



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

TUAIRISC OIFIGIÚIL—*Neamhcheartaithe*  
(OFFICIAL REPORT—*Unrevised*)

*Tuesday, 9 November 2004.*

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# DÁIL ÉIREANN

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### TUAIRISC OIFIGIÚIL OFFICIAL REPORT

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*Dé Máirt, 9 Samhain 2004.*  
*Tuesday, 9 November 2004.*

Chuaigh an Ceann Comhairle i gceannas ar 2.30 p.m.

*Paidir.*  
*Prayer*

#### Ceisteanna — Questions.

##### Cabinet Sub-committees.

1. **Mr. Rabbitte** asked the Taoiseach when the Cabinet sub-committee on social inclusion and drugs last met; and when the next meeting is scheduled. [21336/04]

2. **Mr. Sargent** asked the Taoiseach the Cabinet sub-committees which are currently established under the auspices of his Department; and when each last met. [22463/04]

3. **Mr. Kenny** asked the Taoiseach the Cabinet sub-committees which have been established under the aegis of his Department; and the number of meetings held by each sub-committee. [24033/04]

4. **Caoimhghín Ó Caoláin** asked the Taoiseach when the Cabinet sub-committee on social inclusion and drugs last met; and the date of its next meeting. [24123/04]

5. **Caoimhghín Ó Caoláin** asked the Taoiseach when the Cabinet sub-committee on housing, infrastructure and PPPs last met; and its planned meetings for 2004. [24124/04]

6. **Mr. Gregory** asked the Taoiseach the dates on which the Cabinet sub-committee on social inclusion and drugs met to date in 2004; and when its next meeting is scheduled. [24374/04]

7. **Mr. Sargent** asked the Taoiseach when the Cabinet sub-committee on social inclusion on drugs last met. [26385/04]

**The Taoiseach:** I propose to take Questions Nos. 1 to 7, inclusive, together.

I am circulating in the Official Report a table for the information of Deputies detailing the Cabinet sub-committees established by the Government, the dates they last met, the number of occasions they have met since 6 June 2002, the dates of the next meeting in respect of the Cabinet sub-committees on social inclusion, drugs and rural development; housing, infrastructure and public private partnerships; and the dates of the meetings held in 2004 for the Cabinet sub-committee on social inclusion, drugs and rural development.

## [The Taoiseach.]

Name of Committee	Date of last meeting	Number of meetings since 6 June 2002	Date of next meeting(s)
Social Inclusion, Drugs and Rural Development*	20/10/2004	21	17/11/2004
Housing, Infrastructure and Public Private Partnerships	20/10/2004	20	17/11/2004 and 08/12/2004
Children	30/06/2004	7	—
Health Strategy	27/10/2004	6	—
European Affairs	03/11/2004	30	—
Information Society	26/11/2003	4	—
Asylum, Immigration and Refugee matters	10/03/2004	4	—
Decentralisation	29/03/2004	2	—
Aer Lingus	14/07/2004	1	—
Science, Technology & Innovation	Recently established	Will have its first meeting shortly	—

\*Meetings held in 2004: 28/01/2004; 12/02/2004; 25/02/2004; 26/05/2004; 30/06/2004 and 20/10/2004.

**Mr. Rabbitte:** In this area we tend to focus on the drugs issue.

**An Ceann Comhairle:** These are statistical questions which refer to Cabinet sub-committees. We do not go into detail on questions on specific subjects.

**Mr. Rabbitte:** I want to ask the Taoiseach a question on that issue. In terms of the Cabinet sub-committee on social inclusion and drugs, has the Cabinet taken any measures or focused on the social inclusion aspect?

**An Ceann Comhairle:** That does not arise under these seven questions. If the Deputy has a question, it should be submitted to the line Minister.

**Mr. Rabbitte:** The only question I have put to the Taoiseach is whether the Cabinet sub-committee on drugs and social inclusion has discussed social inclusion. I submit, with respect, that this is an entirely reasonable question.

**An Ceann Comhairle:** All seven of these questions are purely statistical. Deputies cannot ask questions of the Taoiseach which should properly be addressed to line Ministers.

**Mr. Rabbitte:** In Question Time for the past month we dealt with precisely the kind of territory in respect of the drugs aspect that the Chair is now ruling out.

**An Ceann Comhairle:** Where we have statistical questions, the Chair has continued to rule out supplementary questions, as have my predecessors. This relates to a Cabinet sub-committee.

**Mr. Kenny:** It is getting even worse.

**Mr. Rabbitte:** I appreciate that. The purpose of us putting in a question like that is to use it as a

peg upon which to hang questions regarding the substance of the sub-committee.

**An Ceann Comhairle:** That is correct. However, questions that relate to Cabinet business have never been allowed in this House and questions that are more appropriate to the line Minister responsible are not appropriate at this Question Time. The Chair has ruled on this many times.

**Mr. Rabbitte:** To the best of my knowledge, the Taoiseach is Chairman of this sub-committee. Although I dispute your ruling, with respect, the only question I asked does not impinge on your ruling. I merely asked the Taoiseach whether the Cabinet is focused on the social inclusion aspect of the sub-committee and whether any decisions have been taken in that regard. I find it very difficult, even taking the narrowest view you are taking today on this issue, how you can rule out a question that says, “to ask the Taoiseach when the Cabinet sub-committee on drugs and social inclusion last met”, and so on. I am merely asking him whether the sub-committee concerned addresses the question of social inclusion separately from the issue of drugs.

**An Ceann Comhairle:** The Deputy will accept that the business of Cabinet is confidential and it is not acceptable to ask supplementary questions about what goes on at a Cabinet sub-committee.

**Mr. Rabbitte:** I must submit, with great respect, that if you are saying that Cabinet confidentiality inhibits me or any Opposition Deputy asking whether a Cabinet sub-committee designated to deal with social inclusion does in fact do so, then it is time we all went home.

**The Taoiseach:** The answer to the question is “yes”. Most of the issues in this sub-committee are based around social exclusion and finding means and ways of helping to alleviate the problems that are created in areas where there are difficulties and hardship and where social

inclusion means can assist. There is a number of Ministers involved in the Cabinet sub-committee.

**Mr. Rabbitte:** In connection with the area we pursued at the last Question Time, is the Taoiseach concerned, as Chairman of this Cabinet sub-committee, about the incidence of drug misuse and abuse outside Dublin? The Taoiseach may recall that at the time the sub-committee was set up, I was the Minister responsible for its establishment and there was no opiates abuse outside the Dublin area——

**An Ceann Comhairle:** Again, the Deputy is going outside the scope of the question.

**Mr. Rabbitte:** The extent of abuse outside Dublin has trebled since 1998.

**An Ceann Comhairle:** That question is more appropriately addressed to the line Minister.

**Mr. Rabbitte:** All I am asking the Taoiseach is whether, as Chairman of the sub-committee and as Taoiseach, he is concerned that opiates abuse and drug abuse in general——

**An Ceann Comhairle:** This does not arise.

**Mr. Rabbitte:** ——outside Dublin is on the increase and whether this is a matter that is the focus of the sub-committee about which I am attempting to ask questions.

**The Taoiseach:** The answer to that question is “Yes”. Over the past year many measures and discussions have taken place in this regard. We considerably extended the programme. I am sure the Minister of State, Deputy Noel Ahern, would be glad to give the details of that. While hard drugs such as heroin may not be the drugs in question, the efforts, procedures and processes being put in place in the regions are now almost mirroring what is happening in the city.

**Mr. Sargent:** I will endeavour to abide by the Ceann Comhairle’s ruling. The Taoiseach informed the House on 18 May that the Cabinet sub-committee on social inclusion and drugs had met ten times in the previous 12 months. On the basis that the drugs problem has worsened, as has been widely acknowledged, and that the European Commission’s joint report on social inclusion ranks Ireland very low in terms of its success in this area, at least in regard to social inclusion, can the Taoiseach indicate whether there has been an increase in the frequency of the meetings of the sub-committee, or whether it has met as often as ten times in the past 12 months? What is the frequency of its meetings? Given that there is an air of confidentiality surrounding the workings of the sub-committee, to which the Ceann Comhairle referred, does the Taoiseach consider there may be a case for the sub-committee not to be within Cabinet, which would enable

us to discuss what it deals with given that the issues concerned are of such critical importance?

**The Taoiseach:** In all these areas we are dealing with critical issues, particularly in the case of drug abuse. Without going outside the Chair’s ruling, I point out that practically all the efforts, resources, commitments, expenditures in respect of this area with which the line Minister is dealing, in this case, the Minister of State, Deputy Noel Ahern, have been proactively moved to the regions. He has plans to deal with specific problem areas. I am sure he would be glad to answer questions on this matter. Practically all our work has been to move the focus to the difficult areas and to link them with a specific plan to deal with these difficulties.

**Mr. Sargent:** The Taoiseach did not indicate the frequency of the sub-committee’s meetings.

**The Taoiseach:** They are held monthly.

**Mr. Kenny:** The mid-term review of the 2001-08 national drugs strategy is under way. Is the Cabinet sub-committee on social inclusion and drugs involved in this process, or does the Taoiseach, as chairman of that sub-committee, delegate responsibility to somebody to attend the national drugs strategy review? What is the position on that?

Does the remit of the sub-committee which he chairs extend to dealing with the consequences of driving while under the influence of a substance? Recently there was a horrific case where this happened and which was reported widely in the national newspapers. Does the remit of the sub-committee extend to deal with or make recommendations on the consequences of such behaviour?

**The Taoiseach:** On the Deputy’s second question, the answer is “No”. That matter is under the remit of the Minister for Justice, Equality and Law Reform and comes under the laws of that Department.

For the information of the House, the terms of reference of the Cabinet sub-committee on social inclusion are to provide strategic focus in tackling the problems of social exclusion, disadvantage and alienation. The work of the sub-committee encompasses issues ranging from drugs to issues throughout the country. Its agenda ranges across the responsibilities of a large number of Ministers, as guided by the provisions of the programme for Government, Sustaining Progress, the national development plan, the national drugs strategy, to which the Deputy referred, and the national anti-poverty strategy. All the relevant Ministers with responsibility for those areas are involved. Therefore, in reply to the Deputy’s first question, the sub-committee monitors and reports on the national drugs strategy.

**Caoimhghín Ó Caoláin:** While I am aware the Taoiseach will not discuss the details of the discussions of the sub-committee, will he indicate whether the alarming rise in the prevalence of cocaine is being addressed by the sub-committee and advise if it will bring forward proposals in that regard?

**An Ceann Comhairle:** That is a matter for a line Minister.

**Caoimhghín Ó Caoláin:** If the Taoiseach is disposed to answer, his response will be welcome.

Will the Taoiseach confirm the correct title of the sub-committee on housing, infrastructure and PPP? Sometimes in official notices the housing element of the title is missing. Does this sub-committee have a responsibility in delivering the 10,000 so-called affordable houses promised under the Sustaining Progress agreement? Will the sub-committee address the need to increase the output of social housing to meet the urgent need of the 48,000 household units currently on housing waiting lists throughout the State?

**The Taoiseach:** The information requested by Deputy Ó Caoláin will be contained in the answer to the next group of questions. The sub-committee deals with the issues referred to in Questions Nos. 8 to 10, inclusive.

**Caoimhghín Ó Caoláin:** I refer to Question No. 5 which is grouped, for whatever reason, with Questions Nos. 1 to 7, inclusive.

**The Taoiseach:** The details are given in the answer to Question No. 8. Deputy Ó Caoláin referred to the spread of all drugs. All issues related to this area are discussed by the sub-committee. Housing matters, which are the responsibility of the cross-departmental infrastructure team, will be dealt with in the answer to the next question.

**Caoimhghín Ó Caoláin:** Will the Taoiseach answer Question No. 5?

**An Ceann Comhairle:** Deputy Gregory has submitted a question to the Taoiseach.

**Mr. Gregory:** Is it the Taoiseach's intention, at a future meeting of this committee, to discuss the recent emergence of the use of crack cocaine in his constituency and in one or two other areas of Dublin? Given the extreme nature of this drug and the huge impact it is likely to have——

**An Ceann Comhairle:** Deputy, you may ask a supplementary question on the issues covered by Questions Nos. 1 to 7, inclusive.

**Mr. Gregory:** Is it the Taoiseach's intention to deal with this issue? Although there have been only one of two instances of the use of this drug the gardaí have made a number of seizures——

**An Ceann Comhairle:** These are purely statistical questions.

**Mr. Gregory:** I accept that, a Cheann Comhairle, but maybe the Taoiseach——

**An Ceann Comhairle:** It is not appropriate to have a discussion on the issue.

**Mr. Gregory:** Does the Minister for Justice, Equality and Law Reform attend meetings of the Cabinet sub-committee? There have been recent differences of opinion between him and the Minister of State with responsibility for drugs. Does the Minister for Justice, Equality and Law Reform keep abreast of policy on the drugs issue? Given, as Deputy Rabbitte has said, that the use of heroin is spreading in urban areas outside Dublin, is the under-resourcing of Garda drugs units in these areas addressed by the sub-committee?

**The Taoiseach:** The answer to Deputy Gregory's first question is yes. The committee has discussed recent developments in the use of drugs and will continue to do so. The Minister for Justice, Equality and Law Reform or one of his Ministers for State always attends meetings of the sub-committee.

There are now Garda drugs teams in every areas. They are no longer only in a limited number of areas. These teams are not part of the committee's work, however. They have been extended by the Department of Justice, Equality and Law Reform to all regions. There is a Garda drugs task force in each of the regions.

**Mr. Costello:** Has the sub-committee on drugs and social inclusion examined the submissions made to the mid-term review of the national drugs strategy? Will the Taoiseach confirm that the vast majority of those submissions took a negative view of the performance of the strategy to date? Will he indicate the committee's current thinking on this matter?

When two Ministers publicly express opposing opinions on a drug treatment process, as happened recently with the Minister for Justice, Equality and Law Reform and the Minister of State at the Department of the Environment, Heritage and Local Government, who decides the Government position or is that resolved by the Cabinet sub-committee on drugs and social inclusion? It is unfortunate to have two polarised positions abroad.

Has the sub-committee discussed the fact that there is a great deal of dissatisfaction with the lack of stability in funding, resources, personnel and the ability to progress projects for the local drugs task force——

**An Ceann Comhairle:** The Deputy has made his point. These questions are statistical.



**Mr. Costello:** —particularly because of the absence of RAPID funding? Are any steps being taken to ensure the local drugs task force can operate effectively?

**The Taoiseach:** As regards the first question, obviously the national drugs strategy is monitored. The Deputy should table a question to the Minister. It is not the case that there is a poor return in that area. An enormous amount has been achieved in this regard. The strategy has been extended beyond the original 13 regions to include many others, the details of which are available. The Cabinet cleared the national drugs strategy, so the stated policy in that regard is Government policy.

Not alone are resources available for the 13 original regions but resources are also being extended. The capital resources, which include most of the capital building programme, are also being rolled out. The next wave of proposals is currently before the Minister who will provide details when answering questions that have been tabled on that matter.

**Mr. Rabbitte:** Will the Taoiseach give an undertaking to the House that at the next meeting of this sub-committee, or such a meeting in the near future, he will have discussed the absence of any harm-reduction programmes to deal with this issue outside Dublin? In that context, the health research board has recently made certain startling findings.

Did I hear the Taoiseach say that the Minister for Justice, Equality and Law Reform is always in attendance at these meetings? Does the Taoiseach not agree that the issue raised by Deputy Costello goes to the heart of this matter in the minds of many experts, in other words, the question of needle exchange that was the subject of difference between both Ministers?

**The Taoiseach:** I will raise with both Ministers the issue the Deputy referred to about putting it on the agenda for the next or a future meeting of the sub-committee. I have no difficulty in doing so.

I stated that either the Minister for Justice, Equality and Law Reform or one of his Ministers of State attends those meetings. The issue of policy is outlined in the drugs strategy, which includes the issues referred to by Deputy Rabbitte. They are an accepted part of the programme that works at least as effectively as is possible in this area.

**Caoimhghín Ó Caoláin:** Will the Taoiseach advise the House whether or not the equal opportunities child care programme falls within the remit of the Cabinet sub-committee on social inclusion and drugs? Given the sub-committee's focus on social inclusion, is there such a dimension?

**The Taoiseach:** No, it is not within the sub-committee's remit.

### Public Private Partnerships.

8. **Mr. Rabbitte** asked the Taoiseach if he will report on the work of the cross-departmental team on infrastructure and public private partnership; and if he will make a statement on the matter. [21337/04]

9. **Mr. Kenny** asked the Taoiseach when the cross-departmental team on infrastructure and public private partnerships will next meet; the number of meetings of the team planned for 2004; and if he will make a statement on the matter. [21435/04]

10. **Mr. J. Higgins** asked the Taoiseach the progress made by the cross-departmental team on infrastructure and public private partnerships; and if he will make a statement on the matter. [22391/04]

11. **Mr. Sargent** asked the Taoiseach if he will report on the cross-departmental team on infrastructure and public private partnerships; and if he will make a statement on the matter. [22474/04]

**The Taoiseach:** I propose to take Questions Nos. 8 to 11, inclusive, together.

**Caoimhghín Ó Caoláin:** Can Question No. 5 also be taken now, a Cheann Comhairle? Will the Taoiseach clarify that?

**An Ceann Comhairle:** Question No. 5 is to ask the Taoiseach when the Cabinet committee on housing, infrastructure and PPPs last met and its planned meetings for 2004. It is purely a statistical question. We will now hear the Taoiseach's reply to Questions Nos. 8 to 11, inclusive.

**The Taoiseach:** I will try to cover it anyway, a Cheann Comhairle. There have been four meetings of the cross-departmental team on housing, infrastructure and PPPs since I last reported to the House. They took place on 9 June, 7 July, 7 September and 13 October. The next meeting will take place tomorrow, and one further meeting is planned before the end of the year.

The discussions at the June meeting focused on major developments relating to infrastructure issues, including progress on key projects and proposals for legislative change. The team also agreed its work programme for the remainder of the year.

The July meeting centred on a report prepared by a legal issues sub-group, assessing the effectiveness of measures taken in recent times to improve infrastructure and highlighting the remaining obstacles. The Department of the Environment, Heritage and Local Government also made a presentation on the regional planning guidelines.

The September meeting focused on progress in addressing the issues raised by the legal issues

[The Taoiseach.]

group report. The team also discussed the infrastructure-related recommendations in the report of the enterprise strategy group. The main theme of the most recent meeting was housing. The topics for discussion at tomorrow's meeting of the team are broadband and public private partnerships.

Overall, the cross-departmental team plays a valuable role in prioritising infrastructure issues to be addressed and, where necessary, proposing possible solutions for consideration by the Cabinet committee specifically and Government generally.

**Mr. Rabbitte:** What is the Taoiseach's reaction to the extraordinary revelations made by the Minister of State with responsibility for housing when he told Deputy Gilmore that since enactment of the Planning and Development Act 2000, 196,000 houses had been built? However, under Part V of that Act relating to social and affordable housing only 350 houses have been built, 209 affordable units and 106 social units. For all the brouhaha we had about this tremendous social dimension to the legislation, introduced by the then Minister, Deputy Noel Dempsey, the net outcome is 350 social and affordable houses.

**An Ceann Comhairle:** A question, please, Deputy.

**Mr. Rabbitte:** Does the Taoiseach recall his Government effectively abolishing that measure in favour of the builders and imposing a levy? In terms of the levy on the housing output to which I referred, 80,000 houses were exempted from social and affordable provisions under the 2000 Act and the levy has been paid only in respect of 400 such houses. Is it not fair for any average person or any citizen awaiting housing to conclude that the Government is more concerned about protecting builders than it is about protecting people looking for social and affordable housing?

**The Taoiseach:** Deputy Rabbitte is correct in saying that the number of house completions in the State have reached a record high. Last year was again a record year with almost 69,000 houses built, almost 15,000 of which were in the Dublin area. House completions for the first six months of this year were again up by 21.5% on last year's figure. Indications for the year is for record completions of up to 80,000 more units, which clearly demonstrates that the measures we had to implement a few years ago to boost supply to deal with the unprecedented demand were successful.

The Deputy is also correct in pointing to the scale of activity on new houses. While I cannot recall the figure in the past six years, 350,000 houses were built, which is probably close to one third of the houses in the Republic. From 2002 to June of this year approximately 209 affordable units and 106 social units were completed under Part V of the Planning and Development Act.

However, more than 1,000 houses are in progress with a further 1,400 proposed, and this figure is increasing all the time.

When Part V was introduced, people who already had planning permission argued that they should not be subject to its provisions and it created enormous difficulty throughout the country. I cannot recall the number of times I and other Ministers answered questions in the House on this matter proposing that we should allow those with planning permission to proceed and that only new submissions should be subject to Part V. Effectively Part V applies to more recently granted permissions than was originally intended. To help increase supply, which is obviously worthwhile, the Government made the decision to allow people with pre-existing permissions to proceed and Part V applies to any new permissions granted since the effective date.

**Mr. Rabbitte:** Part V did not apply as intended, otherwise 40,000 houses would have been provided under the social and affordable provisions and that did not happen. Instead of 40,000 houses, the Taoiseach's own figures refer to 315 houses. Why has the levy that was to apply to 80,000 houses only been applied to 400 houses to date?

Did the Taoiseach tell the social partners, particularly the Irish Congress of Trade Unions, which promoted the issue of affordable housing during the negotiations for Sustaining Progress, that when he said he would build 10,000 additional social and affordable houses, he meant additional to damn all? Did he tell them that no houses were being built under Part V and, as of now, no houses are being built under the commitment to build an additional 10,000? Will the Taoiseach say when the first houses to be built under Sustaining Progress will be ready for occupation?

**The Taoiseach:** Part V started to take effect at the end of 2002 and the beginning of 2003 because there was a real fear that the housing supply would cease. Builders and developers played a part in that but they had permissions for these developments and were allowed to finish them. Part V takes effect for new planning permissions — that was the concession we made to deal with the housing supply. If we had not done that there would not be as many houses being built. It was the only way to deal with this issue, other than in Dublin, where there is a better balance between supply and demand and, although the Dublin area has improved, it is still not in equilibrium.

**Mr. Rabbitte:** What about the people who cannot afford to buy a private home?

**The Taoiseach:** Most of the houses are being bought by first-time buyers. The Deputy saw the recent CSO figures on the issue.

**Mr. Rabbitte:** I also saw the number of second houses being bought. What about the people who cannot afford to buy a private home?

**The Taoiseach:** We are spending almost €2 billion a year on social and affordable housing. Last year 13,000 units were available to people on social housing lists, the highest figure since 1986. This year's figure will be the same or higher. In recent years we have spent well over €5 billion under the national development plan on social housing, an enormous sum. Under a range of social and affordable housing measures, people's housing needs are being met. There are waiting lists but we are building and allocating more houses and we are also helping in terms of voluntary bodies.

Deputy Rabbitte asked about social and affordable housing. We attempted to designate the land, do the planning, build the houses and make them available in a short time but none of the social partners believed they would be available very soon. The State has identified land in Clare, Cork, Dublin, Galway, Kerry, Kildare, Meath, Sligo, Waterford, Wexford and Wicklow owned by the State or local authorities for the initiative agreed with the social partners. It was not agreed on the basis that the land would be supplied and the houses would be built. As I stated previously, I would like to see it done quickly because it is a year and a half since we made the arrangements. We had to work through the arrangements with the local authorities, the State and the trade union movement on how that could be done. I wish they moved more quickly on these issues.

The exact number of units will have to be determined in planning the projects and it will invariably depend on the need to incorporate a mix of housing and other facilities, but the estimated figure is that there will be 8,891 units. That will leave a shortfall of approximately 1,000. The Department of the Environment, Heritage and Local Government is engaged in discussions with a number of Departments and agencies with a view to securing further lands to meet the shortfall and it is hoped that can be done. The Department of Health and Children and health boards have been asked to identify lands that would have a potential yield to ensure we not only bridge the shortfall but go beyond the expected number. Once the initial planning phase is over and planning permissions for these projects is obtained, perhaps we will be able to move more quickly.

