do that. That will be a matter of great embarrassment to the Progressive Democrats and Fianna Fáil organisations in the county I represent, in terms of east and west Galway. Of 10,300 relocated jobs, we got only 220 at a time when 12,000 were lost in Ballinasloe, which was not even designated as a hub town. However, there was worse than that, and I want the Minister of State to take this matter seriously.

**Mr. Parlon:** Is the Deputy including west Galway in that?

**Mr. Connaughton:** I am. That is all the jobs we got. If the Minister of State checks the figures, he will note that is all we got.

**An Leas-Cheann Comhairle:** The Deputy should not go into too much detail on the decentralisation programme.

**Mr. Connaughton:** About a year ago when the Teagasc organisation was in difficulty it was decided by, I assume, its board to sell its headquarters in Sandymount Avenue, for which it got approximately €15 million. Slightly prior to that it was decided to close the agricultural college in Athenry. Teagasc was informed that 30 of the 100 members of its staff would be transferred from the unit in Sandymount Avenue to Athenry. We understood that the other 70 members of staff of that unit were earmarked for relocation to Oakpark in Carlow. There were deliberations and negotiations between the union and Teagasc and an arrangement was arrived at on the basis of 30 members of staff of that unit transferring to Athenry.

The decentralisation programme was announced on budget day. The Minister said that under no circumstances would there be relocation expenses of any description. We discovered that Oakpark in Carlow was designated for decentralisation of Teagasc staff — there is nothing wrong with that — but there was no mention of Athenry on the decentralisation list. What status has the Teagasc decision to transfer 30 members of its staff to Athenry, given that some relocation expenses were agreed between Teagasc and the union? The Government decided not to earmark Athenry as a location for decentralisation even though it earmarked Oakpark in Carlow for the decentralisation of the other 70 members of staff to whom I referred.

To compound what was a terrible day for Galway, particularly east Galway, on foot of the announcement of the decentralisation programme on budget day, under the current set of circumstances, it is unlikely that any Teagasc staff will be transferred to Athenry. If the Government has any self-respect left, it should treat all constituencies equally. I assume Teagasc was genuine when it indicated it would agree to decentralise those jobs to Athenry. Somebody had better get to grips with this matter and ensure that happens. I hope we will not now be told that as a result of the new rules on the decentralisation of Departments, that is the reason such staff cannot be transferred to Athenry. We will not accept that argument. It is as simple as that. If the Government was able to earmark Oakpark for decentralisation, it should also have been able to earmark Athenry, but it did not do that.

People in Galway were extremely disappointed in regard to the decentralisation list. No jobs were designated for Tuam. The town was not even mentioned. I do not know what is the significance of a town being designated as a hub town.

**Mr. Ring:** It does not mean a great deal.

**Mr. Connaughton:** It has meant a deficit from Tuam's point of view. It may have been allocated something—

**Mr. Ring:** A town would have to be in Parlon country to get anything.

**An Leas-Cheann Comhairle:** The matters to which Deputy Connaughton is referring are outside the scope of the Bill.

**Mr. Connaughton:** I will be bound by the Leas-Cheann Comhairle's direction. Decentralisation is specifically mentioned in the Minister of State's script, but if the Leas-Cheann Comhairle tells me it is wrong for me to refer to such matters, that is the case.

If aspects of this Bill are to be implemented on the basis of what the Minister has put before us and when one sees what has happened with the decentralisation programme, one must seriously consider whether there is an ulterior motive behind the proposal. Most people will ask themselves why a system is being disbanded which appeared to be working very well and was never challenged on the grounds of credibility. It was reliable and honest and if it needed to be tweaked, which one would expect in any modern economy, why was that not done within the Civil Service Commission itself? Against that background, Deputies on all sides of the House, when they read the small print of the Bill, will become alarmed by the reasons for the introduction of the Bill when they consider what is also happening with the programme of decentralisation.

The Minister has not stated publicly how many civil servants, together with Secretaries General, will be housed in Dublin. I have not heard whether there will be a small or large policy unit based in Dublin, or whether there will be a policy unit in Dublin at all. Will decentralisation mean everyone from top to bottom will move, leaving almost nothing behind in Dublin? Why were there no negotiations or discussions with the unions before this happened, given the questions as to who will stay in Dublin and who will go? Since budget day we have heard no views from the Government on this matter. Have there been any negotiations on the issue?

This debate deals with a fundamental change in the way we recruit for the public service. I hope the day does not come, when this process becomes law, that some boy or girl will have reason to suggest the legislators were wrong the day the influence of the Civil Service Commission was withdrawn. I hope that people's origins or background are not held against them when taking their first step in life, because no matter what, everyone was at the same level at an interview with the Civil Service Commission.

**Ms Burton:** Like the leaving certificate. It does not matter who one knows.

**Mr. Connaughton:** That is right. The signals do not look good. By their actions you shall know them, and some of the actions of the Government in recent years have been nothing but disgraceful. I do not like the Bill and it is up to the Government to show me otherwise.