As I said on the previous occasion this issue was addressed, there have also been discussions with builders about land swaps, an idea the Construction Industry Federation came up with in the context of social partnership. That is being examined. If that happened, it could speed up the construction of these houses because, in many cases, going through the planning process with its associated difficulties and arrangements takes a considerable amount of time. The private sector builders state — this was a reason for the change

to Part V — that from the time they start the process, as we are doing with these lands, it can take three to four years before they can get through the planning process, the agreements with local authorities about roads, sewerage and drainage works and get the planning permission. That is the point they have made to us and I can see that is the case in some of these areas. Dublin City Council has been very helpful in some of the areas in which it has moved quickly to make progress, as has Fingal County Council. In other areas, the process has been extremely slow but no matter how slow it is, the lands are available and it is a matter of trying to process them as quickly as possible. The State has given the lands and it should supply affordable housing to at least 10,000 people.

**Mr. Sargent:** On the cross-departmental team on infrastructure and public private partnerships, has the Taoiseach had an opportunity to reflect on the Comptroller and Auditor General's report in this regard which concluded that the five schools built by Jarvis could end up costing up to 13% more than if built by the State? The Department of Education and Science believed it would save the State 6%. Is there not a case to look very closely at the road the Government seems determined to go down in depending more on public private partnerships, particularly when such revelations indicate the figures are wrong and have show them to be bad for the Exchequer and for education?

There are questions hanging over the future of the Cork School of Music and the involvement of Jarvis which, I understand, has had number of contracts axed in the UK on the basis of its status. It is quite a beleaguered company. Is the Government reconsidering public private partnerships and reviewing the situation, particularly in the area of education where they have been found not to be good value and not good for education?

**The Taoiseach:** I have addressed some of these issues before. As I said previously, the public private partnership process, not only for this country but for other countries, is a learning one about how one spreads and shares the risk with the private sector. Some countries have embraced the process comprehensively. Spain and Portugal, which are probably leaders in the field, attempt to undertake all capital projects through PPP. We are not using it to anything like the extent envisaged in the National Development Plan 2000-2006 and there are many reasons for this. People will argue that the schools project was a good deal which was completed quickly and efficiently, a design and build financed undertaking and that we should do more. Others argue——

**Mr. Sargent:** It was not.

**The Taoiseach:** It is a point strongly contested by people in education. The other point is that the Department of Finance is correct in its view



[The Taoiseach.]

that the cheapest way to finance a project is for the State to borrow the money. No one can fund a project more cheaply. The whole argument last year was that earmarking the proportion of the capital envelope for PPP would assist in speeding up many projects. We had a long argument concerning the figures used by EUROSTAT and how it dealt with them. That argument changed when it was no longer necessary to put the full cost of a project up front. In a PPP undertaking, only the proportion of the project affecting the year in question is dealt with. It is spread like a mortgage, over 20 years. That makes PPP far more satisfactory. However, it still does not make it more economic than the rate at which the Department of Finance can borrow and that is the central issue. Nonetheless, it enables projects to be moved more speedily, in many areas.

There are different models and it is not always PPP. The Monasterevin road, which was opened yesterday, was not a PPP, but it was a design and build project. In the recent case of the Cork treatment plant, an incentive penalty mechanism was inserted to encourage delivery of infrastructure within set timeframes. In that case, the PPP arranged a structure so that the local authority would only take over a facility when it is satisfied it is operating properly. Until then the developer carries the cost of the operation. While the PPP heading encompasses a broad array of issues, in Europe it is defined in terms of whether there is a spreading or loading of the risk where the private sector may take a share of it. Now we see a number of PPP projects coming on stream, but not many. They are far fewer than envisaged under the national development plan. I do not believe there are any more in the field of education, except the Cork School of Music, which is still having difficulties with the PPP company involved. People are looking at different methods, such as incentive penalties. The Ringsend water plant is a former PPP as well and there are a number of other projects that have been undertaken in this way.

I understand both sides of the argument well. We are doing some and not others, because of the cost issue. However, there is no doubt that it enables a project to be designed, built, financed and become operational far quicker than the other methods. It enables infrastructural projects to be moved with enormous speed. The Monasterevin road was not a PPP, but one should look at the speed at which this project was carried out as well as the Dublin water plant and the five schools. A great amount of time was gained.

**Mr. Sargent:** The Taoiseach is missing the point. Monasterevin was not a PPP.

**An Ceann Comhairle:** The Deputy must allow the Taoiseach to speak, without interruption.

**Mr. Kenny:** The public sector should not cave in.

**The Taoiseach:** It should not be rejected as a concept. In some areas it works very effectively. Eventually, some of these projects must be undertaken, in any event and they could ultimately end up costing much more. I have argued these points with the Department of Finance and it is not a simple area as regards forecasting outcomes, say, over a ten-year period.

**Mr. English:** Will the Taoiseach say whether the interdepartmental group discussed the proposed M3 motorway the projected delays and the possible damage it will do to the whole Tara-Skryne valley? What is his view on this and has he spoken to all the parties concerned? Why are we pursuing the building of a motorway and the compulsory purchase of land for it without giving thought to the provision of a rail line alongside it? In most European states, railway provision is also considered in the context of buying land to accommodate motorways.

**An Ceann Comhairle:** That question may be more appropriate to the Minister for Transport.

**Mr. English:** I disagree. The Taoiseach is the leader of the country and this issue is one of our most important.

**An Ceann Comhairle:** A detailed question should go to the line Minister.

**Mr. English:** The past leaders of the country met at Tara.

**Ms O. Mitchell:** The Deputy should not give him ideas.

**An Ceann Comhairle:** The Deputy has been allowed to ask the Taoiseach a question.

**Ms O. Mitchell:** The High King.

**Mr. F. McGrath:** Is the Taoiseach for Tara?

**The Taoiseach:** A Cheann Comhairle, I would like to answer the Deputy's question. I have listened to some of those involved, though not all. I have listened to those who say the motorway will do major damage to the Hill of Tara and I have listened to those who say it has nothing to do with it. The argument common to both sides is that the development will affect the Skryne valley. I have asked archaeologists, who are members of the country's fastest growing profession, and they differ in their views, as the Deputy knows. The NRA and the Department have asked them to come forward with a conclusive answer. As archaeologists, that is their job and it is not for the local authority, Deputy English or me to answer that. I will be very interested to see their conclusions.

The position should be based on facts. I do not agree with having someone stand on the Hill of Tara with a camera and telling people that the

motorway will go through it. As the Deputy and I know, it will not. I went down to see how far away the proposed motorway was from the hill.

**Mr. Kenny:** It is 784 steps.

**The Taoiseach:** While I do not know the exact distance, it is certainly further than the existing road. There is an argument to be made about the Skryne valley, but there is none to be made about the hill of Tara which could not be seen from where I stood on the road. I do not see that argument.

While I do not think there is a plan to provide a railway line, it would make sense to place a new line on the existing route. Of course, the matter can be discussed.

**Mr. English:** It is the NRA——

**An Ceann Comhairle:** Deputy, we are concluding Taoiseach's questions.

**The Taoiseach:** It is not a matter for the NRA but for Iarnród Éireann. Whether right, wrong or indifferent, for the past six or seven years I moved this country from having a handful of archaeologists to having a posse of them. It will be interesting to see if we will get a conclusive answer.

**Mr. Kenny:** Posses always follow behind.

**Mr. Sargent:** Is that the collective noun for archaeologists?

**The Taoiseach:** I am sure archaeologists are not like politicians, that they reach decisions quickly. There are enough of them to do so.

### Priority Questions.

#### Clár Dílárnaithe.

74. D'fhiafraigh **Mr. McGinley** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cad é an dul chun cinn atá déanta maidir le dílárnú Fhoras na Gaeilge agus cén uair atá sé ag súil go mbeidh an dílárnú go Gaoth Dobhair curtha i gcrích. [28165/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** Mar atá luaite agam cheana féin sa Teach seo, tá dílárnú foirne i gcás Fhoras na Gaeilge faoi réir aontú na Comhairle Aireachta Thuaidh/Theas. Tá an cheist á scrúdú ar bhonn leanúnach agus bhuail mé leis an Aire Angela Smith MP chun an t-ábhar seo a phlé i measc nithe eile mí Bealtaine seo caite.

Tá cáipéisí á réiteach ag mo Roinnse faoi láthair le cur faoi bhráid na n-údarás ó Thuaidh agus tá súil agam go ndéanfar é sin go luath.

**Mr. McGinley:** Tá sé bliain ó fógraíodh an scéim seo anois. Is dócha go bhfuil cuimhne ag an Aire mé féin agus é féin i studio Raidió na Gaeltachta trasna an bhóthair agus muid ag rá go mb'fhéidir go mbeimid ag brath ar an Dr. Paisley Oirmhinneach sula n-éiríonn linn é seo a dhílárnú.

Tar éis bliana, cén dul chun cinn atá déanta ins na comhráite idir muid féin agus an Chomhairle Aireacht ins an Tuaisceart? Ar phlé an tAire an cheist seo le bord nó le foireann Fhoras na Gaeilge? An aontaíonn an tAire liom gur eisceacht ar leith í Foras na Gaeilge mar gur comhairle tras-Teorainn í agus go gcothaíonn sé sin deacrachtaí chomh maith?

Más rud é go réitítear an scéal, cé mhéad oifig a bhéas ag Foras na Gaeilge? An mbeidh ceann i mBéal Feirsde chomh maith le ceann i nGaoth Dobhair?

**Éamon Ó Cuív:** Maidir leis an gceist deiridh, fanfaidh an oifig i mBéal Feirsde, ach amháin sa gcás go dtiocfadh na húdaráis ó Thuaidh chugam agus go mbeidís ag iarraidh í sin a dílárnú. D'fhéadfadh sé sin tarlú. Mar shampla, tá ceannáras Uisce Bealaigh Éirne in Inis Ceithlinn. Níl sé i mBéal Feirsde. Mar sin, níl aon rud neamhghnách i gceist ag an Rialtas a bheith ag iarraidh go mbeadh oifig Fhoras na Gaeilge i nGaoth Dobhair.

Maidir leis an dara cheist, glacaim leis gur cás faoi leith é seo mar go gcaithfear teacht ar réiteach leis na húdaráis ó Thuaidh. Ón gcaint a bhí agam leis an Aire Smith, ní fheicim gur cheist do-sháraithe í sin ach caithfimid a bheith tuisceanach don cur chuige. Admhaím go bhfuil an dul chun cinn mall ach is feidir leis an Teachta a bheith cinnte de go bhfuil i gceist agam é seo a fheiceáil déanta. Déanfaidh mé é sin, le cúnamh Dé, ar bhealach a bhéas tuisceanach agus réadúil.

Is ceist don bhainistíocht í plé leis an bhfoireann agus ní bheadh sé ceart ag Aire dul ag plé go díreach le foireann eagraíochta ar bith a bheadh faoi scáth na Roinne. Is ceist do bhainistíocht an fhorais plé leis an bhfoireann ansin.

**Mr. McGinley:** Cé mhéad duine den fhoireann a chuir in iúl go bhfuil siad sásta a bheith páirteach sa dílárnú? An bhféadfadh an tAire a insint don Teach, go hachomair, cad é atá san aighneacht a chuir bord Fhoras na Gaeilge ar aghaidh chuig a Roinn féin? An bhfuil an bord taobh thiar den scéim nó cad é dearcadh an bhoird? Tuigim go bhfuil aighneacht déanta ag an mbord ach go bhfuil sí faoi rún. An bhféadfadh an tAire an rún a sceith leis an Dáil?

**Éamon Ó Cuív:** Ní rún é rún atá sceite. San aighneacht a cuireadh faoi mo bhráid thóg an foras ceisteanna agus deacrachtaí a shíl siad a bhain leis an gcás. Cuireadh in iúl go soiléir dom go nglacann siad le cibé cinneadh a déantar sa dá Rialtas.

Maidir le cúrsaí foirne, go mórmór sa gcás nach bhfuil an t-aontú oifigiúil idir na húdaráis ó

[Éamon Ó Cuív.]

Thuaidh agus ó Dheas is i bhfolús a bheifí ag cur ceiste ar an bhfoireann maidir le haistriú foirne. Ní réiteofar na ceisteanna sin go dtí go mbeidh cinnteacht ann. Tá an tuairim sin go ginearálta agam faoi chúrsaí dlárnaithe ar aon bhealach. I gcás mo Roinn féin, ó tharla go bhfuil oifig ins na Forbacha, tá méadú nach beag tagtha ar an oifig sin le blianta beaga anuas agus dlárnú déanta de réir a chéile. Tá sé i bhfad níos éasca rogha a dhéanamh nuair atá oifig agus postanna ann agus rogha cinnte os comhair daoine amach. Go minic ní dhéanann daoine suas a n-intinní go dtí go mbíonn na roghanna atá os a gcomhair amach soiléir. Ach an oifig a bheith dlárnaithe ní bheidh sé do-sháraithe foireann foirfe a fháil a bheadh sásta lonnú i nGaoth Dóbhair agus tá mé cinnte go mbeadh an Teachta ar aon intinn liom, mar is áit an-bhreá í Gaoth Dóbhair.

**Mr. McGinley:** Tar éis an méid sin uilig agus tar éis bliain a bheith imithe, an bhfuil an tAire dóchasach go dtarlóidh sé? An bhféadfadh sé buille faoi thuairim a thabhairt ar cén uair a tharlóidh sé?

**Éamon Ó Cuív:** Mar is eol don Teachta ní maith liom dátaí a gcur ar rud. Bhí mé óg agus sioncanta nuair a ceapadh mar Aire Stáit mé agus chuir mé roinnt dátaí ar achtú an Achta Teanga. Níor oibrigh siad amach. Léigh daoine isteach sa scéal sin nach dtarlódh sé, ach tharla sé freisin. Níor mhaith liom dáta a chur air ach tá mé lán diongbháilte go dtarlóidh sé seo. Tá mé muinínach, ach muid a cur chuige go ceart, stuama agus tuisceanach, go n-éiríodh linn aontas na ndreamanna éagsúla a bheadh i gceist a fháil. Ach caithfidh mid a bheith foighneach sa gcás seo.

Tá buntáiste mór amháin ag baint leis an dlárnú áirithe seo. Go fisiciúil is é ceann des na dlárnaithe is éasca sa tír. Cheana féin i seilbh an Stáit, i bhfoirm Údarás na Gaeltachta, tá eastát breá ann agus, mar is eol don Teachta, tá áitreabh den scoth le fáil ansin. Cruthaíodh é sin i gcás Choláiste na hOllscoile i nGaillimh. Nuair a bhí mé i nGaoth Dóbhair thug mé cuairt ar an ionad breá atá acu siúd i nGaoth Dóbhair agus is eiseamláir é den rud gur féidir a dhéanamh ar an eastát sin. Bheadh i gceist go mbeadh scoth na n-oifigí ar fáil. Nuair a bhéas an cinneadh tógtha bheadh sé an-scioptha foirgintí a thógáil. Tá buntáiste mór ann ó tharla go bhfuil an oiread sin áitribh i seilbh an Stáit cheana féin i nGaoth Dóbhair.

### Ministerial Appointments.

75. **Mr. O'Shea** asked the Minister for Community, Rural and Gaeltacht Affairs the progress that has been made to date in regard to the restructuring of ADM, specifically the changes which have been made to the memorandum and articles of association of ADM to date; and if he will make a statement on the matter. [28072/04]

**Éamon Ó Cuív:** I refer the Deputy to earlier replies to questions on this topic, in particular my reply to Question No. 127 on 27 April 2004 and Questions Nos. 186, 194, 198, 218 and 228 on 5 October 2004. As mentioned in these replies the first steps in the process of restructuring ADM has taken place with the appointment to the board of three persons nominated by Government. Following such appointments, work is now under way by ADM to develop appropriate changes to its articles and memorandum of association. Government approval will be required before changes are finalised.

**Mr. O'Shea:** The Minister is not telling us much. In the context of the review, the Minister gave us that information in October, that is, that the Government nominees had been appointed to the board. In what direction is the review heading? Does the Minister regard it as vitally important that ADM retains its independent status as a buffer between his Department and community and voluntary groups on the ground? Does he agree that the representatives of the community and voluntary sectors should be retained in all the areas in which they are located? How will he ensure that the expertise built up by ADM during the past ten years is not lost in the context of the streamlining of delivery of service which appears to be the basis for the Government decision?

**Éamon Ó Cuív:** I am interested in what the Deputy had to say about the buffer. I can never understand why we need a buffer between ourselves and the electorate. Perhaps some day somebody will explain to me what the buffer is about. I could understand it in the case of a planning appeals authority but when providing direct services to the community we all serve, I cannot understand the reason we are paranoid about putting distance between ourselves and the electorate. The decision is that the board and the chair of the company are to be appointed by the Government. The name of the organisation is to change from ADM to Pobal — presumably the staff would say there is no reason for it, other than normal staff turnover, and that it will not happen.

There are two major community sectors under the aegis of my Department, the CDP system and the partnerships. One's relationship to the Department is direct without the so-called buffer and the other is through ADM. If the Deputy considers there has to be an intermediary body, I am surprised he is not pressing that the CDPs operate in a similar way through an intermediary body. There appears to be an inconsistency there. That shows how the whole system grew up with a lack of consistency and now we are trying to bring to it a much more focused delivery in order that the people on the ground benefit from the money we are spending.

**Mr. O'Shea:** The Minister asked why a buffer is necessary. The case has been made to me that where the Leader programmes had to interface with the Department of Agriculture and Food the relationship tended to be non-administrative in the context of how money was allocated. I have been informed that what was lacking was a grasp of what community development is all about and the skills and experience of people on the ground are being lost. A buffer is necessary in this area because Departments, if dealt with directly, tend to be more straight-laced and rigid in how they operate than a group that has operated in an independent capacity and which has no allegiance to either the Department or the sector. I do not accept the Minister's point that I was making a distinction between the community and voluntary sectors in terms of the area partnerships. I regard these as part of the process. Maybe the generic term I used was not sufficiently comprehensive, but I certainly had that in mind.

**Éamon Ó Cuív:** The Deputy missed my point. I am saying that the community development programmes deal directly with the Department while the partnerships deal through ADM. If the Deputy believes the second method is the best, logically he should believe that it would also be good for the CDPs.

The Deputy misunderstands the point regarding Leader. Leader's administration tends to be administrative because it is an EU programme bound by a sizeable book of rules. The Department does not have discretion as a consequence and therefore its main role is to administer the rules agreed with Brussels. The Leader companies appreciate this and have discussed it with me frequently. They know there is little room for manoeuvre.

I disagree with the Deputy on the basis of my experience. I was a co-operative manager for many years and dealt with both Údarás na Gaeltachta and the Department, Roinn na Gaeltachta. The consensus among the co-operative managers was that they would much prefer to deal directly with the Department than with Údarás na Gaeltachta. This is not to cast a slur on the latter as I refer to its structure rather than its staff. Deputy O'Shea's point related to the ADM. The co-operative managers felt there was much more flexibility, much less bureaucracy and more willingness to adapt to change in the Department. Most people working in the area, certainly those who shared my experience, would much rather deal directly with the Department.

#### **Grant Payments.**

76. **Mr. Boyle** asked the Minister for Community, Rural and Gaeltacht Affairs if grants have been paid out by Údarás na Gaeltachta to a company (details supplied) in respect of a quarry located in Ballynahalla, Moycullen, which has been confirmed by Údarás as being outside the

Gaeltacht area; and if he will make a statement on the matter. [28069/04]

**Éamon Ó Cuív:** As I indicated in my reply to Question No. 160 on 5 October 2004, a capital grant was approved by Údarás na Gaeltachta in respect of the company referred to by the Deputy on the incorrect understanding that it was operating within the Gaeltacht boundary.

I understand from Údarás na Gaeltachta that appropriate steps have been taken to prevent a recurrence of such anomalies. Moreover, I understand that, following a review of the matter in the course of an interim audit of the 2004 accounts of Údarás na Gaeltachta, the Comptroller and Auditor General will not be taking any further action.

**Mr. Boyle:** I thank the Minister for his answer. Has he or his Department sought further information on other companies to which Údarás na Gaeltachta might have granted money in similar circumstances in recent years? Is he aware of how prevalent this practice might be?

Given the Minister's proposals or suggestions that Gaeltacht areas should be extended or boundaries redrawn, has he or his Department undertaken an audit to ascertain the effect such an extension would have on the allocation of grants by Údarás na Gaeltachta in regard to certain industrial or other activities?

**Éamon Ó Cuív:** In response to the first question, I know of no other case where this happened. Knowing the circumstances and the topography of the case, it is a pity it happened. However, it was quite understandable that it happened and I understand that local people did not quite realise the location of the townland boundary. In many cases such a boundary is defined by a stream or abhantrach where the water comes off the hills, if there are hills. The place in question does not have hills. It is in a limestone region and all the water sinks below the surface. Therefore it was not so easy to define the townland boundary. It is obvious that what happened should not have happened. In fairness to Údarás na Gaeltachta, it is taking steps to ensure that it will not happen again.

On the second question, if the boundaries ever change in the Gaeltachtaí, an issue we are considering, grants would only be paid within the new boundary from the date of the change. We experienced this when changes were made under the 1956 Act to Gaeltacht boundaries defined in the 1929 Act. There is a precedent for dealing with the matter.

**Mr. Boyle:** The case in question was one of misplaced geography and I accept the Minister's word on this. However, does his Department or Údarás na Gaeltachta have a specific policy on the environmental impact of grants? The case to which I referred concerned a quarry, and the money given and the type of activity in which the



[Mr. Boyle.]

company was engaged obviously had an environmental impact. If the Minister has a policy on this, does it inform the decisions of Údarás na Gaeltachta regarding the giving of grants?

**Éamon Ó Cuív:** The policy is very clear. Anybody seeking a grant must fulfil all the laws that apply, including Environmental Protection Agency guidelines, with regard to environmental impact statements and planning permission specifications. The Deputy might have understood that the planning authority was of the opinion that planning permission was not required but it emerged some considerable time after the making of the grant that An Bord Pleanála made a different ruling. We pass laws and everybody applies them but we do not know whether somebody will bring a case to the Supreme Court to prove a law unconstitutional in ten years' time. Until this happens, however, one cannot blame a person for acting within the law as it exists. A ruling was given that planning was not required in the case in question and Údarás na Gaeltachta was perfectly correct to presume, once the local authority expressed its view to this effect, that the ruling was correct. We always apply this principle to legislation.

#### National Drugs Strategy.

77. **Mr. English** asked the Minister for Community, Rural and Gaeltacht Affairs if he will significantly increase funding and adequately resource the regional drugs task forces in 2005, in view of the growing evidence of the spread of drugs, particularly opiates, in the regions; and if he will make a statement on the matter.  
[28180/04]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern):** The national drugs strategy provides for the establishment of ten regional drugs task forces. These task forces are mapping out the patterns of drug misuse in their areas and also the range and level of existing services with a view to better co-ordination and addressing gaps in the overall provision. A sum of €500,000 has been provided by my Department in the current year for administrative and technical assistance costs incurred by the task forces in the preparation of their plans.

The work being undertaken will, when complete, feed into the drafting of regional action plans which will then be assessed by the national drugs strategy team. The nature of the drug problems in the task forces' areas and the gaps in existing services will be reflected in the action plans that are being developed. I hope all this work can be completed by early 2005 and that I will then be in a position to bring recommendations on the funding of the plans to the Cabinet committee on social inclusion for approval.

The Deputy will appreciate that the Estimates process for 2005 is ongoing. However, I expect

the regional drugs task forces to be in a position to begin the implementation of their plans during 2005.

It is worth noting that the Department of Health and Children, which has overall responsibility for addiction services, reports that overall 7,091 people were receiving methadone treatment at the end of August 2004. This represents a 40% increase over a four-year period.

With regard to the prevalence of drug misuse in the regions, the Deputy should note that a recent report by the Health Research Board showed that the numbers in treatment for heroin use outside the Eastern Regional Health Authority region, as opposed to the overall prevalence rate, have increased significantly. The best available figures on overall levels of use outside the ERHA region are those produced by the National Advisory Committee on Drugs last year, which estimated that there are approximately 12,400 opiate users in Dublin and 2,200 opiate users outside Dublin, although many of these users are in counties Wicklow and Kildare, which are in the ERHA region.