**Mr. Ring:** I have some questions which the Minister of State may have heard already. This is a coded Bill. It is all about jobs for the boys and

girls, the Fianna Fáil and Progressive Democrats programme managers. It is all about bringing them into the Civil Service through the back door.

The Leas-Cheann Comhairle has been in public life for over 25 years and I wish him 25 more years in public life, but I will tell him about the job fixing I have seen in local authorities, jobs for the boys and girls. When county managers, assistant county managers or county secretaries retire, they work full-time travelling around the country to interview boards. The county manager in Mayo will phone the one in Kerry---

**An Leas-Cheann Comhairle:** The Deputy should not identify people.

**Mr. Ring:** I will not identify people. County managers all over the country will phone each other.

**Mr. Parlon:** There is only one in each county.

**Mr. Ring:** I am not afraid to say what I have to say. That does not bother me.

These people are phoning each other and they are the Civil Service Commission, appointing people to jobs. If one goes through the Civil Service or local authorities one sees how many sons, daughters, brothers and sisters of people in the public service get in, having been fixed up by their friends in the Civil Service. The media sicken me sometimes. They look at politicians all the time but they do not look at what is going on in local authorities, health boards and the Civil Service. This is probably the most corrupt country in the world when it comes to jobs; I stand over that statement. My blood boils when I see how people are given jobs. I would like to be able to put down a parliamentary question seeking the names of those on interview boards. One would see the same people every time, as it is a full-time job for them with full-time travel but we are doing nothing about it.

This new Bill is for Fianna Fáil and the Progressive Democrats, who can now bring their boys and girls in the back door. They could not work with the Civil Service Commission because they were kept away from it, so now they want to bring in their own commission to sort out their own boys and girls. That is what is happening and it is a disgrace.

The Minister of State is now as bad as the rest of the Government. They think they are dictators. Russia went from a dictatorship to a democracy but Ireland has gone from a democracy to a dictatorship.

**Mr. Parlon:** The Deputy's party spokesman hailed the fairness of the Civil Service.

**Mr. Ring:** It is dictatorship at its worst and it is time people came onto the streets and took the Government out of office. The people are sick and tired of what is going on.

**Mr. Parlon:** What is the Deputy's alternative?

**Mr. Ring:** The Minister of State was not an alternative. The people of Laoighis-Offaly thought he was but he learned and was polluted fast by Fianna Fáil. He was in Parlon country but he learned fast from Fianna Fáil. His party was sent in as a watchdog but now he is a little poodle in Government.

**Mr. Parlon:** Deputy Ring is doing a lot of barking himself.

**Mr. Ring:** I could say something else but I do not want to use such language in the Dáil.

**Mr. F. McGrath:** Say it.

**Mr. Ring:** The Progressive Democrats are the poodles of Government and the Minister of State is the biggest poodle. The people thought they were sending in someone with a record in the IFA but he let them down. The people are waiting for him and for the Government.

On the Bill, I recently put down a parliamentary question to the Department of Social and Family Affairs. There is a person in that Department on a big salary who used to be a Fianna Fáil press secretary. I suppose he was no good for Fianna Fáil and could not do the job, so they got rid of him. They landed him into a big job in the Department of Social and Family Affairs, where the taxpayer is paying for him. When the Bill is passed one will probably find him in the Civil Service next. He will be there for life and when we come into Government in a few months that is the kind of situation we will inherit.

**Mr. Parlon:** The Deputy should read the legislation. That cannot happen under the Bill.

**Ms Burton:** That is not true. I showed the Minister of State how it is not true.

**Mr. Parlon:** I will show the Deputies when I respond.

**Ms Burton:** The Government is putting in a code of practice to deal with advisers. It is not law. A code of practice is not law.

**An Leas-Cheann Comhairle:** Order, please. Deputy Ring should continue but I advise him again that he should not mention anyone who could be identified by a description.

**Mr. Ring:** I take the Chair's advice but it is very hard not to do so because there are so many of them around. Everywhere one looks, in every corner and Department, there are programme managers, advisers and consultants. It is the fastest growing industry in the country.

I do not believe in this worrying Bill, which has been introduced in the wrong way. I do not have full confidence in what is happening and the system of appointing people to jobs should be examined. I agree with Deputy Connaughton that those who get jobs in the Civil Service should have the proper qualifications for those jobs. They should have the points, like those going to college, because for long enough we had places kept for the teacher's son and the doctor's son.



[Mr. Ring.]

We are now going to have a situation where there will be places in the Civil Service for the sons of members of Fianna Fáil and the Progressive Democrats. That is what is happening with the Bill. If one supports Fianna Fáil one will be sound. If one does not get into the Civil Service because one does not have the qualifications, they will get one in the back door as an adviser or

programme manager. That is wrong and it makes people disillusioned. It is like the planning process.

Debate adjourned.

The Dáil adjourned at 4.30 p.m. until 10.30 a.m. on Thursday, 22 January 2004.