#### *Additional information not given on the floor of the House*

In general, treatment services in the regions have followed a similar pattern to that observed in the ERHA region when treatment availability was expanded therein. Existing users are much more likely to come forward and present for treatment as it becomes more available, accessible and attractive. Accordingly, as the services have expanded, so have the numbers in treatment. I am sure the Deputy will agree that this is a positive development as it indicates that services are meeting an existing demand. Tackling the drug problem remains a priority for this Government and it is my intention that significant resources will continue to be targeted at the problem on a countrywide basis.

**Mr. English:** I am afraid the Minister of State's answer was more of the same, especially his contention that the task forces are mapping out their plans and strategy. Will he make a commitment today to provide money in the forthcoming Estimates to fund the plans that are expected to be implemented early in 2005?

For the past year or more, I have listened to comments to the effect that plans are being mapped out. We have our heads in the sand like ostriches. The Minister of State is charged with responsibility for the drugs task forces. Is he happy that they have not submitted their plans? He could not be happy and he should order them to submit them. The plans have not been submitted because the task force cannot afford to give them to us — €50,000 to draw up a strategy and a plan to deal with the whole drugs issue. The Minister of State also said the number of people on treatment has increased. The task force is about preventative measures too, so that treatment will not be needed. We are half way through

the 2001-08 drugs strategy and we have gone backwards with regard to the numbers. Will the Minister admit that the policy has failed? The Minister should now agree to provide sufficient funding in this year's budget to deal with the issue, not a miserable €50,000 for the task force. I do not want to ask the same question next June after the task force has submitted its plan, and hear the Minister say it was too late to get money in the budget because the Estimates were drawn up six months earlier. That will not be good enough. The money must be provided now to facilitate the plans. The task force needs to be driven forward to find solutions to the problem.

**Mr. N. Ahern:** The first thing the members of the new regional drugs task force did when it was set up was to get to know one another and examine the services available within the region. There is no point submitting plans and seeking extra funding without carrying out an analysis of the services available and the resources needed and so on.

**Mr. English:** I asked about funding in this year's Estimates.

**Mr. N. Ahern:** The Deputy asked a question and I am telling him the situation. No plan has been submitted from the ten regions. The plan from the Deputy's region is due within the next couple of weeks. The time scale for receiving all ten plans is next April. The plans will be assessed as they come in to see if the ideas are relevant. I will bring the findings to the Cabinet committee on social inclusion and I expect they will be approved in the spring. I expect the plans will be in place from summer to autumn, depending on when we receive them. We must go through the proper process. Setting up and funding the plans was a key part of the strategy and this is happening.

On the wider issue to which the Deputy referred, the mid-term review is taking place. If the Deputy or any other group has views on the matter, we will take them on board. Life is not perfect, but we are doing a significant amount of good work.

**Mr. English:** The Minister of State cannot be happy with the progress to date. I do not blame him completely for what is happening because it took three years to set up the task forces. The key question is whether funding will be provided in the Estimates to fund the plans. The Minister of State did not guarantee that the plans will be funded. There was no problem finding €50,000 for the Aislinn group because an election was about to take place. If there was an election next year would money be provided for these groups?

**Mr. N. Ahern:** The Aislinn group received funding through the health board. I cannot announce the Estimates today, that will happen in the coming weeks. The plans will come in. So

far none of the plans from the ten regions have come in. I am confident they will be approved and that the task forces will be up and running next year.

### **Irish Language.**

78. **Mr. O'Shea** asked the Minister for Community, Rural and Gaeltacht Affairs if, in relation to his letter in a newspaper (details supplied), he will elaborate on his comments that the outcry against the singing of the Irish national anthem in English at the Ryder Cup in America is evidence that the vast majority of the population has a positive attitude towards the Irish language; and if he will make a statement on the matter.  
[27979/04]

**Éamon Ó Cuív:** The statement is self-explanatory and does not require elaboration.

**Mr. O'Shea:** Will the Minister agree that making a daft statement about the vast majority of the population having a positive attitude towards the Irish language based on the fact that there was a complaint about the national anthem being sung in English at the Ryder Cup in the United States is a very unscientific statement? Will he agree further that we do not know the attitude to the Irish language of the vast majority of the population? We will not know that unless and until qualitative research is carried out or, alternatively, there is a referendum on the matter. My basic point is that a daft statement such as this damages the movement that seeks to preserve and promote the Irish language.

**Éamon Ó Cuív:** The Deputy may have missed the original article in which the allegation was made that there was general bad will towards the Irish language with just a few people interested in it. While travelling throughout the country, everywhere I go I find general goodwill towards the language. There has been research on this issue in the past. While I have a science background, the reality is that one of the best tests of popular opinion is the mood of this House. One thing that can be said of politicians of all colours is that they tend to get the way the wind is blowing fairly fast. Allowing for the fact that this House reflects the view of the people, there appears to be goodwill towards the Irish language. I will not waste significant sums of money carrying out qualitative research to debunk a wild statement made in a newspaper about lack of support for the Irish language.

The general support for TG4 and the *gaelscoileanna*, indicates that the vast majority of people throughout the country support the Irish language in different forms. The fact that everyone sings the national anthem in Irish indicates that there is not a general antipathy towards the language, because if that were the case, people would sing it in English.

**Mr. O'Shea:** We are getting a little bit of "looking into our hearts and seeing what the Irish people want". The question I asked was based on a letter published in a national Sunday newspaper. The Minister has not addressed the issue of whether it was a ridiculous statement to say that, because some people objected to the national anthem being sung in English at the Ryder Cup, showed that the vast majority of the Irish people are favourable towards the Irish language. That sort of crazy logic does no service to those of us who want to see the Irish language preserved and promoted. We need to be much more accurate and scientific in what we say. I disagree with the Minister that qualitative research is not important. We need to know what people in general think about the language before we can move forward. In addition, it is extremely important to develop in the community at large an ownership attitude towards the Irish language. What we are getting is hit and miss policies and daft statements such as this, which are putting back the day when we can make real progress.

**Éamon Ó Cuív:** If we need qualitative research, and this is taking place, we can get it anytime. A comprehensive policy is being followed in regard to the language. We must also be careful about research, which is often largely influenced by how one asks a question. There is the famous case of the car manufacturer who asked people what kind of car they wanted. As most people like to appear sensible, they answered that they would like a very sensible solid car and so on. When the car went on the market it was a total failure. The second survey was carried out slightly differently. People were asked what they thought their neighbour would want and they said they would want a big flashy car, with plenty of gadgets such as electric windows and so on. That car sold like a bomb. The way one asks a question can prompt the answer. It is difficult to get to the hard science of the matter, no matter what sociologists tell us.

As we are all aware, one of the reasons we need politicians is that, even though one might get all the evidence, it does not prove to be that useful when one tries to do the thing in practice. I am a great believer in the wisdom of the political system. It is often the best opinion poll of all because sometimes the antennae of politicians are much more accurate than surveys since sometimes questions are loaded to provide a specific answer.

**Mr. O'Shea:** I am sure the Minister believes the waffle we have just heard has some significance.

**Éamon Ó Cuív:** It is a fact.

**Mr. O'Shea:** Does the Minister stand over his statement in the *Sunday Independent* that the proof that the vast majority of the people support the language can be based on the fact that people objected to the national anthem being sung in English at the Ryder Cup competition? The Mini-

ster has avoided the issue. Waffling is all very well—

**Éamon Ó Cuív:** I gave a straight answer on that.

**Mr. O'Shea:** The Minister did not answer that.

**Éamon Ó Cuív:** I never said that so I cannot—

**Mr. O'Shea:** That is what it said.

**Éamon Ó Cuív:** The Deputy can check, but I never said it was proof. I said there was general goodwill for the language and then said "for example" and gave the example. However, it was not a question of proof. Nobody can prove it. Even if we carry out the scientific survey the Deputy has mentioned, it will not prove anything. It only proves that on a certain day, a certain number of people express a certain view to a certain question. Proof in a mathematical sense is not available on any of these questions.

**An Leas-Cheann Comhairle:** We must move on to the next question.

**Éamon Ó Cuív:** What I said was only an example but in these cases it gives a good sense of what people are thinking.

**Mr. O'Shea:** The Minister should read his own words.

## Other Questions.

### Irish Language.

79. **Mr. Stagg** asked the Minister for Community, Rural and Gaeltacht Affairs if he will make it a priority to ask the Irish language forum to report at the earliest possible date with short-term strategic priorities for the preservation and promotion of the Irish language within the State; and if he will make a statement on the matter. [27992/04]

129. **Ms Shortall** asked the Minister for Community, Rural and Gaeltacht Affairs the progress made to date by the Irish language forum; if he has received a report from the forum; the number of meetings held by the forum; and if he will make a statement on the matter. [27991/04]

**Éamon Ó Cuív:** I propose to take Questions Nos. 79 and 129 together.

Deputies will be aware that the role of Fóram na Gaeilge is to advise me on the advisability of preparing a 20-year strategic plan with realistic goals for the Irish language in the State; the short-term strategic priorities for the preservation and the promotion of the Irish language within the State; the priorities regarding the implementation of the Official Languages Act; and the best and



most practical ways to achieve progress with regard to the implementation of that work. Arising from that, it is hoped that there will be a more integrated approach among the main community and State organisations that promote the Irish language and a greater degree of co-ordination to their work.

There have been two meetings of Fóram na Gaeilge to date. I have asked the members to submit their views on the development of an Irish language plan and related short-term priority issues. There has been a good response to this from the members, and officials of my Department are examining the various submissions. Consideration is also being given to the options for developing a framework, with assistance and advice from the forum, for a broad plan for the Irish language that would include strategic priorities for its preservation and promotion within the State. I anticipate that this work will be brought forward over the coming months.

**Mr. O'Shea:** It makes sense that the first matter Fóram na Gaeilge should address is the short-term strategic measures, rather than a 20-year strategic plan. That is important. To return to the issue of research, we are making assumptions about the Irish language and do not know what people think. The Minister spoke about research being a measure of something on a day, but I am talking about qualitative research which will inform us of people's exact opinions. The research should be widely based so that we can be aware of them. When we do this we will understand better the problem that must be addressed.

We must inculcate in people an attitude of ownership of the language. That is essential. The language does not belong to an elite or to small groups, but to all of us. If we do not engage with the population at large through a countrywide, open and frank debate where if people express a view that does not coincide with——

**An Leas-Cheann Comhairle:** I remind the Deputy that supplementary questions are limited to one minute.

**Mr. O'Shea:** Is it not logical that Fóram na Gaeilge should focus on the short-term objectives and priorities and get going on those? We are losing the battle and there is no time to be lost.

**Éamon Ó Cuív:** One minute the Deputy wants me to spend years on research and strategy and——

**Mr. O'Shea:** I did not say that.

**Éamon Ó Cuív:** ——the next minute take the short-term view. What I have been doing over my period as Minister of State and as Minister is developing coherent policies. These have to be implemented piecemeal as the opportunity occurs, but they form part of a coherent approach

to the language. One thing we must do, because it has not been done since the early 1920s, if it was ever cogently done, is lay out the State's policy. We are elected and should set out the State's policy towards the Irish language in 2004 and for the future.

Nobody has laid out the policy so it would be beneficial if we, as the elected Government, set out our stall. We could then debate the issue and know what we aim to do and the objective. In the early years of the State, the replacement of English by the Irish language was the stated policy, but that policy has long since disappeared. However, it is fair to say that people have only a vague idea of the State's policy on the Irish language. I do not only mean the policy of the Government but of Governments over the past 30 or 40 years. It is time we stated our policy clearly.

The policy must be set out as a long-term policy. Arising from that policy we should decide our long-term and short-term objectives. From that we can consolidate the short-term steps that must be taken. The Deputy is right that the policy to appoint——

**An Leas-Cheann Comhairle:** I remind the Minister that his answers are also subject to a one minute time limit.

**Mr. McCormack:** What is the Minister's view on the preservation of the Irish language with regard to it being a factor in applying for planning permission for once-off housing in the Gaeltacht?

**An Leas-Cheann Comhairle:** That question will arise later. We cannot deal with it now.

**Mr. McCormack:** Tá a fhios agam go mbaineann Ceist Uimh. 81 leis an ábhar céanna, ach tá baint ag mo cheist le Ceist Uimh. 79 freisin so I would like to continue. What is the Minister's attitude towards the Irish language being a factor in the allocation of tenancies of local authority houses or affordable housing in Gaeltacht areas?

**Éamon Ó Cuív:** I will be brief. I support the objective laid out clearly in the law that in drawing up plans, local and regional authorities must seek to preserve the cultural and linguistic heritage of the Gaeltacht. How they do that under the law is a question for them, not for the Minister of Community, Rural and Gaeltacht Affairs. There seems to be some misunderstanding——

**Mr. McCormack:** I only asked what was the Minister's attitude.

**Éamon Ó Cuív:** My attitude is clear, there is an absolute obligation on local authorities to comply with the law, which clearly states the objective of taking language criteria into account in making planning decisions. The law passed by this House is clear and all of us must support the local authority in upholding it.



**Mr. McCormack:** What is the Minister's opinion of it? Has he an opinion?

**Éamon Ó Cuív:** I have a clear opinion. The law is clear on the issue.

**Mr. McCormack:** Cuirfidh mé ceist eile ar Cheist Uimh. 81.

**Mr. McGinley:** Thagair an tAire, ina fhreagra roimhe seo, don pholasáí teanga ó bunaíodh an Stát. An aontaíonn an tAire liom gurb é an dúshlán a bhí againn nuair a bunaíodh an Stát an Ghaeilge a thabhairt chun cinn taobh amuigh den Ghaeltacht? Má bhreathnaítear ar rudaí mar atá siad anois, tá ag éirí measartha maith leis an polasaí taobh amuigh den Ghaeltacht. D'fhéadfaí tagairt a dhéanamh do Ghaelscoltacha agus mar sin. Tá an dúshlán tar éis athrú go dtí an Ghaeltacht. Caithfear dul i bhfeidhm ar aos óg na Gaeltachta. An bhféadfadh an tAire a insint don Teach cad iad na pleananna atá ag a Roinn nó ag an Rialtas le dul i bhfeidhm ar aos óg na Gaeltachta leis an teanga atá acu a chaomhnú agus a choinneáil?

**Éamon Ó Cuív:** Tugaim creidiúnt don dream a bhunaigh an Stát ar an dá thaobh den chlaí polaitíochta. Rinneadar a ndícheall. Aineoinn an rud a deirtear go coitianta, is é mo bharúil agus mé ag breathnú ar na figiúirí, go mbeadh an Ghaeilge básaithe i bhfad ó shin murach na hiarrachtaí a rinne siad. Is iontach an rud le rá go bhfuil i bhfad os cionn milliún duine sa tír a deir go bhfuil Gaeilge acu. Sin suirbhé eolaíochta mar tá an t-eolas sin againn ó na daonáirimh.

Maidir leis an nGaeltacht agus an ngalltacht, mar a tugtaí air — b'fhéidir gur droch théarma é sin — in imeacht ama tá brúnna nach beag ar an nGaeltacht de bharr go bhfuil daoine ag bogadh isteach is amach. Tá daoine ag teacht chun cónaí san nGaeltacht agus daoine ón nGaeltacht á fhágáil. Ceann des na fáthanna go bhfuil an Ghaeilge ládraithe taobh amuigh den nGaeltacht ná go bhfuil daoine ón nGaeltacht bogtha taobh amuigh den nGaeltacht seachas dul ar imirce le blianta beaga. Tá dúshlán dochreidte sa nGaeltacht, agus tá mé ag iarraidh aghaidh a thabhairt orthu. Mar is eol do Theachtaí, tá mé ag breathnú ar leasuithe bunúsacha a chur ar scéim labhairt na Gaeilge. Tá obair nach beag déanta leis na naíonraí agus na cúntóirí teanga. Tá scéim phíolótach do chuairteoirí baile tosaithe anois, agus dírim isteach ar naíonlanna, nó crèches, mar sin an áit is túisce a dtéann gasúir anois. Tá mé tar éis scéim na gcampaí samhraidh a chur ar aghaidh i mbliana agus airgead a thabhairt d'Údarás na Gaeltachta chun obair a dhéanamh leis na clubanna óige. Tá mé tar éis airgead a thabhairt do dhaoine le tosú i mbun pleanála teanga ar leibhéal an phobail. Tá an tAcht teanga againn.

Tá go leor rudaí ar bun, agus is é ceann de na rudaí a gcaithfidh a fhoghlaim faoi na rudaí seo ná nach bhfeicfear a thoradh sin ach go ceann

cúig bliana nó deich mbliana. Mar sin, má tá muid dáiríre faoin gceist seo, caithfidh bheith sásta bheith ann don mbóthar fada. Ró-mhinic i stair an Stáit seo, caitheadh rud i dtraipisí nuair nár éirigh leis míorúilt a dhéanamh thar oíche. Tá súil agam, cibé duine a thioctas i m'áit nuair a imeos mé, go leanfar le polasaí fadtéarmach agus go dtuigfidh daoine nach mbeidh toradh ar na rudaí atá á gcur in áit agam muna bhfágfar ann iad agus muna dtabharfar seans don phacáiste iomlán ar feadh tamaill mhaith de bhlianta.

**Mr. O'Shea:** The Minister stated that on the one hand I ask him to take long-term measures and, on the other, to take short-term measures. There is nothing essentially wrong with that. Having examined the terms of reference of Fóram na Gaeilge, I see it as more important that the short-term strategic objectives be first set before the Minister and that he implements them. The 20-year strategy is a long-term one. We need action now.

The Minister dealt with the census and mentioned that more than 1 million people speak the Irish language.

**Éamon Ó Cuív:** They know the Irish language. There are not more than 1 million people who say they speak it. We need to be accurate about that.

**Mr. O'Shea:** We certainly need to be accurate about it.

**Éamon Ó Cuív:** They claim they know it. Usage is another question.

**Mr. O'Shea:** My point is that the answers to the questions in the census are subjective. How does one measure fluency on the basis of what is said by a fluent speaker and what is said by somebody who speaks very little Irish? There is no way of measuring that, although the Central Statistics Office stands over the validity of its findings. However, each person answers that question according to his or her own standards and criteria. I wish it were so but I do not believe the position is as strong as it seems.

I do not see why the Minister has a problem with what I suggest. Fóram na Gaeilge should report first with the short-term objectives and the Minister should implement them quickly because things are not going well and we need to change that.

**Éamon Ó Cuív:** Beidh mise i bhfad ní ba ghairde d'anailís an Teachta McGinley. There are very good signs in certain areas and huge threats in other areas. It is not all in one direction. That is one of the complexities of the issue.

There were complaints about committees and studies. I confirm that on language issues there is only one study, namely, the staidéar teangeolaíochta. This is a time for action. The committee is purely advisory and I envisage it being available to advise Ministers in the future. However, it will

not constrain me at any time from taking action because the power to take action remains with the Minister. I have consistently taken action. In the past five years there has been a consistent roll-out of action. It is important for the State to define what the objective is and I am surprised that the Deputy is not fully supportive of this. I believe that when he reflects on it he will see the logic of it. The objective is not that of the 1920s and 1930s. My point is that we cannot have even short-term strategies in a coherent framework unless we decide where this nation wants to go regarding the language.

One interesting fact I heard yesterday is that many asylum seekers are particularly interested in our culture. It is important therefore, for people coming into this country as well, that there is a clear statement regarding where the Irish language fits into our future. Time and again I have articulated a bilingual view. No child in this country should be deprived of a full knowledge of the English language, a fantastic world resource. I am also very strongly of the view that it is increasingly possible, particularly with modern technology, that neither should any child in this country be denied an opportunity to be fluent in the Irish language, and that bilingualism is a realistic norm to aim at. It must be stated clearly what it is we are trying to achieve.

### **Voluntary Sector.**

80. **Mr. Morgan** asked the Minister for Community, Rural and Gaeltacht Affairs if he will make provision in the 2005 budget for the fulfilment of the commitment to support the community and voluntary sector as outlined in the White Paper. [28003/04]

89. **Mr. Crowe** asked the Minister for Community, Rural and Gaeltacht Affairs the reason for the delay in delivering on the promises outlined in the White Paper on supporting voluntary activity. [28000/04]

101. **Ms O'Sullivan** asked the Minister for Community, Rural and Gaeltacht Affairs the position with regard to progress on implementing the recommendations of the White Paper on a framework for supporting voluntary activity and for developing the relationship between the State and the community and voluntary sector; and if he will make a statement on the matter. [27970/04]

**Mr. N. Ahern:** I propose to take Questions Nos. 80, 89 and 101 together.

Considerable progress has been achieved regarding the implementation of recommendations in the White Paper on a Framework for Supporting Voluntary Activity and for Developing the Relationship between the State and the Community and Voluntary Sector.

Core funding recommendations in the White Paper are being addressed. For example, in September 2003 I announced some €7.3 million in funding to 56 organisations in the community and

voluntary sector over a three year period under schemes to support the role of federations, networks and umbrella bodies and to provide training and supports to the sector; funding of €1.43 million per annum is being channelled to the anti-poverty networks; and funding of some €1.28 million per annum is being provided for the continuing development of the highly successful community and voluntary fora, established as an important element of the local government reform process.

In the matter of policy recommendations arising from the White Paper a consultation paper on one of its most important recommendations entitled Establishing a Modern Statutory Framework for Charities was posted on my Department's website on 17 December last. In early February I formally launched a public consultation on the issue and a notice inviting submissions was placed in the national newspapers. The public consultation will inform the development of the forthcoming legislation in this area. In recent weeks I was pleased to publish the external report on the public consultation.

Deputies will also be aware that an implementation and advisory group comprising representatives from the voluntary and statutory sectors was established to monitor and advise on the implementation of the White Paper. Substantive matters considered to date by the IAG include the multiplicity of funding sources through which the sector must operate, the designation of voluntary activity units in relevant Government Departments, accreditation of training in the sector, support for volunteering and the establishment of good practice standards in both the community and voluntary sector and the statutory sector.

The White Paper indicated that a review of the IAG should take place after a three year period. Work on this review is continuing in my Department.

**Mr. Crowe:** I have tabled a number of questions on this area. It is a grey area of Government policy and the Minister's reply is insufficient to throw any real light on it. The White Paper on supporting voluntary activity was published in September 2002. It set out a framework for supporting voluntary activity and for developing the relationship between the State and the community and voluntary sector. An implementation and advisory group was established and, after three years, a formal review was to take place. When will there be a formal review? The members of the advisory group have been seeking to participate in a review since May. Can the Minister confirm that he is not stalling regarding the review? When can we expect it to be carried out?

What has the Department been doing regarding the provision of multi-annual funding for the community and voluntary sector, which again is a bugbear, according to people in the sector? There was mention in the White Paper of enabling voluntary sector activity in such areas as

[Mr. Crowe.]

accreditation of learning volunteers and an improved regulatory framework. The reality, however, is one of *ad hoc* rather than long-term funding. Instead of empowering and encouraging the voluntary sector, the message from Government seems to be one of disinterest. One of the IAG's reviews mentioned the lack of continuity of membership on the statutory side, the selection of junior personnel for the committees and statutory members not being given a mandate from the Department. This sector is being treated with contempt and there is no indication of when the review will be published.

**Mr. N. Ahern:** It was always said that the IAG would be reviewed after three years. Its mandate ended in July 2004 and the review is being completed. For now, the IAG as a group is still meeting and continuing its work. Papers have been exchanged between the Department and the IAG but a decision as to how we move forward into the future will be made quite soon.

I have already explained the position regarding funding. This was an issue of hot debate for a time but the funding was announced last year and it is going to a number of bodies. Perhaps some who hoped to receive funding did not, or did not receive the sum they hoped, but substantial funding has been provided to the sector under the two headings and this is ongoing on a three-year basis.

**Mr. O'Shea:** Does the Minister of State agree that one of the most important supports for the voluntary sector is that the recommendations of the report, *Tipping the Balance*, be implemented? This provides that a legal framework be put in place for the voluntary sector. If this does not happen, the current situation where volunteers are becoming scarcer on the ground will continue. I fail to see why the Government had this report drawn up when it has done nothing about it. It is an important underpinning of the voluntary sector and essential to its proper development.

**Mr. N. Ahern:** The report, *Tipping the Balance*, was about volunteers rather than paid staff and this report is being reviewed. It got tied into general reforms which are being carried out within the Department. One of the ideas contained in the report was the establishment of volunteer bureaux throughout the country. We are in favour of these in many ways but, in trying to co-ordinate the work of the various groups and bodies under the aegis of the Department, we felt it unnecessary to establish an entirely new network of volunteer bureaux. We considered that some of the existing groups could attempt to push forward the idea within the existing frameworks between CDPs, partnerships, drugs task forces, and so on. We were reluctant, therefore, to set up a new network for the moment while still attempting to establish some coherence among existing organisations.

**Mr. McGinley:** I am sure the Minister of State is familiar with the pre-budget submission by the Community Partnership Network and its concerns that, between 2002 and 2004, there was a reduction of almost 20% in its budget. It is anxious to have its budget restored to what it was in 2002. Can it expect its submission to be received sympathetically and that there will be a favourable decision?

**Mr. Boyle:** Does the Minister share the opinion of many in the community development sector that part of the reason there is not ongoing support from the Government is the fear that the sector represents an alternative to politics? Rather than the old approach of cumainn and branches, people can now effect development in their own communities, discover the nature of their own difficulties and seek to find their own resources. It is because of this threat that the Government is not responding adequately.

**Mr. N. Ahern:** Regarding funding, the Estimates will be released within the next two weeks and Deputy McGinley will see the funding available under the various headings. We are working towards what was outlined in the White Paper, which was fundamentally concerned with improving the relationship between the State and the agencies. The question of how this should be done is the subject of ongoing consultation and discussion.

Regarding Deputy Boyle's question, people on different sides have different expectations as to what can be achieved. Much progress has been made and significant funding has been provided, which was one of the Department's key objectives.

*Written Answers follow Adjournment Debate.*

### Adjournment Debate Matters.

**An Leas-Cheann Comhairle:** I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy Finneran — calling on the Minister to extend the rural renewal scheme to coincide with the period of Objective One status in that region; (2) Deputy Cowley — to ask the Minister if he will consider reform of An Bord Pleanála; (3) Deputy McGuinness — the urgent need to improve the infrastructure and provide funding for the delivery of education to people with autism (details supplied); (4) Deputy Kirk — calling on the Minister to clarify the future position in view of recent speculation with regard to North Eastern Health Board lands (details supplied); (5) Deputy Ferris — the urgent need for a new maternity unit at Kerry General Hospital; (6) Deputy Boyle — the reason no decision has been made or any explanation forthcoming with regard to a request by a person (details supplied) to be granted Irish citizenship;

(7) Deputy Finian McGrath — the concerns of citizens about the funding for the performing arts in Ireland; (8) Deputy Connolly — to discuss the provision of 90% grant-aid funding for farmers in Counties Monaghan and Cavan to enable them to comply with the EU nitrates directive; (9) Deputy Upton — that the Minister allow a person (details supplied) avail of assistance on terms similar to the national treatment purchase fund to cover the cost of an operation; (10) Deputy Andrews — the reason capital funding was withdrawn from the Spinal Injuries Association of Ireland.

The matters raised by Deputies Kirk, Ferris, Upton and McGuinness have been selected for discussion.

### Leaders' Questions.

**Mr. Kenny:** The Government promised in its programme for Government to cut average class sizes. This was not just an election promise but rather a firm commitment in the programme for Government. The programme stated that “over the next five years, we will progressively introduce maximum class guidelines which will ensure that the average size of classes for children under nine years of age will be below the international best practice guideline of 20:1”. That commitment is now another broken contract and amounts to nothing more than an announcement to the nation by the Minister for Education and Science, Deputy Hanafin, that this has now become a noble aspiration.

How can the Taoiseach continue to preside over a Government where, day after day, each time Ministers speak, they either put their foot in it or break another promise? What type of Government is the Taoiseach leading? The reality is that the INTO says this objective is doable. The Minister, Deputy Hanafin, is not entirely to blame in this but she sat at the Cabinet table for the last two and a half years where these decisions were made and where, because of mismanagement and bad planning, the Taoiseach and his Government have arrived at the end of the year with a litany of broken contracts that become noble aspirations.

Next year, there will be 1,000 graduates from St. Patrick's Training College in Dublin and Mary Immaculate College in Limerick, 300 more from the smaller colleges and 400 from the on-line course run by Hibernia College. There will be approximately 800 teachers lost between retirements and those leaving the system. Inside the next two and a half years, therefore, this is doable. What does the Taoiseach say to the parents of the 110,000 children in class sizes of 30 or more today? What does he say to parents of the 250,000 children who are in class sizes of between 20 and 30? We are way above the European average. What is beginning to happen is that mainline education is suffering because of bad planning by the Taoiseach and his Government. I want the Taoiseach to speak to the nation and

tell the people how a broken contract has become a noble aspiration.

**The Taoiseach:** It is an awful pity the Deputy's party did not put a few more trainee teachers into teacher training schools when he had an opportunity to do so when there were fewer than 500 such students. However, we now at least have 1,280 students coming through the teacher training schools.

**Mr. Kenny:** Please God, if we get an opportunity to do so we will deal with that.

**An Ceann Comhairle:** Allow the Taoiseach to continue without interruption.

*(Interruptions).*

**The Taoiseach:** It is always good to start with the truth. The truth is that there were fewer than 500 teachers coming through the system.

**Mr. Durkan:** What about the promises?

**Mr. McGinley:** This was the Taoiseach's system.

**An Ceann Comhairle:** Deputy Durkan, this is Deputy Kenny's question.

**The Taoiseach:** I will deal with that point shortly. More than 4,000 additional teachers have been employed in recent years. These additional teachers have been used to reduce class sizes, tackle educational disadvantage and provide additional resources for children with special needs. The pupil teacher ratio has fallen from 22.2:1 in 1996-97 to 17.44:1 in 2003-04. Average class sizes have been reduced from 26.6 to 23.9 in the corresponding years. Significantly smaller class sizes have been introduced in disadvantaged schools involved in Giving Children an Even Break or in the Breaking the Cycle programme. Approximately 47,700 pupils in participating schools availed of reduced class sizes of 15 to 20 pupils. The annual intake of undergraduate students in the teacher training colleges has increased from fewer than 500 in 1996 to more than 1,000 in 2004. A further 280 places or thereabouts have been provided in postgraduate teacher training courses this year, bringing to 1,280 the number of students entering our teacher training colleges this year.

It is true that we have not yet done what we set out to do, but the Government is committed to reaching its target. Along the way it has examined the figures, identified where the problems are arising and assigned teachers to those areas where there is educational disadvantage and social exclusion to try to reduce the class sizes in those areas. That has been successful, although it has not been completed, but the position has been improved dramatically.



[The Taoiseach.]

The programme for Government states the objective in respect of class sizes. Deputy Kenny was correct in respect of the class sizes for under nine year olds. We will continue to work towards the objective. Deputy Kenny correctly quoted the figures for the number of pupils in classes. Some 700 teachers retire every year. We are unlikely to increase the capacity of St. Patrick's College, the Limerick college or the smaller college to the level to take account of that, even though there are capital programmes under consideration in some of these areas.

**Ms O'Sullivan:** We could if we had the political will to do so.

**The Taoiseach:** The reality is that as teachers come on board, we have to either slavishly follow what was set down or examine the more appropriate area to which to assign them, for which I make no apologies. Deputy Kenny asked me to speak to the nation. If they are listening, and I hope they are, we made a decision to assign 2,500 teachers to resource education — in respect of which we did not make a promise — rather than just reduce the PPR to assist those most in need. If it is a question of resources and whether one stands for the upper echelons of society or for those on the margins, I stand by the people on the margins.

**Mr. Kenny:** The Taoiseach started off by saying that it is good to start with the truth. It is also good to stand by the truth. He is reverting to his ethics in Government, which is to get in here and stay here at all costs.

I am not sure whether the Taoiseach understands just how bad this position is. When he speaks of resources in the area of special education, the position is that the Department of Education and Science is advising principals not to contact it by telephone about any problems. Does the Taoiseach understand there are 6,000 assessments untouched in the Department? Does he understand that when he said he is moving to a rights-based system of education for children with special needs that there are all of those thousands of assessments in the Department? At a time when an assessment triggered a placement and a facility for educating those children, the teaching hours of those special needs children are now being reduced from five hours to two hours. Has he spoken to any of the parents of those children? Does he understand the frustration these parents feel when they say the Minister for Education and Science and the Taoiseach have broken their contract and have been telling the people lies?

**An Ceann Comhairle:** The word "lie" is not appropriate in this House.

**Mr. Kenny:** It is not my word; it is the word of thousands of people outside this House, to the

effect that the Government cannot be believed. We cannot believe a word out of the mouths of its members. In this matter of education, which is central to our society, the Government calmly announced that another broken contract, another broken promise was merely a noble aspiration. They should be ashamed of themselves.

**The Taoiseach:** I do not wish to keep correcting the Deputy, but I must. It is not true that people are not able to get through by telephone to the Department.

**Ms Enright:** It is.

**An Ceann Comhairle:** Allow the Taoiseach to continue without interruption.

**The Taoiseach:** It is not the case.

**Ms Hanafin:** Not any more.

**The Taoiseach:** It is also incorrect to say that there have not been changes in the special needs area. It is only a fortnight since the announcement of the later tranche of the 500 new special needs assistants.

If Deputy Kenny wants to broaden his first question, then I must broaden the answer to it. It is correct that a consultative process on the future direction of education policy has been under way around the country. We have enacted the legislation for special needs, which is to underpin the rights of children with special needs. We have established a special educational council to facilitate the delivery of the support services for pupils with disabilities in schools.

**Mr. R. Bruton:** The Taoiseach should tell that to parents of children who are losing resource teachers.

**The Taoiseach:** The OECD has engaged in the strategic review of third level education. It has issued a report. We have targeted, support measures for disadvantaged schools. Some 2,276 schools have benefited. Some 4,000 additional teachers have been appointed at primary level. An additional 2,337 teachers have been appointed at post-primary level. The pupil teacher ratio at primary level has been reduced to just over 17:1. The number of teacher training places has been increased by 30%. The pupil teacher ratio for second level, which we are not discussing now, has also been reduced. Since 1997 the number of teaching posts has also been increased dramatically. We have put in enormous resources to support children with disabilities.

While we did not do exactly what is provided for in the programme for Government, I will not say that it was not a right decision to assign resource teachers, special needs teachers, as against what was provided for because it was the right thing to do. It is correct to help the people who are disadvantaged rather than to slavishly

follow a figure. I understand there are people who just want to look after the better off; that is not my policy.

**Mr. Rabbitte:** The Taoiseach should understand it; they are very close to him.

**The Taoiseach:** The Deputy could lose me on that one any day of the week.

**Mr. Rabbitte:** On the decision of the Minister for Justice, Equality and Law Reform by way of a reply to my colleague, Deputy Stagg, when he ruled out an inquiry into the particularly brutal murder of two patients in Grangegorman in March of 1997, the Taoiseach will recall that a youth from my constituency, Dean Lyons, was arrested, questioned and remanded in custody on being charged with this particularly gruesome crime, which took place in the Taoiseach's constituency. He will remember that that youth was questioned on video and gave a pretty inconsequential statement. Following the video being turned off, he made a confession to the two murders, a confession that was expressed in the kind of detail and language that he would not have known unless it had been fed to him. Subsequently, another man admitted to what appeared to be the same crime. Two people confessed to a crime which only one could have committed. Dean Lyons was released and the charges against him dropped. Some seven years on, is it satisfactory that no one has been charged for these crimes and is it not a shameful way in which to treat the three families involved, namely, those of the two women murdered and that of Dean Lyons? Moreover, in one sentence the Minister for Justice, Equality and Law Reform ruled out an inquiry. Is the Taoiseach satisfied that these families should have been treated in this disgraceful way? The fear among the public is that a suspect was readied up for a terrible crime he did not commit.

**The Taoiseach:** I agree with Deputy Rabbitte's core point that the three families remain affected by that terrible day on the outskirts of Grangegorman, on which two people were brutally and savagely murdered having been stabbed multiple times. I remember that during the Garda investigation into Dean Lyons, many people articulated their suspicions about whether or not he was responsible. As I recall, a person came forward subsequently who had been involved in other offences, although my recollection may not be correct.

I assume the reason the Minister for Justice, Equality and Law Reform has not been prepared to order an investigation into this matter is that it is always the practice when a Garda file on a case remains open and under investigation. I assume that is the case, but I can check with the Minister for Justice, Equality and Law Reform and revert to the Deputy. If it is not the case, I am sure the Garda's view of Dean Lyons, who I

understand was cleared by the investigations, has been examined. However, I would have to examine the case as it happened some years ago. As no one was charged with the murders, I understand that the investigation remains open, in which case the type of investigation referred to by Deputy Rabbitte would not be undertaken. However, I will have to check if that is the position with the Garda.

**Mr. Rabbitte:** I accept it is a long time ago and that the Taoiseach needs to refresh his memory. My point is that no one has yet been charged with the murders some seven years later. An internal Garda inquiry was undertaken, the results of which were never made public. Does the Taoiseach contend that because the investigation file is still open, the circumstances in which a not particularly literate youth who was a known drug abuser confessed in the Queen's English to circumstances about which he could not have known, must be left without being inquired into? Is he satisfied with the Minister for Justice, Equality and Law Reform, in a reply to Deputy Stagg stating that "following consideration of the matter, I am not at present satisfied that a public inquiry is required"?

I am not asking for a public inquiry or any inquiry which would imply in people's minds another tribunal. However, I refer the Minister for Justice, Equality and Law Reform to his own Commissions of Investigation Act 2004, which I thought we put in place precisely for this kind of purpose, namely, so that an investigation into a matter of profound public interest may be conducted speedily, efficiently and relatively very cheaply.

In a reply to a question from Deputy Costello last week, the Minister stated that some 750 civil actions are extant against the Garda Síochána. There is much public disquiet about this case. Three families are very distressed by the fact that no charges have been brought and it requires the attention of the Minister for Justice, Equality and Law Reform.

**The Taoiseach:** I accept Deputy Rabbitte's point and will raise the matter with the Minister for Justice, Equality and Law Reform. The language used by the Deputy is employed when an investigation file is still open or is reviewed on a regular basis and, in such cases, the Garda, the Department of Justice, Equality and Law Reform and the DPP tend not to pursue any inquiry. I also admit that seven years is a long time to wait if clouds hang over someone, or if pressures hang over someone as in the case of Dean Lyons, not to mention the families of the murdered people in this case. Except on rare occasions, internal Garda inquiries are not normally published. However, I will discuss the matter with the Minister for Justice, Equality and Law Reform and inform Deputy Rabbitte of his views.

**Mr. Sargent:** On RTE's "Questions and Answers" programme last week, the Minister for Transport, Deputy Cullen, sought to compare Aer Lingus with airlines which have gone out of business. He even tried to claim that the company's financial position was somewhat fragile. Will the Taoiseach clarify or correct that impression because the reality is that the company is robust, thanks mainly to the efforts and sacrifices of staff and management down the years, which has been acknowledged by the Taoiseach? As the Taoiseach knows, Aer Lingus has shown substantial profits since 1995. The company predicts profits of more than €95 million this year and has accumulated profits of €248 million since 2002. Will the Taoiseach clarify that the airline is financially healthy?

In that context, what is the Government's position in the face of measures to prepare Aer Lingus for privatisation? Does the Taoiseach accept that an island economy is vulnerable enough without losing its national airline? Moreover, has he had time to reflect on the experience in New Zealand where the Government sold Air New Zealand in 1988 for NZ \$660 million and had to rescue it from bankruptcy in 2000 at a cost of almost NZ \$2 billion? After its privatisation, schedules were cut back, aircraft were diverted to larger markets in Australia and south east Asia and tourism was decimated. Does the Taoiseach want to risk repeating that experience and will the Government make its position clear so management of the airline has some guidance as to where the Government wants to go?

**The Taoiseach:** The management of Aer Lingus is in regular contact and discussions with the Minister so it is very clear on the issue. The management, trades unions and workers at all levels in Aer Lingus have done a very good job in recent years in spite of the climate faced by the aviation industry. In order to deal with the difficult circumstances, they had to take appropriate action to turn the airline around, bring it to profitability and try to sustain it. There is no argument about the issue and they should be congratulated for their efforts, which I have done on previous occasions.

The airline has stated that its capital base for future acquisitions needs to be increased. A sum of €95 million will not even buy an aeroplane and the company wants to extend its routes and build formal and informal strategic links with other carriers from the Persian Gulf, Asia and elsewhere in order to build Aer Lingus for the future so that it continues to survive in ten or 20 years' time, regardless of how it is constituted. It is not a question of selling it. It is a question of trying to form strategic alliances in whatever arrangements are to be discussed, to ensure that it is healthy, unlike airlines elsewhere that have bitten the dust savagely due to the prevailing circumstances.

That is the issue to be addressed. It is not a question of what anybody is doing wrong, it is about what we can do right to sustain, maintain

and grow the airline into the future. That is the challenge and it is best to comprehend and address it by doing what is necessary at this stage, rather than waiting until we hit an aviation downturn again, which is almost inevitable. We have had two in the past ten years. It is not the fault of anyone in Aer Lingus but it happens for one reason or another, whether it is because of terrorism or economic issues. Currently, it is due to rising fuel prices which are forcing airlines to bear astronomical costs. The airlines had based their costs on crude oil selling at \$30 to \$32 a barrel, whereas now it has risen to \$50 plus. No one in the airline industry here created those difficulties but such issues must be addressed in terms of future development.

**Mr. Sargent:** I was interested to hear the Taoiseach say, although it is obvious, that €95 million would not buy the kind of aeroplanes Aer Lingus is seeking. I acknowledge, however, that the Taoiseach probably knows a bit more about buying aeroplanes than I do.

**Mr. O'Dea:** The Green Party only buys bicycles.

**Mr. Sargent:** Recently the House passed the Electricity (Amendment) Bill, which will allow the ESB to borrow in the order of €6 billion in the new market situation in which the company finds itself. In the context of borrowings, what difference does the Taoiseach see between the ESB and Aer Lingus? Is it not the case that if either company requires capital — as has been mentioned, Aer Lingus certainly requires capital, although a business plan would be useful to see exactly how much — the Government will be prepared to underwrite that borrowing? If the Government is considering it for the ESB, can the same not be done for Aer Lingus? Before Aer Lingus proceeds with such severe outsourcing, will the Government insist that a full business plan is provided, rather than have a three-year strategy, which effectively deals with outsourcing and ceasing activities. Will the House and Aer Lingus management be told what Government policy concerns Aer Lingus in the long term, rather than waiting for the company's management to tell the Government what its job is?

**An Ceann Comhairle:** The Deputy's time has concluded.

**Mr. Sargent:** Will the Government treat Aer Lingus in the same way as it treats the ESB, by underwriting borrowing if it needs it?

**The Taoiseach:** To the best of my knowledge, under the terms of the recent Electricity (Amendment) Bill, the Government is not underwriting the borrowing. The ESB is in a very different position. It is a strong, cash-rich company.



**Mr. Sargent:** Like Aer Lingus.

**The Taoiseach:** It has enormous resources and reserves to deal with these circumstances and, therefore, the two companies are not the same. Discussions on Aer Lingus have been going on for a long time to try to assist the company. We have been trying to bring the company through its problems for the past 11 or 12 years, since it went into difficulties in the 1992-93 period. That policy has been working well and is to the credit of the staff, including the various managers, as well as people on the board. We are trying to maintain and sustain Aer Lingus so that it will not be like practically all the other airlines around the world, which have either gone out of business or have been fundamentally restructured. If we are to keep a strong Aer Lingus we will have to examine its means of obtaining capital and resources to do the things it wants to do, such as expanding its services. We have to examine new sources of revenue for Aer Lingus to deal with these issues. That is the Government's policy.

#### **Requests to move Adjournment of Dáil under Standing Order 31.**

**An Ceann Comhairle:** Before coming to the Order of Business, I propose to deal with a number of notices under Standing Order 31 and I will call the Deputies in the order in which they submitted their notices to my office.

**Mr. Ferris:** I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: the urgent need for a new maternity unit at Kerry General Hospital, which is still awaiting approval from the Department of Health and Children.

**Mr. Boyle:** I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: to allow the Minister for Education and Science to make a statement to the House on the removal of a company from school maintenance contracts in the United Kingdom; the continuing losses being incurred by that company; the status of contracts held by that company in this country, including the promised construction of a new Cork school of music building, indicating whether the Government will fully fund this development.

**Mr. Cuffe:** I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: that in light of the brutal slaying of seals on the Blasket Islands in Kerry, the Minister for Justice, Equality and Law Reform ensure that resources are made available for a full criminal investigation into the killings; and that an information campaign be conducted by An Bord Iascaigh Mhara to stress that marine mammals form an essential part of this environment and are as important to conserve as the fish we depend on for food.

**Mr. S. Ryan:** I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: the need for measures to combat the increasing number of accidents on the M1 and M50; following a very serious accident on the M1 last weekend, the need to install crash barriers on all motorways throughout the country as a means of averting the high number of accidents; and the need for the Government to step up its road safety campaign in a bid to curb the level of road fatalities.

**An Ceann Comhairle:** Having considered the matters raised, they are not in order under Standing Order 31.

#### **Order of Business.**

**The Taoiseach:** It is proposed to take No. 12, Irish Nationality and Citizenship Bill 2004 — Second Stage (resumed); and No. 13, Road Traffic Bill 2004 — Second Stage (resumed). It is proposed, notwithstanding anything in Standing Orders, that the Dáil, on its rising on Wednesday, 10 November 2004 shall adjourn until 2.30 p.m. on Tuesday, 16 November 2004. Private Members' business shall be No. 36, motion re health care in the North Eastern Health Board region.

**An Ceann Comhairle:** There is one proposal to put to the House. Is the proposal for dealing with the Adjournment of the Dáil tomorrow agreed? Agreed.

**Mr. Kenny:** There are 16 days left until 25 November, the date set by the Taoiseach and the British Prime Minister for concluding matters in respect of progress on the Good Friday Agreement. Will the Taoiseach facilitate the House by arranging for a debate on this matter? Obviously, the DUP, Sinn Féin and all the other parties, including comments from the Taoiseach and the British Prime Minister, are relevant in this respect. In that context, it would be no harm to have such a debate.

In respect of the legislation governing electronic voting, will the Taoiseach confirm whether it is proposed that the voting system in the by-elections to be held in the future will be by the traditional manual method at the ballot box?

When can we have a more precise date in respect of publication of the sea fisheries consolidation Bill, which will update and consolidate sea fisheries legislation from the 1950s?

**Ms McManus:** On behalf of the Labour Party, I support the proposal for a debate on Northern Ireland. We all want to ensure progress and we wish the Taoiseach well in that regard. As it is a matter of some importance, it would be of assistance to have such a debate in the House.



**The Taoiseach:** Subject to timing, I have no difficulty in facilitating a debate on Northern Ireland. It could prove to be useful.

The sea fisheries consolidation Bill will update and consolidate the Acts of the last half century. The heads of that Bill are expected in mid-2005 so the legislation is still some time off.

Unless the matters concerning electronic voting are resolved by the date of the by-elections, which is unlikely, voting will obviously be by the traditional method, with all the difficulties that entails.

**Mr. Kenny:** So it will be back to the peann luaidhe.

**Mr. O'Dea:** If that is what the Deputy wants.

**Mr. Rabbitte:** Is the Campus and Stadium Ireland Bill likely to be enacted before Christmas?

**The Taoiseach:** The Bill will be published this session.

**Mr. Sargent:** In sharing the concern expressed by Deputy Seán Ryan on the accidents over the weekend, I ask about the promised Bill to reform the National Roads Authority. The national roads infrastructure Bill now has a 2005 date. Although we have seen the programme for national roads increase from €6 billion to €15.8 billion, does the Taoiseach recognise we need legislation urgently to ensure that crash barriers will be on all roads and not simply inserted to protect bridges as is currently the case on many such roads?

**An Ceann Comhairle:** When will the legislation come before the House?

**The Taoiseach:** It will be in 2005.

**Mr. Sargent:** It is still 2005.

**Ms Burton:** Has the Government decided whether VAT arising from the sale of the Live Aid DVD—

**An Ceann Comhairle:** That does not arise on the Order of Business. The Deputy should submit a question to the Minister for Finance.

**Ms Burton:** Would such a Government decision require finance legislation?

**An Ceann Comhairle:** It does not arise on the Order of Business.

**Ms Burton:** I am asking about promised legislation.

**An Ceann Comhairle:** The Deputy is asking about VAT.

**Mr. Stagg:** The Ceann Comhairle is not listening.

**Ms Burton:** Will the Government need to enact legislation should it plan to refund—

**An Ceann Comhairle:** Is legislation promised?

**The Taoiseach:** No legislation is planned.

**Ms Burton:** The Government will not do it. That is very mean.

**An Ceann Comhairle:** The Deputy should use the appropriate way to submit her questions.

**Ms Burton:** We did it when we had no money 20 years ago but we do not seem to be able to do it now. "Do they know it's Christmas?"

**Mr. Rabbitte:** The Minister for Justice, Equality and Law Reform, Deputy McDowell does.

**Mr. Stagg:** "Bah, humbug."

**Caoimhghín Ó Caoláin:** While no one, and certainly not this Deputy, would want to contemplate anything but success in the ongoing contacts between the political parties North of the Border and both Governments, in the event that agreement is not reached by the signalled date, does the Taoiseach anticipate any legislation being brought before the House on any outworking of elements signalled by both Governments?

**The Taoiseach:** We would need to examine the matter. We would clearly need to look at some areas and would perhaps need to examine the North-South bodies. We have no plan at this stage but we will need to keep it under review based on what happens over the next two weeks.

**Mr. Durkan:** The programme for Government specified a minerals development Bill. It was also mentioned in the document, *Delivering Better Government*. Is the present status of the Bill indicative of a failure to deliver on either of the two documents or is it more serious than that? When are the heads expected and when will it come before the House?

**The Taoiseach:** My information is that the legislation will be ready next year.

**Mr. Durkan:** That is even worse than I thought.

**Ms McManus:** On 1 January 2005 the new health service executive is to come into operation. It requires major legislation to be passed by the House and I am conscious, as Deputy Burton has pointed out, that Christmas is coming and we have not yet seen the legislation. Will the Taoiseach give an assurance that sufficient time will be given between the publication of the Bill and any debate in the House since it represents

such a major step? It is also a step backwards in terms of accountability. When will the Bill be published? We have been waiting a long time, yet there is no sign of it.

**The Taoiseach:** I appreciate time is moving along for this legislation. It will be taken at Government next week and we will then consult the Opposition on how we hope to take it forward.

**Mr. J. Higgins:** Two women have been given leave by the High Court to challenge the Revenue Commissioners' refusal to give them recognition for tax purposes as having a civil partnership equal in rights under Irish law to a married couple.

**An Ceann Comhairle:** Is the Deputy's question appropriate to the Order of Business?

**Mr. J. Higgins:** It is. Will the Government introduce changes to the family law Bill to give equality to gay people rather than adopting the cowardly position of again hoping the courts can sort out the matter? As the Taoiseach is wearing a good dash of episcopal purple today, he might pronounce on this issue with some authority. What is the Taoiseach's view on that matter?

**The Taoiseach:** On the purple.

**An Ceann Comhairle:** On the family law Bill.

**The Taoiseach:** The family law Bill will be taken next year.

**Mr. Broughan:** What is the status of the Postal (Miscellaneous Provisions) Bill? It has been floating around for the past four or five years. In view of the threat to postal services during the Christmas period—

**An Ceann Comhairle:** The Deputy should allow the Taoiseach to answer the question.

**Mr. Broughan:** —will the Government bring the legislation forward?

**The Taoiseach:** The legislation was published some time ago and there has been an Order for Second Stage. I do not know what is delaying it, but the Bill is published.

**Mr. Durkan:** It must have been mislaid.

**Mr. Naughten:** It got lost in the post.

**Mr. Gormley:** When will legislation for a referendum on the European constitution be published?

**The Taoiseach:** No decision has yet been made as to when it will be published.

**Ms Lynch:** Does the Taoiseach intend to ensure the social welfare payments and medical cards of holders of special savings investment accounts will not be affected when those accounts mature?

**An Ceann Comhairle:** That does not arise on the Order of Business. I suggest the Deputy submits a question to the appropriate Minister.

**Ms Lynch:** Will the Government address this matter in the Finance Bill?

**The Taoiseach:** There will be a Finance Bill and a Social Welfare Bill early in the new year.

**Ms Lynch:** Will the Taoiseach ensure it will address those affected?

**Mr. Durkan:** We are certainly reassured now. We were concerned before.

### **Irish Nationality and Citizenship Bill 2004: Second Stage (Resumed).**

Question again proposed: "That the Bill be now read a Second Time."

**Caoimhghín Ó Caoláin:** In his opening remarks in the debate, the Minister referred to the 11,000 people in legal limbo since the L & O decision, saying that this number proves that he was right all along in accusing non-nationals of coming here solely for the purpose of exploiting our immigration laws. In saying so he ignored a fact of which he is surely aware and which has been mentioned in the course of contributions on the Bill, namely, that a significant proportion of those 11,000 people were advised by statutory agencies after they arrived that they should have a child to be guaranteed residency.

The policies in place at the time had no bearing on their decision to come to Ireland and it is disgraceful to cast such aspersions on the motivations of so many people. While it may have been true for a small number among that greater number, as a result of that contribution and others, everybody has been lumped together and so accused.

The Minister's statement epitomises one of the most deplorable aspects of the State's approach to immigration, namely, the disregard, suspicion and, at times, outright contempt with which it treats immigrants from the moment they arrive or, in the case of these applicants, they make known their desire to enter this State. Non-nationals, particularly those from African or certain eastern European countries, are looked upon and often portrayed as spongers, scroungers and criminals, trying to exploit every so-called loophole available to leech off the State.

The Government, particularly the Minister for Justice, Equality and Law Reform, Deputy McDowell, has encouraged this view time and again, certainly during the recent referendum campaign, and the Minister in his opening contri-

[Caoimhghín Ó Caoláin.]

bution to this debate further fuelled that view. It is reflected in the way the immigration authorities, not always but sadly all too often, treat those seeking to come to Ireland. Visa applications are routinely denied with no reason given. The applicant is told to call a number that is only accessible, at least theoretically, for seven and a half hours a week. That is the only way they attempt to establish the reason for denial of the application. In my experience it is virtually impossible to get through during those seven and a half hours. The system is so overburdened that telephone calls are — I repeat the view I expressed — automatically disconnected. The Minister denied that claim in a recent reply to a parliamentary question that I submitted. I ask him or his associates to check this, to undertake an examination of how this works, and he will find that what I am saying is the actuality of people's experience.

Of course, the fact that the denial letters do not give a reason for denial has much to do with why the telephone lines are overburdened. The Department should provide the reason for denial in those letters. That would certainly address many of the inquiries and lessen the burden of telephonic inquiry on the applicant who has been denied and the officials in the system.

Naturalisation applicants are also routinely turned down without being told why. If they want a reason they must file a freedom of information request. This beggars belief. The system should be open and transparent, and people should be given the information.

The position is even worse for non-nationals seeking employment under the work permit system. There is no one for these people to contact. The Department of Enterprise, Trade and Employment will only accept queries from employers. Much has been said about the opportunities that exist within the work permit system for the exploitation of those workers. The Department's refusal to speak to them only facilitates this and fuels the distrust, not only among those applying but also among many of our own population who are concerned about these matters.

The Government's dim view of non-nationals is reflected in its reasons for refusals. Several months ago, in a highly publicised case, a Cuban grandmother was denied a holiday visa although she had been granted two previous holiday visas without incident. That case was reversed after an outcry, but the experience from my constituency is that there are many other such cases. On one occasion a worker in my office managed to get through to the visa section of the Department of Justice, Equality and Law Reform and was told: "We do not issue visas to widows because they are only coming here to baby-sit." That is exactly what was said to my staff member, who noted it very carefully during the course of the exchange. This happened twice, both times involving Indian

nationals seeking to visit their sons, their Irish wives and their grandchildren. If there is a policy to prevent widows who are mothers and grandmothers from coming here because they are only coming to baby-sit their grandchildren, the Minister should be honest and tell us about it. I assure him that is exactly what was said to my staff member. It is a contemptible attitude for any Department to take and I am deeply offended by it.

The Government has refused to issue new work permits in certain categories deemed ineligible. The purpose of this policy, allegedly, is to protect jobs in categories where the Government believes there is no shortage of EU workers. This refusal extends even to those non-nationals who are already working in those categories. There will be no net loss of EU jobs if these workers are allowed to change employers. This senseless policy serves only to bind those workers to their employers. The Government denies this is the case on the grounds that those workers can find jobs in so-called eligible categories, but this argument is specious. The reality is — this is so widely acknowledged that one suspects the Government is in denial about it — that many of these workers are shackled to their employers and are unable to change jobs. I would welcome statistics that prove me wrong but, unfortunately, when my colleague, Deputy Morgan, attempted in the previous Dáil session to obtain these statistics from the Tánaiste, he was met with the incredible reply that they are not kept.

I was flabbergasted to hear the Minister say in his opening remarks that this State "wholeheartedly subscribes" to the UN Convention on the Rights of the Child. Article 7 of that convention states that the child shall have "as far as possible, the right to know and be cared for by his or her parents". Article 9 states: "a child shall not be separated from his or her parents against their will except when ... such separation is necessary for the best interests of the child". The Government is in blatant contravention of these articles with its policy of not granting reunification visas to the children of those parents who were granted leave to remain in Ireland prior to the L & O decision.

The Minister is familiar with the detail of a specific case on which we have exchanged correspondence and about which I feel passionately upset. It has been a most disturbing experience dealing with that case, but, alarmingly, there are many other such cases. I appeal to the Minister. It gives me no pleasure to point constantly to what I see as flawed and wrong in the system. I would be far happier commending the Minister and I look forward to the day when perhaps he will listen to some of our concerns and address them within the system. The reunification of children in all those cases that apply prior to the L & O case would be a statement of the compassion of the people of this island for those who are most in need globally. I urge the Minister, even in the

spirit of the upcoming Christmas period, to take such a bold step. He will certainly earn the applause and the appreciation of this Deputy, and I will not be slow to express it.

If I had more time, I could highlight a number of other serious flaws in our immigration system which are long overdue for reform and in much greater need of urgent action than the issue addressed in this Bill. Perhaps I will get another opportunity to cover them, although I would probably need to go through the detail of them with great care.

Sinn Féin will oppose this Bill as it has opposed all the other anti-immigration Bills, as I view them, brought before this House. It is not my penchant always to oppose. I genuinely and sincerely hope legislation will be brought before this House which represents the real and caring disposition of the overwhelming majority of the people and which I will be able to happily support. However, this is not such an occasion. It is time for legislation to protect our immigrants rather than demonise them.

**Dr. Cowley:** We have a greater responsibility now that there are increased numbers of non-nationals coming to our country. The number of non-nationals working here has more than doubled since 2000. Some 18,000 people received work permits to work here in 2000, a figure which rose to 47,551 in 2003. As a result of a need for more workers in our economy, many more non-nationals are coming to this country and we have responded by giving them the necessary work permits. That gives us a greater responsibility to ensure that we are all-embracing and inclusive, which we have not been. Our laws need to be amended to give a level of fairness.

This Bill was introduced for a particular purpose but it also should have introduced greater fairness into the system. There has been a call for an amnesty for Irish citizens born before the referendum and the Supreme Court decision of January 2003. These people should be taken into consideration. The way we treat non-nationals is unfair.

The situation in respect of asylum is predicated on one-to-one interviews. It is the individual's responsibility to prove his or her case. The burden of proof is on the asylum seeker who often does not have any documentation to back up his or her story. His or her credibility is tested at every turn in an interrogation process which can be very harrowing and frightening for people, especially for those who do not have a full command of the English language and for those who have suffered great trauma in their own countries. This system is not entirely fair and is not one over which we can stand. We are known as the Irish of the welcomes, but is our welcome wearing out when it comes to non-nationals? It works both ways in that we need non-nationals to help us to drive our economy. As I said, we have a responsibility in that regard.

I brought to the Minister's attention the unfair system which allowed a Burundi national to be deported from this country to which she had fled because she had exhausted the appeals systems in the UK where she had first entered the system. She had made an application in the UK and under the Dublin Convention, she was obliged to be returned to London to where she was deported in the dead of night by the immigration unit. She was given one hour's notice and was taken away by strangers to travel on a long lonely road to Dublin with her two daughters aged seven and five. They had been resident in Kiltimagh, County Mayo, and had, I suppose, been adopted by the community there. The community appreciated this woman's fear of deportation to Burundi where she had been treated very badly. The transfer under the Dublin Convention was an administrative matter as she had made her original application for asylum in the UK, her original point of entry. The fact the Garda immigration unit left Dublin at 6 p.m. implies that this was very much a calculated plan to steal this unfortunate woman and her family away under the cover of darkness to avoid the public outcry which would have resulted if the people of Kiltimagh had realised what was going on.

The treatment of this woman raises serious questions about how we look after people who are less fortunate than ourselves. It also raises serious questions about the system which needs to be reviewed. I would like to see a review of the system in legislation rather than what is before us. We cannot think about bureaucratic efficiency over people's feelings. The system should have consideration for people and their feelings, particularly as in the case of this woman who was so traumatised having witnessed the murder of family members, having been the subject of rape and having seen members of her family treated very badly. This is a matter about which I feel strongly.

In the case of asylum seekers, there is a presumption of guilt and they must try to prove their case. The more horrific their circumstances, the greater the task they have to try to prove their case. Often good medical evidence is not taken into account which should be. I have major problems with the system. Will the Minister re-examine this matter? It may be too late for this Burundian lady who has been deported to the UK and who may be deported to Burundi in due course, but will the Minister re-examine this case which has been through our system? This lady has been treated very badly. The Minister has many matters on his plate but this case is important. People from Kiltimagh followed this lady to London and have kept vigil with her as she goes through various traumas in the UK from which she is under threat of deportation. I hope the Minister will reconsider her situation.

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I thank Deputies who contributed to the debate which has been fairly wide-



[Mr. McDowell.]

ranging. I acknowledge and state my appreciation for the support signalled by Fine Gael for the proposals which reflect Ireland's welcome and high regard for those who come to Ireland from abroad to establish themselves and share in and contribute to Irish society. Contributions on all sides ranged across many issues and concerns in the area of asylum and immigration. In so far as possible, I propose to address the main points and queries raised in the debate. Other matters raised which are of direct relevance to the detail of the Bill can be teased out on Committee Stage.

A number of Deputies referred to the history of the investment-based naturalisation scheme, which this Bill seeks to put beyond possibility for good and all. Deputy Jim O'Keeffe specifically referred to the history of the scheme in the period 1988-94. I will address this matter in some detail.

Section 15 of the Irish Nationality and Citizenship Act 1956 set out five conditions which must be fulfilled prior to the grant of a certification of naturalisation. The decision to nationalise is at the absolute discretion of the Minister for Justice of the day. Therefore, the Act of 1956 empowers the Minister to refuse a certificate even where all the conditions are fulfilled. There may be cases where previous Ministers for Justice have refused, at their absolute discretion, to grant a certificate of naturalisation and where I, or another Minister for Justice, might have taken the opposite view and granted the application. Conversely, the Minister can waive statutory conditions for naturalisation in the case of certain categories of person, even if one or all of those conditions remain unfulfilled. My predecessors and I have considerable powers of discretion in these matters under the Act of 1956. It is not a power vested in the Government but in the Minister, personally, as a corporation sole.

Again, there may be cases where previous Ministers for Justice would or would not have waived any or all of the conditions for naturalisation and where I might have taken a contrary view. It is important to recognise, therefore, that the exercise of absolute discretion by the Minister of the day is a central element of the naturalisation process. The fact that I or any other Minister for Justice, Equality and Law Reform, with the benefit of hindsight, might disagree with a decision cannot be construed as an assertion that the certificate in question was improperly issued, in terms of its legality.

The Act of 1956 gave no guidance on the precise meaning of the term "Irish associations". As was stated in this House at the time, various Deputies queried whether having a drink in a bar in Cairo might qualify for Irish association.

**Mr. J. O'Keeffe:** Of Irish whiskey.

**Mr. McDowell:** Exactly. The rules of the investment-based naturalisation scheme were administrative—

**Mr. Costello:** Does the Minister have a script?

**Mr. McDowell:** I am using reply notes, which I do not normally have in advance. I will make them available to the Deputy afterwards.

**Mr. Costello:** I thank the Minister.

**Mr. McDowell:** The Act of 1956 gave no guidance as to the precise meaning of the term "Irish association". The rules of the investment-based naturalisation scheme were administrative in character and form no part of the legislative regime underpinning the naturalisation process. I am on record as having described the scheme that operated as being dependent on a very loose, questionable interpretation of the 1956 Act. The possibility of that interpretation ever being availed of in the future will be put to bed as a result of the contents of this Bill. However, the fact that I hold that view cannot be construed as implying that naturalisation certificates were, by that very fact, not issued in good faith, or that they were automatically unlawful. To revoke a naturalisation certificate on the basis of my view of the law now would be fraught with legal difficulty.

In terms of an inquest of what happened during the scheme's lifespan, I remind Deputies of two things. The first is that that files relating to the naturalisation of 128 persons as a consequence of the scheme were sent to the Moriarty tribunal on 18 November 1998, on foot of an order dated 11 November 1998. These included all of the cases to which Deputy Jim O'Keeffe referred, which were dealt with in the first five years of the scheme's operation. Four policy files were sent on foot of the same order and in addition, files relating to a further 15 applications for naturalisation, which were not part of the scheme, were sent to the Moriarty tribunal on 15 March 1999, on foot of an order dated 3 March 1999. My Department continues to co-operate with the tribunal. That co-operation is recent and ongoing.

In addition, one of the first things I did on assuming office was to publish the report of the review group on investment-based naturalisation. A number of copies were placed at the time in the Oireachtas Library. I also issued a press statement, which was widely reported in the media and I ensured the report would be available on the Department's website. That report shows that the whole focus of activity after September 1996 was on the processing of applications that were pending or outstanding at that time. My immediate predecessor as Minister for Justice, Equality and Law Reform, Deputy O'Donoghue, accepted no new applications from investors as regards the scheme. However, once a scheme is in place a Minister must operate it fairly and bring it to an orderly conclusion. That was a difficulty faced by successive Ministers for Justice in the context of the winding up operation which went on from that period.

Several Deputies criticised our immigration policies and procedures, some going so far as to claim, mistakenly, that there is no immigration policy. I acknowledge that there is a need for comprehensive immigration and residence legislation and there is a commitment within An Agreed Programme for Government to that effect. I have already stated that I intend to launch a discussion document on that legislation in the near future and I am also committed to bringing forward proposals in this regard in 2005. I also point out that my predecessor as Minister, Deputy O'Donoghue, on 13 June 2001, launched a public consultation document on immigration policy. It is interesting to note that no party in this House and many of the commentators who criticised immigration policy, provided observations on Deputy O'Donoghue's document. The result of that consultation process are available for all to see on the Department's website.

I do not accept, however, that the absence of such legislation is the major difficulty facing our immigration services or our immigrant community. New legislation is not a prerequisite for building on the policies already in place. I consider it important to draw a distinction between immigration policies, which are the prerogative of the Government of the day, on the one hand, and the legislative framework through which such policies are implemented, on the other. New immigration laws do not necessarily mean new policies and the converse applies, new immigration policies do not necessarily mean new laws. Neither is it true that immigration policy cannot develop in the absence of new legislation. An interesting case in point is the Refugee Act, which was enacted in its original form in 1996, but could not be commenced until a further amendment four years later. The reason was that the reality on the ground and the policies necessary to cope with this had changed and the Act as originally passed was unworkable. Postponing the commencement of that Act until it could be suitably amended did not prevent the implementation, in the meantime, of an administrative scheme to give effect to the Government's protective policy in the area.

The Government believes that immigration and citizenship policy should be an expression of Ireland's national values both at home and throughout the world. Our policies in these areas are a significant part of the dynamic process of shaping Ireland's future. If managed properly inward migration can bring very considerable benefits to the State, as we have seen in recent years, including improvements in economic growth and productivity, as well as cultural enrichment and diversity. However, the proper management of these matters includes having an orderly, organised and enforceable system of entry. I do not accept the proposition that there is no immigration policy. In one sense, this is a

charge that is easy to make and difficult to counter. The fact is, however, that people come to Ireland from a wide variety of social and economic backgrounds, for different purposes and various lengths of time. I do not accept that all such persons may be neatly pigeon-holed or that they can be treated as a separate generic group. In many instances their needs have more in common with Irish citizens of a similar socio-economic background than with other categories of non-national. It is not possible to have a definitive policy which is tailored precisely to each individual situation, but it is essential to have a coherent overview of the whole system. All too often, however, many people take the unique circumstances of an unusual individual case, and without knowing all the facts use it as evidence of the lack of coherence in the overall scheme.

Here is an example of the reality on the ground. In 2003 there were more than 127,000 non-European economic area nationals registered with the Garda Síochána as legally resident in the State. This figure covers those who were legally resident for more than three months at any time during that year. It excludes asylum applicants and children under 16, as well as the female spouses of Irish nationals, although that anachronism has since been amended. It also represents a fourfold increase over the corresponding period in 1999. Therefore, the number of people registered in this State from the non-EEA countries had grown by four times in the period 1999-2003.

This large increase posed significant challenges for the immigration administrative system and for the Department of Justice, Equality and Law Reform in particular. However, the sheer scale of the numbers is hardly evidence of the absence of a policy on immigration or of one that ignores the benefits that immigrants bring to a country such as ours, rather the contrary. For example, more than 34,000 of those were entitled by virtue of their immigration conditions to work without any employment permit. A further 28,000 were students who were entitled to work part-time without an employment permit. In fact 62,000 of those non-EEA nationals were entitled to work without any formal employment permit. Despite this, there is a mistaken perception that every non-EEA national working in the State is, in fact, subject to the employment permit scheme.

These exemptions are not accidental. They are there because it is part of Government's immigration policy that those categories should not have to have employment permits. In addition, the admission of ten new member states to the European Union removed the employment permit requirement for their nationals with effect from 1 May 2004. This approach, another aspect of this Government's immigration policy, is far more generous than in some of the other member states of the European Union. It was an example

[Mr. McDowell.]

of policy being worked out in practice. We said, "No permits, on you go". It is liberal in absolute terms as well as in comparison to the approach of some of our European neighbours. As a result of the policy, over 15,000 people who were the subject of employment permits in 2003, or one third of the total, were exempt from the requirement from 1 May onwards.

I acknowledge the need for infrastructural development within our immigration service in terms of computerisation and the like. A great deal of rapid progress has been made in recent years. All major Garda registration offices have been computerised and the standard of service provision improved dramatically in the last two years. The long queues which were once a feature of the Garda registration office in Harcourt Street are now a thing of the past. Some 650 civil servants are employed by the Department of Justice, Equality and Law Reform to deal with immigration related matters. It must be borne in mind that 70% of these staff members are engaged in the processing of asylum claims or in the provision of accommodation for the small minority of non-nationals in the State who are asylum applicants.

The major reduction in the number of asylum applicants has provided me with some elbow room and the opportunity to refocus some of these significant public resources on areas of service provision for non-nationals which are under-resourced at this point in time. The freeing up of resources will benefit further the provision of services to the remainder of our immigrant community and, perhaps, help to alleviate the false perception that a policy lacuna exists. There can be no question of the Government doing other than honour its commitments to the 1951 convention as a fundamental expression of our humanitarian ideals notwithstanding the fact that to do so costs the taxpayer approximately €350 million per annum.

It is in the nature of our work as Deputies that people come to us whenever they have problems. There is, accordingly, a danger that our perception of immigration matters, to name but one aspect of the Government's many functions, may be coloured by the fact that these are all we see. While people come to us about visa matters only when there is a refusal, we should also be aware of the many thousands of visas issued every year in contrast to those which are refused. The House should bear in mind that in 2003, 122,000 visa applications were granted and 21,000 refused. This is a six to one ratio. Likewise, while public representatives know all about those cases which involve a proposal to deport, we must also be aware of the many thousands whose permissions to be in the State are granted or renewed as a matter of course. Each of these represents the

implementation of a Government immigration policy.

It is easy to make the college debating society crack that the Immigration Act 1999 was a deportation rather than an immigration measure. While this cheap jibe may form the basis for a sound bite which receives media coverage, every instance of immigration policy is characterised by rules in accordance with which some people are permitted to remain in the State and others are not. This is true in every state in every part of the world. The absence of deportation divisions would mean there was no immigration policy at all. Deportation is therefore one of the core essentials of any immigration policy. If one does not have deportation at the heart of an immigration policy, one will have chaos.

Undoubtedly, there are inadequacies in current immigration law. It is because I accept this fact that I will issue the discussion document and bring forward the comprehensive immigration and residence Bill next year. I do not accept, however, that a consequence of this Bill's absence has been a failure to develop immigration policy. Among other things, Deputy Costello suggested in his contribution that there is no Government policy on asylum, which is a rather odd suggestion given the evidence at every hand's turn of a proactive one. The policy has been in place and evolving ever since my predecessor, Deputy O'Donoghue, was in office. Its first element is the overarching principle of firm commitment to protecting those who need the State's protection and to the 1951 convention on refugees. In keeping with that principle, we aim to ensure that every person who comes to Ireland in genuine need of the State's protection from state prosecution is recognised as a refugee at the earliest possible stage.

The practical out-working dictated by this commitment means a number of features are now in place. There is a workable statutory framework for dealing objectively and independently with claims for protection which was not provided for in the original incarnation of the Refugee Act 1996. In fact, the structures originally provided for in the Act could not have coped with the volume of asylum claims which were experienced within a few short months of its enactment. There has been significant investment in staff and other resources to ensure the Refugee Act works. Staff have been provided for the independent bodies themselves as have staff and funding for legal aid services to assist asylum seekers in making their claims. Staff have been provided in my Department to deal with the decisions of the independent bodies on asylum claims. There has been significant State investment in the provision of services to asylum seekers while their cases are being investigated and determined by the independent bodies. The Reception and Integration Agency of my Department has a network of



facilities which provide a wide range of services for this cohort of persons throughout the country.

It would be a cause of considerable personal satisfaction if the results of the work of the independent bodies involved the processing of a high proportion of valid claims as this would indicate that most claims for protection were well founded. I do not worry about large numbers of genuine refugees as we have committed to protecting those who need protection and will deliver willingly on the commitment. However, the House must acknowledge that what is dismaying about asylum numbers is not the volume of well founded claims or even claims themselves but the high proportion which turn out not to be well founded. More than nine out of ten fall into this latter category after independent investigation and appeal. Among other things, this statistic means the resources the State invests in the asylum process turn out in large measure to be wasted when they could be used to improve access to more efficient and productive aspects of the immigration and citizenship processes.

This leads me to the next leg of asylum policy which is an equal commitment to remove from the State those who claim protection whose claims turn out to be groundless. Without this policy our commitment to protecting those in genuine need would be wide open to abuse and we might as well not bother with our asylum policy's other core elements. It must be acknowledged that false claims for asylum and those who make them have a number of adverse effects apart altogether from merely financial ones. Most seriously, a high incidence of false claims brings the precious institution of refugee status into disrepute particularly when coupled with sloppy journalistic or non-governmental organisation language which seeks to equate all asylum seekers with refugees. False claims diminish public awareness of the fact that most non-nationals in Ireland are people who have come here in compliance with normal immigration requirements, have nothing to do with the asylum process and ensure their stay is lawful.

I have noted a tendency to accept uncritically as true every charge against the decisions of the refugee process. The result is pickets outside my Department and the office of my party while people say I am engaged in racist deportations. While I do not want to get involved in discussions of individual examples, when one considers some of these cases, one finds there is no truth whatsoever in the underlying allegations made by those who say I acted appallingly in refusing their claims. It is not I who assess their claims. Claims are assessed in a two way process carried out by independent people. I ask the House to accept the proposition that those involved in the Refugee Applications Commissioner and Refugee Appeals Tribunal legs of the asylum process do their best to distinguish between true and untrue

claims of persecution. While it may be that where an appeal is rejected two mistakes have been made, it is much more likely that both objective processes have reached the correct conclusion that the continued claim of persecution is unfounded. I have found it disturbing, to put it no stronger, that a number of public personages have sided with someone who has made wild and unfounded claims against the asylum process which have evaporated completely when tested in detail.

**Mr. Costello:** How does that equate with the fact that a great proportion of appeals by applicants are successful?

**Mr. McDowell:** The point was made that it was somehow unfair to place the onus on the applicant. Of course, the onus must lie on the applicant as Ireland cannot prove or disprove claims which are simply suggested as possibilities to be shot down. The fact that there is a significant rate of success on appeal cuts both ways. If almost every appeal was rejected I would be told it was a rubber stamp process by a group of people who were inhumane and not doing their job. That charge is made fairly frequently. The success or non-success rate, at first instance, of an appeal is what good well-intentioned people, who try to be objective, bring about as the outcome of their work. Given the broad range of people involved in the process, the truth is, as Deputy Costello knows, there have been many cases where there has been a colossal hullabaloo about a particular person. Afterwards it turns out that there was no truth whatsoever in the underlining allegations that had been made.

The deportation process which follows is described as racist. By implication, the Department and all the independent institutions which arrived at that decision are, at least, branded as uncaring and cruel. On many of these occasions people have been found to be telling gross untruths to willing listeners who have not had any respect for the fact that two separate processes have looked at whether the complaint was true or false.

We have a very generous system of appeals that allows the appellant to introduce new evidence on the appeal which he or she did not introduce at first instance. That would explain different decisions. We could run a system whereby if it was not mentioned on the first day, one should not bother to mention it later. We have a system that allows a person to put any information they have on the table on the second day even if they did not put it on the table on the first day. That explains the reason there is a difference in outcome.

**Mr. Costello:** To a degree.



**Mr. McDowell:** Most Deputies referred to the situations of persons awaiting decisions on applications for residence on the basis of an Irish-born child. These cases comprise approximately 11,000 persons who made application prior to 19 February 2003 to remain in the State on that basis. Of course, there are thousands of others who made no application prior to that date but who are here now. To put some context on the response to this point it is necessary to refer back to the Government's decision to hold a referendum on citizenship rights of Irish-born children, a decision which was pilloried in some quarters. One reason advanced by those who opposed the referendum was that the numbers involved were exaggerated and that I was creating a big row about a handful of cases. It is ironic that the focus of debate is on the position of approximately 11,000 non-nationals who asked to remain in the State on the basis of having an Irish-born child. Such a figure is not a handful in anybody's arithmetic.

It is wrong to say that the policy of the Government following the outcome of the L & O judgment by the Supreme Court was to deport the parents of Irish-born children as a matter of administrative routine. The Supreme Court judgment specifically forbids such an approach. The position in regard to these cases was set out by Mr. Justice Hardiman in the Supreme Court in the L & O case. I shall quote his words, because sometimes they appear to be forgotten in the heat of battle. He stated:

It seems to me that the existence of an Irish-born child does not fundamentally transform the right to the parents, though it requires the specific consideration of the Minister, who must reasonably be satisfied of the existence of a grave and substantial reason favouring deportation.

Recently at Question Time, in the cut and thrust of debate, I used the phrase "the number of occasions where I have directed a parent to bring his or her child out of Ireland is infinitesimal as a percentage of the figures" and some adverse construction has been put on it. I want to correct that. I have never directed the parents of an Irish-born child to take their child out of Ireland with them, nor could I because that is a choice which the Irish law confers on them and on them alone. I cannot direct the parents of an Irish-born child, who is an Irish citizen, to take that child out of Ireland. What I can do is direct that the parents themselves be deported and then they have a choice. What I meant to say, and I want to make this clear now in case anybody is drawing some other conclusion, was that the number of occasions on which I have directed parents, who are the parents of an Irish-born child, to leave the country is infinitesimal by comparison with the number of cases where deportation has taken place.

**Mr. J. O'Keeffe:** Is that in regard to the 37 Irish-born babies?

**Mr. McDowell:** In the case of 37 Irish-born children I gave a direction that the parents should leave. I believe that in those 37 cases, the great majority of those parents did the natural thing and brought their children with them. I am not in a position, as I said on the last occasion, to say whether any of them decided it was in the interest of their child to leave the child behind them in Ireland and to go abroad. I cannot give figures on that. What I am saying is that the number of occasions, since coming to office, on which I have directed parents who are the parents of an Irish-born child to leave the country — in the great majority of cases they have taken their child with them — has been 37, which is infinitesimal compared with——

**Mr. Costello:** The Minister is correcting the record in regard to Irish-born children.

**Mr. McDowell:** I notice that Deputy Costello——

**Mr. Costello:** They are no longer breaking the law.

**Mr. McDowell:** I ask the Deputy to let me finish. I notice that Deputy Costello leapt on my suggestion that I was directing people to bring their Irish-born children out of Ireland. I have never directed any parents to bring an Irish-born child, who is an Irish citizen, out of Ireland.

**Mr. Costello:** We thought that because the Minister——

**Mr. J. O'Keeffe:** We accept that.

**Mr. McDowell:** I am correcting that now. It is clear from what Mr. Justice Hardiman said that each of these cases must receive a rigorous and intensive scrutiny with a view to ensuring the principles set out in the Supreme Court's judgment are complied with. As a consequence, this is necessarily more consuming than if the child was not an Irish citizen. The constitutional rights of the child within the family unit must be taken into account.

The issue of *refoulement* as set out in section 5 of the Refugee Act 1996 must also be taken into account, as must 11 separate considerations which are set out in statutory form in section 3(6) of the Immigration Act 1999. These grounds include duration of residence in the State, humanitarian considerations and consideration of the common good. Every case is brought to my office and each receives a personal decision by me. The ultimate decision in any case where deportation is contemplated is made by me. While I rely on advice I receive and I do not reopen the whole case in its

entirety, it is not some process in which the decision is made by others entirely.

We are faced with the outcome of the Chen judgment and we now know that the European Court of Justice has determined in the Chen case and ruled in favour of Mrs. Chen. The European Court of Justice upheld the right of Mrs. Chen to deliberately engineer a situation in which her child would acquire Irish citizenship through birth in Northern Ireland in order to secure long-term residence for both herself and her child in the United Kingdom. During the course of this debate Deputy Costello has identified the contrast with the situation of non-national parents of Irish-born children who are entitled, as a result of the Chen judgment, to reside as of right in the United Kingdom but are not entitled to reside in Ireland. That is an issue to which I drew the attention of the public shortly after the Advocate General's opinion was published. At that time I said this had some long-term consequences. At that time also, Deputy Costello took the opposite view stating that the effects of Chen judgment on the Irish situation were minimal.

The implications of the Chen judgment are being studied by my officials in consultation with the Office of the Attorney General and today I have received advice from the Attorney General on them. I will need some time to absorb that advice. Those who accused me of rushing to judgment on the referendum issue would do well to heed their own advice in this instance given that the judgment was handed down only a couple of weeks ago. The Chen case outcome underlines the necessity for the referendum and of this Bill. When the Bill is enacted and implemented the issue that the Chen case typified will not arise again.

I intend to table a number of amendments on Committee Stage which will include a provision to standardise the form of declaration required under the Act and to create an offence for deliberately or recklessly making a false declaration; a provision to apply the criteria for reckonable residence in section 4 to section 16(a) of the 1956 Act, which deals with reckonable residence for naturalisation purposes, in order to provide a uniform approach to the calculation of periods of reckonable residence under our citizenship law; and a provision to broaden the scope of section 11 of the 1956 Act to ensure that foreign adoptions recognised under Irish law will also serve to confer Irish citizenship where one of the adopters is Irish and some other technical amendments.

In addition, the side note to section 11 which does not fully reflect the provisions of the section will be amended. As the note does not form part of the content of the Bill, there is no need to table a formal amendment on Committee Stage, but the next print of the Bill will contain an amended side note.

I will consider with an open mind any amendments Deputies opposite may table with a view to accepting any such amendments that are consistent with the policy of the Government and the understanding created by it in the minds of the people at the time of the referendum debate.

Deputy Gilmore brought to my attention a particular case in the course of this debate. The facts he cited did require an intervention. As a result, a visa will be granted following a review of the case.

As recently as seven or eight years ago, this country had little experience of economic inward migration. It had a small market for immigration and the administrative measures it had in place reflected a paucity of interest therein. The country's resources were limited in the extent to which they controlled migration and a handful of officials and members of the Garda Síochána dealt with a problem that was of small proportions. In the intervening period circumstances changed dramatically and for the better economically. Consequently, a great number wanted to come here to participate in building our economic wealth and the life of our society and to better their personal fortunes and those of the families they had left behind. I firmly believe Ireland's success is built in considerable measure on the efforts of these immigrants. Even if we were to approach the issue from an entirely selfish point of view, which I do not, we would conclude that it would be economic folly, to put it at its lowest, to show a cold face towards immigration and resist the interest of those in working in Ireland and participating in its society.

These facts should not blind us to other realities. Our system of protection for refugees has become elaborate and entails the absorption of considerable administrative and economic resources. The flow of asylum seekers into Ireland was substantial but has decreased substantially in recent times because of a number of developments, not least the legislative measures I have put in place since becoming Minister for Justice, Equality and Law Reform. These measures, combined with improved administration, have meant that asylum decisions, especially those pertaining to priority cases, are now frequently available in a matter of weeks and that appeals thereto are determined in a matter of weeks thereafter. What once must have appeared to my predecessor, Deputy O'Donoghue, as a major crisis is now under control. The measures that have been put in place are adequate to deal with the problems asylum seeking has created for Ireland.

Having said this, the House should be aware of some fundamental truths. Those fleeing persecution in some countries — I will not be specific as we are all intelligent people — are not the poor, huddled masses but in the main people with considerable resources at their disposal who are coming to Ireland to jump the queue and effec-

[Mr. McDowell.]

tively establish for themselves residence on the basis of economic migrancy under the guise of asylum seeking. We would be foolish and dishonest intellectually if we were to pretend the asylum seeking route into Ireland has not been used with this in mind by many, but by no means all, considering that our citizenship law meant, even given the L & O case which eventually came to the aid of the State in this matter, that the birth of an Irish child to such migrants created a new set of circumstances that was difficult for the State to handle.

As a people, we have decided by an overwhelming majority in a referendum that we do not believe the mere accident of birth in Ireland should be the sole criterion in determining Irish citizenship. We have decided that there must be a more tangible and long-term link between the parent of the child before citizenship, as of right, becomes available. In this respect, we have decided to revert to the constitutional position before the Good Friday Agreement of 1998. We have decided to restore to the Houses of the Oireachtas the power to judge collectively, by legislation, whether there is a sufficient link between a parent and Ireland as a State and a community to warrant the granting of citizenship to the children of that parent. The people were told at the time of the referendum the broad thrust of the Government policy that was to follow upon the licence to legislate in this area that the passing of that referendum would give. What is being put before this House is a realistic and sensible policy based on the establishment of a real link between parents of children born in Ireland and the State and society.

We could have retained the absolute *jus soli* principle which obtained on a constitutional rather than a statutory basis from 1999 to 2004. However, we are in a different position from countries that have this system in place. It has been said repeatedly in the course of this debate that the United States has a system of *jus soli* to this day. However, the United States is not a member of a community of countries that allows people to enter its borders without any immigration formalities. If the United States was part of a common travel area with countries from which people could gain access to it without such formalities, the whole system of *jus soli* would probably come into sharp focus in American political debate. Whether this is the case, the United States is in a different position. It does not have the jurisprudence enunciated by Mr. Justice Hardiman in the L & O case, to which I made reference. It is not the case that by having a child in the United States the parents of that child can remain in that country according to the same criteria under which they would be entitled to remain in Ireland as a matter of constitutional

law. Therefore, comparisons between Ireland and the United States are wide of the mark.

Deputy Ó Caoláin stated in his careful speech that what we had done had breached international covenants on the rights of children. In

particular, he focused on the rights of access of parents to children and children to their families. He suggested that by having a law in Ireland which denies *jus soli* citizenship, and which can in some circumstances require parents of Irish born children to leave the country, we are in breach of the provisions of international law. This view was articulated by the Commission on Human Rights in a slightly vague form during the referendum debate. If that were so, the great majority of European Union member states would equally be in the same position, which I reject. I do not accept this is an acceptable point of view. I do not believe that by bringing our law roughly into line with those of other EU member states means we are in breach of any international obligations. I do not believe the argument to that effect, articulated by the Human Rights Commission during the referendum debate, stood up to scrutiny. I regret to say this about the commission's arguments because I normally pay very close attention to what it says. On this occasion I paid very close attention to its arguments which I found completely unconvincing.

Deputy Michael D. Higgins queried my description of what happened within the Labour Party in regard to this matter. I was relying on the printed word of one journal to the effect that Deputy Rabbitte initially supported the idea of the Government referendum but that he was out-voted by the remainder of his party. I assumed Deputy Higgins was among these members.

**Mr. M. Higgins:** There was no vote.

**Mr. McDowell:** If he was not out-voted, he was out-talked, and no better man to out-talk him than the Deputy.

**Mr. M. Higgins:** The Minister was wrong.

**Mr. McDowell:** If I characterise the debate within the Labour Party as a narrowly won vote, I withdraw the characterisation and substitute a situation in which Deputy Rabbitte's doubts were overwhelmed by the logic and force of the rhetoric employed by Deputy Michael D. Higgins.

**Mr. M. Higgins:** The Minister is getting there.

**Mr. McDowell:** Whatever the case, Deputy Rabbitte was correct and his colleagues were wrong to ignore his advice, as the people of Ireland eventually decided.

Committee Stage will be an interesting occasion in which to tease out some of the more detailed points made by Deputies on all sides of the House. We have a duty to pass the legislation. I welcome the support of Deputies on both sides

of the House who indicated their strong support for the approach the Government is taking. I indicate to the Deputies who are not of that view that I will listen carefully to their proposals as to

how the Bill can be amended or improved during the remaining Stages.

Question put.

The Dáil divided: Tá, 71; Níl, 32.

Tá

Ahern, Bertie.  
Ahern, Michael.  
Ahern, Noel.  
Andrews, Barry.  
Ardagh, Seán.  
Blaney, Niall.  
Brady, Johnny.  
Brady, Martin.  
Browne, John.  
Callanan, Joe.  
Carey, Pat.  
Carty, John.  
Coughlan, Mary.  
Cowen, Brian.  
Cregan, John.  
Cullen, Martin.  
Curran, John.  
Davern, Noel.  
de Valera, Síle.  
Dempsey, Noel.  
Dempsey, Tony.  
Dennehy, John.  
Devins, Jimmy.  
Fahey, Frank.  
Finneran, Michael.  
Fitzpatrick, Dermot.  
Gallagher, Pat The Cope.  
Glennon, Jim.  
Hanafin, Mary.  
Harney, Mary.  
Haughey, Seán.  
Hector, Máire.  
Keaveney, Cecilia.  
Kelleher, Billy.  
Kelly, Peter.  
Killeen, Tony.

Kirk, Seamus.  
Kitt, Tom.  
Lenihan, Brian.  
Lenihan, Conor.  
McEllistrim, Thomas.  
McGuinness, John.  
Moloney, John.  
Moynihan, Donal.  
Moynihan, Michael.  
Mulcahy, Michael.  
Nolan, M.J.  
Ó Cuív, Éamon.  
Ó Fearghaíl, Seán.  
O'Connor, Charlie.  
O'Dea, Willie.  
O'Donnell, Liz.  
O'Donovan, Denis.  
O'Flynn, Noel.  
O'Keeffe, Batt.  
O'Keeffe, Ned.  
O'Malley, Fiona.  
O'Malley, Tim.  
Power, Peter.  
Power, Seán.  
Roche, Dick.  
Sexton, Mae.  
Smith, Brendan.  
Smith, Michael.  
Treacy, Noel.  
Wallace, Dan.  
Wallace, Mary.  
Walsh, Joe.  
Wilkinson, Ollie.  
Woods, Michael.  
Wright, G.V.

Níl

Broughan, Thomas P.  
Burton, Joan.  
Connolly, Paudge.  
Costello, Joe.  
Crowe, Seán.  
Cuffe, Ciarán.  
Ferris, Martin.  
Gilmore, Eamon.  
Gregory, Tony.  
Gormley, John.  
Higgins, Joe.  
Higgins, Michael D.  
Howlin, Brendan.  
Lynch, Kathleen.  
McGrath, Finian.  
McManus, Liz.

Morgan, Arthur.  
Ó Caoláin, Caoimhghín.  
Ó Snodaigh, Aengus.  
O'Shea, Brian.  
O'Sullivan, Jan.  
Pattison, Seamus.  
Penrose, Willie.  
Quinn, Ruairi.  
Rabbitte, Pat.  
Ryan, Seán.  
Sargent, Trevor.  
Sherlock, Joe.  
Shortall, Róisín.  
Stagg, Emmet.  
Upton, Mary.  
Wall, Jack.

Tellers: Tá: Deputies Kitt and Kelleher; Níl: Deputies Stagg and Ó Snodaigh.

Question declared carried.

**Irish Nationality and Citizenship Bill 2004:  
Referral to Select Committee.**

**Minister for Justice, Equality and Law Reform  
(Mr. McDowell):** I move:

That the Bill be referred to the Select Committee on Justice, Equality, Defence and Women's Rights, in accordance with Standing Order 120(1) and paragraph 1(a)(i) of the Orders of Reference of that committee.

Question put and agreed to.



## Road Traffic Bill 2004: Second Stage (Resumed).

Question again proposed: "That the Bill be now read a Second Time."

**Mr. Andrews:** I have never had the privilege of addressing such a full Chamber but it is fading away quickly. I addressed my previous comments to general aspects of the Bill and now want to refer to more specific aspects.

Section 9 deals with speed limits. One change I propose concerns the duty to consult other bodies. There is a duty to consult the Garda and the town council, if there is one. I suggest that an amendment be proposed to ensure there is a duty to consult neighbouring county councils or local authorities generally. We have had a problem in my county council area, Dún Laoghaire-Rathdown, with roads contiguous to Dublin City Council areas where speed limits change at the local authority border. This makes no sense. The problem would be obviated if local authorities were obliged to consult neighbouring authorities when setting speed limits.

Section 9(6) deals with different speed limits on the same road and carriageway at different times. This has something to do with quality bus corridors. The local authorities in my area, in which there are many quality bus corridors, want to be able to create a lower speed limit in the bus corridor to the one that applies on the main part of the carriageway. For example, on the N11 this would mean that cars could drive at the normal 60 kph on the carriageway while traffic in the quality bus corridor would observe a 50 kph limit. This would make sense because the bus corridor is generally adjacent to a cycle lane or pathway used by pedestrians. It would be of benefit to drive at a slower speed. This subsection is, therefore, welcome.

On the issue of speed limits, I do not want to sound like a flat-earther, but we licence cars that can travel faster than 120 km per hour. If it will always be illegal to travel faster than 120 km per hour when this Bill becomes law, is it right to licence vehicles that can go faster? Perhaps this is a matter that could be dealt with in the future. It cannot be dealt with in this Bill. However, some cars being sold today are capable of travelling at enormous speeds. It is incredible, pointless and will always be illegal to travel at such speeds. Perhaps the introduction of some kind of damper could be considered at a later stage. That being said, those speeds are not always the most dangerous. A speed limit of 50 miles per hour in a built-up area can be equally lethal.

Section 10 deals with roadworks. I am pleased with this section because there is a problem on the N11 where there is a 30 miles per hour speed limit. The N11 is a dual carriageway running from Dublin to Wexford. There is a 30 miles per hour speed limit because the NRA and Dún Laoghaire-Rathdown County Council cannot agree on a speed limit. Therefore, the 30 miles

per hour speed limit remains for no good reason. I have it on anecdotal authority only that residents are worried that gardaí are sitting in ambush and giving motorists penalty points for going faster than 30 miles per hour on a dual carriageway. That is not sensible. Section 10 allows the local authority to revoke the speed limit. I am glad this is being done because it is not right that it should take so long or that it should have to go through a public consultation process or anything of that order.

There are other problems that need to be dealt with. One relates to road maintenance. Again, I refer to a local problem. Seapoint Road, which becomes Crofton Road, and Monkstown Road are parallel roads that feed into Dún Laoghaire. There are roadworks on both roads. It is not rocket science to work out this should not happen. As a result, the roadworks at Crofton Road are being carried out at night and the residents are very annoyed about it. Surely some legislative provision could be introduced to ensure road closures do not occur at the same on roads that feed into the same area. It does not make sense. When there is so little space and so much traffic it seems a very bad decision. I am aware it is a management decision and not affected by the proposals we are discussing.

**Ms F. O'Malley:** I welcome the Bill as the latest legislation in a sequence which will support the road safety strategy. While the main content is to facilitate the introduction of metric speed limits, the Bill offers an opportunity to reflect on road use and practice. There are four areas with which I wish to deal, namely, signage, the administration of the penalty points system, resourcing and a few additional measures that may enhance the Bill if the Minister would consider them.

On the first point, consistency and clarity should be the hallmarks of any signage system. As matters stand, only an Irish person could understand our signage system with its unique blend of the metric and the imperial. It is hoped this confusion will be addressed. However, it will be some time before all speed limit signs throughout the country are replaced. The directional signs also need to be dealt with.

Section 12 of the Bill deals with the transitional arrangements for the introduction of metric speed limits. The Minister stated the process of metrication would be completed by 20 January next year. During the transitional phase, signs which will have some relevance in this period will indicate speeds of 30, 40, 50, 60, 70, 80, 100 and 120 kilometres or miles per hour. This will be very difficult for the hard-pressed motorist to comprehend. The opportunities for confusion are legion. It will not be clear to the driver whether the signs refer to kilometres or miles per hour.

Speed limits also need to be consistent and reasonable. Measures within the Bill to remove the general speed limit and apply a limit that relates to the standard of the road are to be commended. Speed limits need to be reasonable and

appropriate in order that most drivers will observe them. I am particularly conscious of the ring road outside Galway where there is a 30 miles per hour speed limit. It is crazy because the road is of a high standard and the 30 miles per hour speed limit causes great annoyance and frustration. It is a road where there will now be a reasonable speed limit. Having speed limits such as some of the ones we have at present does no good in terms of compliance.

Section 17 of the Bill is welcome. It allows for the outsourcing of the administration of the penalty points system to persons other than the Garda Síochána. This will free up valuable Garda time from administrative duties in order that gardaí may be deployed on duties requiring their skills.

The penalty points system has had the potential to change driving behaviour. The extent of this is evidenced by the figures relating to accident fatalities and hospital admissions for spinal cord injuries which plummeted in the period after the introduction of the system. There were 84 fatalities in the first four months under the penalty points system, compared to a previous monthly average of 39. The number of admissions for spinal cord injuries was down 50% in this period. Regrettably, this good start has not been sustained. We must ask why. Enforcement is probably at the heart of it. The level of compliance was high following the introduction of the penalty points system because most of us perceived that detection and prosecution were a real and present possibility. If properly resourced with both technology and a dedicated traffic corps, the road safety strategy will be able to achieve its target of reducing fatality levels from a current average of 32 per month to 25.

Additional measures which the Minister may like to consider including in the Bill are flashing amber lights permitting drivers to turn left on a red light. This measure is in operation in America and could very easily be introduced here. It would facilitate a freer flow of traffic. I am glad the Minister is here. I suggest that he take a detour on his journey home and, at the Wyattville junction, turn into the Wyattville Park area where he will find out what the residents have to put up with. In a short distance there is a sequence of five traffic lights which are not in sequence with each other. If one turns into Wyattville Drive and Wyattville Park, in trying to get out again one is stuck for a considerable period of time at a red light because there are five lights that need to be considered. This causes ferocious frustration. If there was a flashing amber light to permit left turns, it would facilitate the free movement of traffic. The example in Wyattville is a good one and I am sure there are many more throughout the country where the introduction of such a system might be advantageous.

Another measure I would like to see introduced, to which my constituency colleague also referred, is the outlawing of 24 hour bus lanes. I

cannot conceive of any necessity to have bus lanes freed up on a 24 hour basis. On the Minister's journey home via the N11 he will be able to observe the difficulties for himself. The Stillorgan quality bus corridor has been a magnificent success and its extension is to be welcomed. Its one shortcoming is that, although the regulations permit one to use the bus lane from 7 p.m. as far as Foxrock Church which is perfectly adequate after the rush hour when sometimes there is still a lot of traffic on the road, if one proceeds beyond the junction at Foxrock Church, one is then subject to a 24 hour bus lane. If we ask motorists to comply with the regulations, we must have an understanding of consistency. However, the Minister should not get the notion that we are looking for a 24 hour bus lane on the rest of the N11, we are not. I believe he is a practical man who understands it is the taxpayers, through motor tax and many other means, who fund the roads and are entitled to use them. The question of a 24 hour bus lane should be extinguished.

**Mr. Cullen:** I believe it is the case that roads with three lanes have 24 hour bus lanes and those with two lanes have 12 hour bus lanes. However, I take the Deputy's point.

**Ms F. O'Malley:** I believe the road has now been widened sufficiently to accommodate three lanes. This is an issue the Minister might consider as it is a new area.

My colleague, Deputy Andrews, mentioned the conditions of roads and the commitment which is placed on local authorities in this regard. We are always focusing our attention on how the behaviour of motorists can be changed. Standards must be imposed but the condition of the infrastructure is also an important issue. Of particular concern in this regard are areas where roadworks are taking place and the importance of maintenance in terms of keeping cones and signage clear and illuminated. The standards in keeping these traffic calming measures tidy and highly visible are frequently questionable. An example is that of Moate in the midlands where bollards that are in place are frequently filthy. It is an agricultural area so one should expect agricultural traffic. This traffic produces a significant amount of dirt, however, and numerous people have had accidents there by banging into or crossing over the bollards and other traffic calming measures.

Many constituents have spoken to me about the need for a standardisation of ramps. There are ramps of different standards throughout the country and in different areas within County Dublin. This matter may not suitably be included in the provisions of this Bill, but some type of regulation is required. It would be easier for the local authorities if they had guidance in terms of a minimum requirement, for example. The ramps in one area in my constituency have small glides which allow cars to gently glide over the ramps. Ramps in other areas, however, impact severely

[Ms F. O'Malley.]

on the bottom of cars and I am sure the council is facing many claims as a result of this.

I welcome the Bill as one element of the measures which the Minister will bring forward in terms of the road strategy Bill. We must be more determined with regard to the budgeting for the road strategy Bill and in ensuring the recognition on the part of the Department of Finance in particular that securing adequate resources for the implementation of the strategy and the imposition of standards, especially in terms of detection and the introduction of technology for the penalty points system, is in all our interests. There will be a saving with regard to health care. The statistics speak for themselves in terms of that very good period at the introduction of the penalty points system and the diminished number of spinal cord injuries. The Department of Finance must recognise its responsibility in making other Departments recognise that they should provide some of the budget for the road strategy and that it is not just a matter for the Department of Transport. The Department of Health and Children and the Department of Justice, Equality and Law Reform have particular requirements in this area. If the road strategy is properly resourced and implemented, lower fatality figures can be achieved.

**Mr. Connaughton:** There is a general consensus among most of the Deputies to whom I have spoken that the provisions of the Bill are necessary. Whether it goes far enough is another question. Irrespective of the region in which one lives, whether built-up urban areas or sparsely populated rural areas, the issue of speeding, drunken driving and the entire driving culture is on everybody's lips.

Regarding speed limits, it is the correct approach to convert to metric. I have no difficulty with the Bill's proposal regarding the maximum limit, which is fair and reasonable. Something the Minister should be careful about, however, is the issue of dovetailing the speed limit to the standard of the road. This is a very important issue. I am not sure whether it is the Minister's Department, the NRA or the local authorities which will have the final say in this matter. Deputy Andrews mentioned the importance of consistency across county boundaries. It would not do, for example, that when one comes to the county boundary at Mount Talbot between counties Galway and Roscommon, that there should be two different speed limits within a distance of five yards. This should never happen at any county boundaries.

I congratulate the Minister and his predecessor on another matter which I have always believed was important to implement. This is to put some type of speed limit on the smaller roads, whether they be called county roads or regional roads. There is a unique situation in this country whereby one can travel at 50, 60 or 70 mph on certain roads but can travel legally at 100 mph on some other roads. There was nothing to stop one

travelling at such a speed because those roads have never been checked as such. The major difficulty with imposing a speed limit on roads of this description is that the resources must be there to police that limit. This is the most significant trouble I have observed over the years regarding this issue. Irrespective of which parties are in Government, there must be a much greater degree of policing for this strategy to work. I do not know how this will be handled, whether through a beefed-up traffic corps or a much greater use of speed cameras.

I hope that while all this is in train there will be a culture change whereby people will simply no longer want to drive in a reckless fashion. As several of my colleagues observed, every time a new model of car is introduced to the market, it seems the greatest selling point is its capacity to go from zero to 70, 80 or 100 mph in a few seconds. This is apparently what appeals to the purchasing public. I am not sure if anything can be done about this, be it in terms of legislation or good sense, because it is a matter of technology improving from one year to the next. It is difficult for a driver who has shelled out €50,000 or €60,000 for a new car which could perform a lap of honour around Mondello Park to keep his or her foot off the accelerator. Cars are getting larger and more sophisticated and can go from a standing start much faster than they ever did before.

I notice, as I am sure the Minister does in his own area, that many constituents say they are taking their lives in their hands when attempting to cross the road in their own small village or hamlet. I was recently approached by a woman in a very small village in south County Galway called Killimor, who told me that she blesses herself every day when crossing the road. There is a 30 mph speed limit in this village but nobody seems to take any notice of it. Another example is the small village of Kilrickle on the N6 between Ballinasloe and Loughrea.

Something will have to be done to ensure the lives of local people are protected as much as possible.

Another story is doing the rounds, in respect of which the Minister might outline the factual position. In consultation with the local authorities and the Garda, during the years speed limit signs have been placed at strategic places outside towns and villages. Any of us who were members of county councils or corporations know there was more to the placing of the speed limit sign than the protection of pedestrians, including children; it gave people more than half a right, so to speak, to planning permission for a development inside the speed limit sign. That is the way the issue of planning was handled.

Representations have been made to me that there is a proposal by the National Roads Authority that when the speed limits signs are rejigged, some of them be placed closer to the centre of villages. I am referring to major roads in certain



areas of the country, including some in County Galway. Is this the Minister's doing, the National Roads Authority's proposal or a proposal by the local county council which I do not think is the case?

As the Minister is aware, the National Roads Authority has a policy that if one drives from Dublin to Waterford or from Dublin to Galway, one should be able to arrive in reasonable comfort under normal driving conditions in X number of hours and minutes to facilitate the commercial life of the nation, but these target times must be counter-balanced. It is one thing to drive from Dublin to Galway in three hours but another to ensure a child is not hurt on the journey. It is against this background that a good deal of thought will have to be given to this matter before speed limit signs are placed nearer to the centre of towns and villages. If the area covered by such speed limit signs in town and villages is reduced, a mechanism, whether flashing lights or improved signage, will have to be used.

Many residents associations, chambers of commerce and town development associations will be up in arms about this proposal. I wanted to bring this matter to the Minister's attention which I am sure he has heard raised on many previous occasions. However, it is no harm to reinforce this point of view. From a safety perspective, I hope there will not be much changing in the placing of signs, or if that is what is proposed, the reason for it will be explained and, more importantly, an alternative mechanism will be put in place.

Many colleagues mentioned the question of consistency of speed limits. There is no greater inconsistency than on the N6 from Dublin to Maynooth. There are no fewer than five speed limits on that short stretch of road. There are speed limits of 30 mph, 40 mph, 50 mph, 60 mph and 70 mph. There are occasions when one finds oneself in a zone where one is not sure exactly what the speed limit is. I incurred two penalty points travelling along that road.

**Mr. Cullen:** The Deputy is speaking from first-hand experience.

**Mr. Connaughton:** I thought I was travelling in a 60 mph zone and was travelling at 54 mph, but incurred two penalty points as I was travelling in a 50 mph zone. Needless to say, when I travel on that part of that road again, I will know what zone I am in. One hopes that under the new speed limit regime, the signage used will be rationalised. I am not making a case about that incident as I was breaking the law. All I am doing is pointing out that this matter is worthy of note.

Deputy O'Malley raised a issue on the other side of the coin. She referred to a road in Galway city, the Tuam road leading to the first roundabout near the Menlo Hotel. It is as good a road as one would find anywhere in the country. It is one of the ring roads in Galway of which we are extremely proud but it is in a 30 mph zone. One must travel so slow that one would nearly think

one's car had gone into reverse. I am not an expert on road safety or the calculation of speed limits appropriate to particular road surfaces but the speed limit on that stretch of road does not serve the travelling public. I hope the powers that be will review it because the road could accommodate a faster speed limit, perhaps 10 mph higher. I cannot graphically get this point across, but if the Minister was to travel on this road, he would know what I am talking about.

In regard to the penalty points system, I note the Minister proposes to replace Garda manpower. I take it this will occur on the administration side and that there will not be lay people manning a speed camera or speed trap. I take it the Minister is giving an undertaking this will not happen.

**Mr. Cullen:** No, that is not included in the Bill. It only deals with the administration side.

**Mr. Connaughton:** I accept that change because I assume the thinking is that there will be more gardaí available to police traffic. The Minister might indicate how many gardaí will be involved in this activity. Will it be a token number or will it involve a considerable number? Will it be ten, 20 or 100, or does the Minister know the number?

I wish to bring to the Minister's attention a regional matter related to the Bill. I saw him in his great splendour last night on television as he opened the Monasterevin bypass. Good luck to Monasterevin and the Minister.

**Mr. Cullen:** At least, I was not in an open-top car, freezing to death; we got that one right.

**Mr. Broughan:** Is that what the former Minister, Deputy Brennan, did?

**Mr. Connaughton:** I would like to think that in the not too distant future the Minister will appear in similar circumstances on the N6, but we are a long way from this.

**Mr. Cullen:** The Deputy might as well list the N9 and the N10.

**Mr. Connaughton:** Why have all the radial routes around and out of Dublin been completed a long time before the N6? It appears to be a forgotten territory, but we will manage.

**Mr. Broughan:** The west asleep.

**Mr. Connaughton:** Unless we do something about the matter, that is the way we will be left. It is nothing short of shameful that despite the area being included in the BMW region and having Objective One status, the main roads westward are improved very slowly. This will become a major issue in the next few years. Those of us living in the west are as entitled to a road as good as anywhere else in the country. We will fight to



[Mr. Connaughton.]  
have them. We sincerely hope on this side of the House that we will have an opportunity to make sure this happens when the time comes.

**Mr. Cullen:** The Deputy and I have a good regional focus.

**Mr. Connaughton:** Yes, except mine is not winning. We will have to switch jerseys.

I have no problem with the penalty points system. We must have stringent controls in place because of the awful carnage on our roads and the hardship and anxiety families suffer.

I have a word of advice for the Minister. The former Minister for Transport was a lively spark. He seemed to introduce a new initiative every ten days but one wondered if he had a planned approach to what he would do afterwards and whether there was any substance to his initiatives. It is all very well to announce measures and there is always a public reaction for a short time afterwards. However, one must provide for the policing of the measure in place and persuade members of the public that they will be caught if they break the law, whether by drinking and driving, driving at excessive speed or failing to use safety belts. It has entered the psyche of the people that policing has not followed the many excellent proposals of the Minister's predecessor. If the new Minister for Transport is to be successful — I hope he is, for everyone's sake — it is important for members of the public to see that they will be caught if they break the law. Once they believe this they will adhere to the law, as happens in every other country. When one sees road accident numbers rising steadily, one must accept many members of the public believe they will not be caught. That will be the litmus test of whatever measures the Minister implements. The results we all want can only be achieved through enforcement of the law. We have sufficient laws. It is time for order. Accident figures rise every weekend and every quarter. One must assume many believe that with a little luck they will not be caught. I hope the Minister will succeed in enforcing this aspect of his road safety strategy. It has yet not happened.

It appears it has been decided to put a central crash barrier in place on dual carriageways. I argued for this in the Dáil some years ago and spoke to the National Roads Authority about it at the time. Will the motorway from Dublin to Galway have a central crash barrier? It is my understanding the NRA intends that a central barrier will be put in place on the road between Dublin and Kinnegad but not on the more westerly section of the road. It is important that a crash barrier is built now because if it is not, it will never be built.

I hope the packages introduced by the Minister will save lives. Nevertheless, if he does not enforce the law, we will not make progress.

**Mr. Kelly:** I wish to share my time with Deputy Finneran.

We all have a personal responsibility for road safety. Every family has been touched by death on the road. It is not someone else who will crash; it is us, if we do not drive carefully. We should make the changes required by this legislation quickly, safely and clearly and the public should be informed when, where and how it is happening.

The road safety theme provides a general policy background and framework for this Bill. The central purpose of the Bill is the metrification of speed limit signs. This is inevitable and long overdue. It is another aspect of our increasing European identity. It is important that we take advantage of our European identity, especially from a worldwide tourism point of view. Many tourists from the rest of the world do not include Ireland in their visits to Europe. Ireland is not included on many tour itineraries which visit France, Italy and Great Britain. Many have commented on how for some time our speed limits are measured imperially while distances are measured metrically.

The EU unit of measurement regulation of 2002, made by the Minister for Enterprise, Trade and Employment, requires that all speed limit signs display metric values. The Bill aims to ensure the regulation is in place in January 2005. From that date the display of imperial values on speed limit signs will have no legal basis. This will introduce faster and slower speed limits and be confusing for some time. The proposed value for the speed limit on national roads is 100 km. This represents an increase of two miles per hour over the current general speed limit of 60 miles per hour. On non-national roads a new proposal will see a new speed limit for the rural road network and a reduction of ten miles to 80 km per hour. In built up areas the application of a 50 km per hour limit is the equivalent of 31 miles per hour. This, essentially, is in line with the current built up area speed limit of 30 miles per hour. On motorways a new speed limit of 120 km per hour will be applied. This will be an increase of four miles per hour on the current limit of 70 miles per hour.

Motorists will have to become familiar with the kilometre display on their speed clocks instead of the miles per hour display. Such a change will take time to get used to. However, Ireland has adapted to big changes before such as decimalisation and the introduction of the euro. We will get used to change on our roads. As part of a positive approach to the European Union, Ireland has sought to bring forward the metric system. As long ago as the 1970s, children began learning in terms of litres, grammes and kilometres. For a country often portrayed as conservative in nature, it is surprising that there has been no fundamental resistance to this process. Metrification began in France during the French

Revolution, although many of the revolutionary efforts were abandoned.

When we talk about speed limits, we must talk about their constant breaking.

Debate adjourned.

### Private Members' Business.

#### Health Care: Motion.

**Dr. Twomey:** I move:

That Dáil Éireann:

- acknowledging the hard work of all doctors, nurses and healthcare professionals in the North Eastern Health Board (NEHB);
- noting that:
  - there have been a number of tragic events in the NEHB that have contributed to a crisis of confidence in the health services provided in the NEHB;
  - there is a need to look at the provision of health services in the NEHB and to find solutions to restore patients' confidence in the provision of healthcare services in the NEHB region;
  - steps must be taken in the NEHB to ensure that the new Dublin/north east regional area does not encounter the same difficulties after 1 January 2005 when the new health service executive structures are in place;
- calls on this Government to:
  - explain the circumstances in which the recommendations of the Bonner report were not implemented;
  - explain why this Government has failed to review the NEHB in light of a number of recent revelations;
  - explain the mechanism by which the Dublin/north east regional health office and all other regional health offices will be accountable to Dáil Éireann and to commit the Tánaiste and Minister for Health and Children to answer parliamentary questions on behalf of the regional health offices;
  - consult with all stakeholders in the new Dublin/north east regional area and all regional health areas to provide both primary, acute and non-acute hospital care that is acceptable to the people and is medically safe;

— properly resource the Cavan-Monaghan group of hospitals so that acute and elective care can be provided to the people of Cavan-Monaghan;

— properly resource the Louth/Meath group of hospitals so that acute, elective and regional specialties can be safely provided at those hospitals;

— properly resource the Beaumont hospital to provide acute and elective care to the local, regional and national tertiary services that it is responsible for providing to the people of the NEHB and the rest of the country; and

— properly resource the Navan hospital to provide acute and elective care to the people of Meath.

I wish to share my time with Deputies Crawford and O'Dowd.

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

**Dr. Twomey:** This motion acknowledges all the hard work by doctors, nurses and other health care professionals in the North Eastern Health Board region. However, there has been a number of tragic events in the north east that the House should discuss because there is a need to restore patients' confidence in what is happening in the North Eastern Health Board region and in many other health board areas. The Opposition is afraid that when the new health authorities come into place on 1 January 2005, they may have even less accountability to the House.

I am calling on the Government to explain fully its intended role in the operation of the new health service executive. I also wish to see all stakeholders in the north east having a say in such future services. It is also intended to discuss the resourcing of the Cavan-Monaghan and Louth-Meath hospital groups.

In two months' time, the North Eastern Health Board, like all other health boards, will cease to exist. My fear is that the transparency, accountability, value for money and the role that public representatives have as watchdogs of the health care system will disappear under an increasingly careless, arrogant and uncaring Government.

Doctors, nurses, other health care workers, hospital administrations and local community groups have worked together to try to maintain health services without adequate Government funding. At one point or another, all these groups have endured attempts by the Government to blame them for these problems. Health board officials have been a particularly soft targets for scapegoating since they cannot defend themselves in public. They are obliged to remain silent as they are pilloried by members of the Government for the current Administration's failings.

[Dr. Twomey.]

The manipulation of facts by spin-doctors was accepted by many in the community who felt they would never need health services. Now, however, everybody knows someone who is unhappy with the health services. The Government has failed totally during the past seven years and we are concerned and fearful that our families will be affected in the foreseeable future by the health crisis.

By focusing this debate on the North Eastern Health Board we will try to deconstruct the myth that the Government cares about the health services. During a visit to three hospitals in the north east, I found everybody saying that it is a question of resources. That major issue in our health services was referred to repeatedly by nurses, administrators and others we met on that visit. The Government will have to face the fact that the health services are not properly resourced.

If there are other difficulties — or inefficiencies as they are being described — and if millions can be saved from the health budget, then I would like to hear Government Deputies talking about that. They should indicate all the areas where millions can be saved. I do not want to hear a reiteration of what has been done since 1997. They should simply point out where this money can be saved. Every time there is a health crisis we get a knee-jerk response from the Government with Ministers indicating where money was spent. However, one of the last jobs undertaken by the former Minister for Health and Children, Deputy Martin, before he left that portfolio, was to announce an expenditure of €85 million to commission €400 million worth of hospitals and health centres that have been left idle for years.

In a recent speech to her own supporters, the Tánaiste and Minister for Health and Children, continued this deception of the Irish people, stating:

It is fair to say also that we have not had the more widespread improvements that all might have expected from tripling health spending in our health services since 1997. This is because our health services are not nearly as efficient or effective as they could be in using this additional investment.

This is a real kick in the teeth for nurses and hospital administrators who are trying to keep the health service going. I wish to focus on the two major issues to which the Tánaiste has referred, namely spending and inefficiency. As regards spending, Ireland reached the EU average on what we call health spending in 2001. If we are to believe a recent ESRI report, 20% of the health budget is actually social welfare spending. If that is true, then we have never reached the EU average on health spending during the lifetime of the current Government. If that is so, it puts to rest the argument that the health service is well resourced. It has not been well resourced at any stage of the Government's term of office.

Today, there are patients lying on trolleys in Cavan Hospital, Our Lady of Lourdes Hospital in Drogheda, and Beaumont Hospital in Dublin. They are too sick to contemplate why our accident and emergency crisis has become an all-year-round affair, when even four years ago it was simply a winter crisis. The number of patients on trolleys continues to grow every day. That is one statistic that has been increasing annually. At one time, 20 or 30 patients were in A & E departments overnight, while the figures now exceed 150, with patients spending two or three nights on trolleys.

When Government Deputies reply to this motion, they should discuss the inefficiencies of the health system. They should indicate where the problems lie. I think many of the difficulties are due to a lack of focus and coherent Government policies. Government Deputies should also explain to taxpayers where their money is being wasted in the health services. I do not believe that is the major problem.

Blatant mistakes have been made by the Government. Since 1997, for instance, up to 30 new statutory and non-statutory health service organisations have been established by the Government. Within seven years of their establishment, however, the Department of Health and Children's own "Prospectus" report recommended the disbandment of most of these statutory bodies. One of Deputy Martin's first jobs as Minister for Health and Children was to establish the Eastern Regional Health Authority and three new health boards. One of his last jobs in that portfolio was to disband the Eastern Regional Health Authority and the three health boards he had previously established. This is a Monty Python approach to health policy.

The only consistency we have seen so far came from a Progressive Democrats Minister's wife. When she wrote a report on behalf of the Department of Finance, she was consistent in so far as she continued the Government's tradition of blaming those who work in the health service for all the problems that exist within it.

I visited Cavan General Hospital on a bank holiday Monday and saw an elderly man waiting there who had broken his hip the previous Saturday. He was still waiting to be transferred to the acute trauma unit in Drogheda. The words "acute" and "trauma" indicate that patients should be moved for treatment faster than three days but that is what seems to be happening in Cavan. A Fine Gael councillor told me about a lady who had survived cancer treatment and now has to thumb a lift from Cavan to Drogheda in order to attend for an outpatient's appointment there.

Patients in the north east, and those who treat them, should be made aware that money is being wasted due to inefficiencies in the service, rather than the fact that we cannot afford the required investment.

At this stage, people at Monaghan hospital can think of only one useful purpose for the piece of paper listing the last of the promises of the former Minister for Health and Children, Deputy Martin, to the people of that county. Those promises all seem to have gone by the wayside within the past four weeks.

We have been told about the huge amount of money that is going into health services but what expenditure is being made? Let us focus on the Northern Eastern Health Board. In researching the provision of services in that health board region it became obvious that the north east has suffered from an unimaginative Government response to the crisis in that area. In the last three or four years the Department of Health and Children has been advising the North Eastern Health Board and other health boards that the initial allocation of their annual budgets will only cover what they did the year before. In other words, for a number of years Government funding for health and children has operated on the principle of an existing level of services. Government Deputies will say that the way to get extra health board services is through revised Estimates. That is where the extra money comes from, they say, but it is difficult to obtain facts and figures from the North Eastern Health Board in order to compare them.

What we got for 2003 were details on how the north east fared on big issues which we are told are very close to the Government's heart. With a population of 350,000 the region got an additional €2 million for cancer services. It got €1.8 million for services for older people. For the primary care strategy it got €400,000. We can understand why people get annoyed about €50 million spent on e-voting and €15 million on the equestrian centre at Punchestown. The amounts allocated for additional services in the region are minute in comparison.

I will again quote from the Tánaiste, who has set out her stall to be a reforming Minister for Health and Children. She said: "It's entirely appropriate that we should measure health service progress not by spending levels or reports and analysis, but by visible improvements seen by the public." This is certainly not a quote that would be attributed to her predecessor, who was a great man for reports, analysis and putting off everything until tomorrow. The Tánaiste is correct in one respect. Health spending is not the same as service delivery. The Government has allowed spending to go out of control without any idea as to how it will increase the services it is supposed to deliver. I ask the Tánaiste to show us how these millions are being spent and show us the great progress that has been made in recent years.

I am particularly interested in primary care, which I would like to make a cornerstone of Fine Gael health policy. What is happening to primary care in the area under discussion is a good example of how patchy the services are. Parts of

the catchment area of Beaumont Hospital have one GP for every 2,500 patients. The national average is one GP for every 1,500 patients. One success story in the north east is the GP out-of-hours co-operative, NorthEastDOC. Unfortunately, it does not cover the area with the highest proportion of patients to doctors. No out-of-hours co-operative operates in any part of north Dublin. Even though some people have tried to link problems in accident and emergency departments with primary care, which is true, it is the lack of availability that is causing these problems. The Government has been aware of this issue and sat on it for some time.

The Government is still struggling to get its first primary care centre fully operational in the North Eastern Health Board region. The primary care strategy promised 600 primary care centres, and three years into a ten-year programme we are still struggling to get the first ten off the ground. In recent years, to try to save money, health boards have been forced to cut home help allowances and funding for primary care projects that do not make the national media every day. Unfortunately, this is the price some elderly people with the opportunity of staying in their own homes must pay. Proper provision of sheltered accommodation and recognition that primary care services must become more focused on our increasingly elderly population is an issue on which the Government can talk the talk but has failed to walk the walk.

Now that the Tánaiste is in the House, I ask her when she became aware of the problems of primary care and what she plans to do about them. Some of my colleagues will talk more about the Cavan-Monaghan hospital group and the Louth-Meath hospital group. The North Eastern Health Board has been vilified for the reorganisation of some of the health services carried out in the north east. The health board fully accepts it is not perfect but it was left with no choice because of lack of funding. Continually starving the health board of the resources to allow it deliver quality medical care, has led to it making some very hard choices to the detriment of the hospitals in question.

While my colleagues will go into more detail on these hospitals, I ask the Tánaiste to answer three specific questions. How does she intend to provide a five-day surgery at Monaghan General Hospital when a different surgeon is expected to be on duty every day? This is an unworkable procedure, which shows a clear lack of understanding of how the health services work. It is not possible to bring a different surgeon from Cavan General Hospital to Monaghan General Hospital and expect to have a five-day surgery unit that runs without hiccoughs.

Why has one third of Cavan General Hospital not been commissioned since 1997? It only recently received approval for an extension to its accident and emergency department even though the accident and emergency department of



[Dr. Twomey.]

Monaghan General Hospital has been downgraded and practically closed for a number of years. Despite the extra workload, Cavan General Hospital did not get increased funding for acute beds when services were withdrawn from Monaghan General Hospital. This is why the health board has been forced to take decisions, which have, in some respects, been to the detriment of patient care.

Why has Our Lady of Lourdes Hospital in Drogheda not received its designation as a regional hospital? Why have the regional services not been properly organised for the north-eastern region? What will happen to Our Lady of Lourdes Hospital, which needs expansion immediately? It is amazing how doctors can work in that hospital given that it is so crowded and under-resourced.

The credibility of the Tánaiste is riding on her having taken the health portfolio. She should be commended for making such a brave decision. To show that she has the health services at her heart, I ask her to release the minutes of the Cabinet meeting held at Ballymascanlon. While most people here have forgotten about the meeting at Ballymascanlon, I have not. The media have a duty to revisit that fateful day in May 2001. The then Minister, Deputy Martin, brought some of his officials from the Department of Health and Children to give their views on the health services.

After the meeting the Taoiseach said the health services were well resourced. The then Minister for Finance, Deputy McCreevy, believed that putting more money into health services was like pouring it down a black hole. What did the officials from the Department of Health and Children say that day, given that their advice was completely ignored by the Government? An element of hypocrisy is creeping into this matter. Five months after the Ballymascanlon meeting, the health strategy became Government policy. Three years on, when we expected an additional €1 billion per year to be spent on the strategy, we find that this was also rich on aspirations but poor on delivery.

Despite the primary care strategy and the health strategy, no progress is being made. While this is true throughout the country, it has been particularly poor in the north east. The primary care service has not been developed in the way one would expect. The acute hospital services have undergone serious reorganisation, which has created huge conflicts in communities.

While Monaghan General Hospital has almost given up on maternity and accident and emergency services, I am sure the Deputies from Cavan-Monaghan will fight hard for that. The former Minister for Health and Children, Deputy Martin, wrote a letter outlining details of CAT scanners, extra beds, minor injury units and five-day surgery, which was called selective elective surgery. Even the commitment to that seems

wishy-washy. The people in the region understand that a different surgeon is supposed to drive from Cavan every day to man this unit. However, a post like that is simply not workable.

The same applies to the way the hospital in Drogheda operates. It needs to get its designation, to be upgraded dramatically and to function as a regional centre. The population in the corridor between Dundalk and Dublin is growing at a huge rate. The accident there last week sadly shows why it needs upgraded acute services such as ambulances. We have neglected some core areas of the health services in the past seven years. We have seen developments in just one section of the health services to the detriment of others, which has led to poor value for money. I look forward to hearing what the Tánaiste has to say about these figures. The Progressive Democrats has always taken great pride in being the watchdog for the taxpayers' billions. Fianna Fáil gave up on justice a long time ago and has now given up on the health services. We will have to warn the voters with VHI that there is no point in voting for Fianna Fáil, and I wonder if they are any safer voting for the Progressive Democrats.

**Mr. Crawford:** I thank my party leader, Deputy Twomey and the front bench generally for bringing this important issue to the attention of Dáil Éireann. The crisis in the north east, especially in Cavan and Monaghan, has been documented extensively by the media. While it is sad that was necessary, the crisis there is a reality. I was delighted that the Cavan-Monaghan area was one of the first regions visited by Dr. Twomey, particularly on a bank holiday. What we saw, however, was not encouraging. There were people on trolleys and frustrated staff who wanted to deliver a service were unable to do so because of mismanagement and a lack of funds. I respect the Tánaiste, although she did not deliver jobs to the Border area, and she must deal with the North Eastern Health Board. This area has suffered significantly in past years and deserves at least its fair share of money and services.

The seriousness of the situation was highlighted by a man who lived all his life a few hundred yards from Monaghan General Hospital becoming ill a few weeks ago. Instead of going to Monaghan General Hospital, where his life might have been saved, he was put in an ambulance to bring him to Cavan. The previous Minister for Health and Children made a commitment before the local elections that medical emergencies would be brought by ambulance to Monaghan General Hospital, as would those needing other treatment. We were also promised that Monaghan General Hospital would stay open, with a new consultant surgeon and five junior hospital doctors, a consultant dermatologist, a consultant geriatrician and ten new beds. A commitment was given during the general election that all medical and surgical emergencies, as determined by the consultant on call, and 80% of accident and emergency would be treated at

Monaghan General Hospital and substantial funding would be made available. I know the value of political commitments but people's lives are at risk. This cannot continue indefinitely.

The funding of the North Eastern Health Board is another question. Last year, the funding for the board was €1,516 *per capita* against a national average of €2,018. What have we done to deserve such treatment? As a result, the elderly cannot be looked after. Two and a half years ago, subventions for nursing homes were paid for 256 patients in the Cavan-Monaghan area but that has since been cut to 214. Are there fewer elderly people in the North Eastern Health Board area? Statistics show that between 1996 and 2002, there was an increase of 31.4% in those aged 85 or over. Those people needed more care and help but the budget in that area was cut so drastically that bed numbers were cut while beds are lying empty in high quality nursing homes.

Home helps and carers have had their budgets cut, resulting in the number of hours for home helps being halved compared with two and a half years ago and many are only getting minor expenses for travelling. This is not the treatment to which those who built this State are entitled. People living in the North Eastern Health Board region must get the same as everyone else. I recently highlighted a case where a person had to go into a home in the west. It was the first time that the nursing home owner found it difficult to get a subvention for a person who had nothing. For six weeks the family had to pay for the care in spite of all the efforts I and others made.

The hospital in Cootehill has been open for surgery for the last two and a half years but the unit for the elderly is still not in use because we cannot fund its everyday work. This is no way to spend capital. I know of an old age pensioner with no means who wants to get a toilet and other items into the house. The total cost is €2,950 and the pensioner is being asked to pay €537. This is ridiculous.

As a member of the British-Irish Interparliamentary Body, I was part of a group that went to study hospitals in isolated areas, such as Wick in Scotland, Wales and the Isle of Man. Above all else, we learned that primary care is vital. The Tánaiste has made the right noises about the need to extend medical card cover but so many have been removed that we must talk about re-introducing them. We were promised 200,000 extra at the election but in the last seven years, 100,000 cards have been removed. In County Monaghan, 6,035 have been taken away in that time. Some people say that is not as bad as Cork, but that figure is being taken from a total population of 52,000 while Cork lost 8,000 medical cards in a population of 500,000. Much of the overcrowding in accident and emergency units could be avoided if people could visit their GPs using the medical card.

In May, a letter from the previous Minister for Health and Children to members of the Fianna

Fáil organisation — not to the people of Monaghan — promised that 24 hour medical cover will be provided at Monaghan General Hospital. The Minister hoped the letter would clarify the Government position and assist in silencing the rumours on Monaghan General Hospital. Then the Minister wrote a letter on 29 September to tell us that all was well and he had suddenly got agreement that 24 hour, seven days a week medical cover would be restored, five junior doctors recruited immediately at a cost of €750,000 and a larger emergency room that would be open 24 hours a day would be provided. That was not decided that day, the planning had already been done and the contract signed. He promised ten additional beds, although he did not say how many beds had already been closed, and the provision of a CAT scanner. When I asked the Tánaiste about this, the CAT scanner was missing.

The problem is that so many commitments and promises have been made. The North Eastern Health Board called in the five Deputies from Cavan-Monaghan to tell us how the new structures would work. Cavan-Monaghan General Hospital would be a single unit but would operate on two sites. However, all services went to Cavan, but now services are being taken from Cavan as well. It is an extremely serious situation. People are isolated and must go to Drogheda in emergencies. Nobody questions serious trauma having to go to Drogheda. However, I came across cases at a meeting the other night where people had to travel to Drogheda for minor matters. The families concerned had to travel back and forward, yet there was no bus service. Surely, when one closes a service such as that provided by Monaghan General Hospital, one provides the services necessary to enable people to travel.

Cavan-Monaghan General Hospital is still in crisis. My colleague, Deputy Twomey, who is a doctor, said he was not prepared to stand over something that was not right but he made it absolutely clear that a five-day surgical service was workable in Monaghan General Hospital, although not in the way the steering committee suggested whereby surgeons would travel on a daily basis. I ask the Tánaiste and Minister for Health and Children to meet the people there as quickly as possible and to ensure a realistic, logical and workable system is put in place before more lives are lost. I could highlight several situations but I do not want to be dramatic. My party, either in Opposition or in Government, will work to ensure a logical and workable structure is agreed.

**Mr. O'Dowd:** I congratulate Deputy Twomey on tabling this motion on behalf of Fine Gael. I welcome the constructive comments made up to now on how the North Eastern Health Board will develop in the years ahead. I congratulate the staff in all the hospitals and the community care teams, both voluntary and statutory, in communities who work so hard in the North Eastern

[Mr. O'Dowd.]

Health Board area to provide a better service for everyone. That is what a health service is about — it is about people working together in the statutory and voluntary areas to get the best service possible for the people.

We must look at the way the health service is developing under North Eastern Health Board. One of the main problems is that there is no transparency or accountability in regard to decision-making since the health boards were abolished. I know there is a proposal to introduce legislation to deal with this issue but it is significant that the Government went ahead with the abolition of the health boards, or the corporate bodies, without replacing them. I am concerned about that. A simple example of lack of transparency arose following the recent publication of a report by the health board on health gain in the North Eastern Health Board area. Deputy English and I had to telephone the health board to get a copy of the report sent to us. Deputies are no longer part of the cc list in the health board region. That is not good enough and is not acceptable in the case of such a major report.

An issue addressed by many people is community care. Keeping people out of acute hospitals is the way to go. The greater the investment in keeping people out of hospitals, the greater the health gain to the community, the better off such people would be, the more interaction they would have with society and the better things would be all round. There has been a major cut in home help services in the North Eastern Health Board area in recent years. In the last year of Deputy Martin's time in office, approximately 80,000 home help hours were cut. That was an appalling decision that impacted on the cutting edge of care in the community. Many elderly and sick people could not live properly or decently in their homes as a result. I hope the Tánaiste and Minister for Health and Children will reverse that decision during her time in office. Care of the elderly is one of the most important issues in our society and I note the Tánaiste spoke on it when appointed to this position.

A problem I face regularly, as I am sure do most Deputies, is the number of people in the community coming to see me about their elderly relatives in acute hospitals who are being discharged. There is not adequate or proper ownership of that issue — for example, a one-stop-shop for care of the elderly in each hospital area. If someone is in an acute hospital, one office should liaise with the family, the staff nurse, the nursing home and with everybody concerned to ensure the problem is dealt with efficiently, effectively and sympathetically. Some 99% of cases are dealt with in that way but some are not and they end up on my desk each morning. I am concerned that the Tánaiste and Minister for Health and Children insist proper protocols are put in place in each acute hospital in the North Eastern Health

Board area whereby patients and their families would know to whom to go and to whom to talk so there would be no doubts and somebody from the administration would not tell people they must get their mother or father out of the hospital. People have concerns about that and about managing the care. Some people believe they must go out to find a private nursing home bed and that they may not have the capacity to pay for it. As people move towards the declining years of their lives, they need to feel wanted, esteemed and part of the system. In many cases, they feel upset and that they are not wanted. Their families feel nobody cares. That issue must be addressed and I hope the Tánaiste and Minister for Health and Children will address it.

There are approximately 1,700 private nursing home beds in the four counties of the North Eastern Health Board. I live in County Louth where there are only 350 private nursing home beds — the remainder is in the adjoining counties. There is a need for an initiative in regard to public private partnerships with the health board to provide proper and adequate private nursing homes perhaps on health board property. It is alleged that the Tánaiste and Minister for Health and Children is to sell off health board property left, right and centre. That would be a poor decision. She should examine the needs of society, particularly health care and private nursing home care in County Louth. There is no reason the health board could not allow an operator to build a 60-bed unit on, or adjacent to, a hospital site. Those beds could be block booked for the foreseeable future so that we would have proper and adequate beds in our county and elderly people would not have to travel distances. An elderly person might be in a nursing home 20 or 30 miles away from his or her home and there might be no public transport, so it is impossible for people to visit. It is a serious issue that I hope the Tánaiste and Minister for Health and Children will address.

Another issue, which has already been addressed, is the cut back in the number of medical cards. The percentage of the population of County Louth with medical cards is 35%. We have the most serious health problems in the North Eastern Health Board area — in fact, County Louth has the second highest rate of cancer in the country next to Dublin city. Many people who have serious illnesses do not have medical cards. A medical card should be available as a right to people with serious illnesses, regardless of income. Not everybody with cancer in the North Eastern Health Board area has a medical card, although they should have, especially if they have active cancer for which they are receiving treatment or are on drugs. That is a bad situation. I hope the Tánaiste and Minister for Health and Children not only reviews the income limit for a medical card but that she ensures people who are very sick get one as a right regardless of their income.



**Tánaiste and Minister for Health and Children (Ms Harney):** I move amendment No. 1:

To delete all words after “Dáil Éireann” and substitute the following:

“supports the North Eastern Health Board in its objective of ensuring the provision of a high quality, safe and responsive hospital service, commends the Government for the unprecedented increase in the level of investment in health services in the north east since 1997 and supports the early implementation of reform measures in order to deliver enhanced services in the region.”

I propose to share time with the Minister of State at the Department of Health and Children, Deputy Tim O'Malley.

I am pleased to have this opportunity to respond to the Fine Gael motion on hospital services in the North Eastern Health Board area. I would like to put on record my support and acknowledgement of the work of many people in this health board area in providing a high quality, safe and responsive hospital service. This Government's health policy has two key elements, namely to invest in service developments and to bring about lasting reform, with the single aim of delivering quality health care to people in a way that is accessible and available.

We have taken action on both these fronts in terms of more investment and real reforms. We are taking action not just at a national level, but in each region. It is detailed work and it requires a unified effort from many people to make it happen. Change for the better is happening already. The task ahead is to ensure our economy generates the resources we need to invest in health, so that they are effectively channelled into better services and so we can implement decisions speedily as regards necessary reforms.

The House knows that this year the Government is spending over €10 billion in the health services. Over €900 million in additional funding has been provided in 2004 in respect of day to day spending. The Estimates for 2005 are being finalised by the Government and I am confident they will show again the consistent record of this Administration in giving high priority to health.

The overall increase in funding for all health boards between 1997 and 2004 has been €5.2 billion, a threefold increase. The increase for the North Eastern Health Board has been €383 million, more than three times the level of 1997. This is the largest increase in day-to-day funding of all health boards. It is, in part, an acknowledgement of the lower base level of funding in the North Eastern Health Board in 1997, but there can be no doubt that the Government has since then put substantial and unprecedented investment into the north east. This year, the funding provided for the North Eastern Health Board is €549 million, an increase of almost €66 million on 2003.

People rightly ask what we are getting for all this funding. For one thing, more people are

being treated in our acute hospitals. Some 50,000 more people were treated in 2003 than in the previous year and 230,000 more were treated in acute hospitals in 2003 compared to 1997. The number of inpatients or day-cases in 2003 was more than a million. It will be higher again this year. Our hospitals are treating more people and are providing a broader range of treatment than ever before.

In the north-eastern region the number of patients discharged from acute hospitals has increased from 53,000 in 1997 to 75,000 in 2003. The number of day cases has more than doubled from 12,000 in 1997 to 28,000 in 2003. Some 49 new consultant posts have been added to the 75 that existed in the region in January 1997. This is a 65% increase and compares well to the national increase of 46% in the same period.

Hospital services in the North Eastern Health Board area are provided on an inpatient, day case and outpatient basis in two hospital groups. The Louth-Meath hospital group comprises Our Lady of Lourdes Hospital, Drogheda, Louth County Hospital, Dundalk and Our Lady's Hospital, Navan. The Cavan-Monaghan hospital group comprises Cavan and Monaghan general hospitals.

The provision of acute hospital services in the north eastern region has been the subject of considerable debate over recent years, most of which has centred on the work undertaken by the health board in reorganising services, particularly across the Cavan-Monaghan hospital group.

The clear objective of the board has been to ensure the provision of a high quality, safe and responsive hospital service across all five sites in the region, for a population of approximately 350,000. The board has already made progress in reorganising services in a number of key areas such as trauma and orthopaedics, obstetrics and breast services. The recommendations and standards set by the regulatory and professional bodies, including the Medical Council and the Royal Colleges, have influenced the board in determining the future range and configuration of services across the region.

The decision of the board to plan services across two hospital groups was entirely appropriate. Most reasonable people accept that it is not possible to develop the exact same range of services in each of the five hospital sites in the region. We are investing on a regional basis.

Significant progress is being made in advancing the development of each of the five acute hospital sites under our capital programme. The Department of Health and Children issued approval earlier this year for site feasibility studies to be undertaken at both Our Lady of Lourdes Hospital, Drogheda and at Monaghan General Hospital. This work is designed to assess the development potential of both sites. The Department has also agreed that design teams be selected for Cavan General Hospital, Louth County Hospital and Our Lady's Hospital, Navan.



[Ms Harney.]

The site feasibility studies at Drogheda and Monaghan and the work of the design teams at the other three sites will inform the long-term development of the hospitals in the region. In the interim, I am pleased to inform the House that in August 2004, the Department issued approval to the board to implement a series of interim capital works. Specifically, the Department approved a design team to advance the provision of two modular theatres and for the upgrading of the kitchens at an estimated capital cost of €1.4 million. A design team was appointed to progress the development of midwife-led units at Drogheda and at Cavan General Hospital at a capital cost of €1.5 million. Design teams were approved to upgrade the accident and emergency department and the kitchens at Our Lady of Lourdes Hospital, Drogheda at a combined capital cost of over €4 million. Also, at Navan, a design team was approved to upgrade the existing orthopaedic operating theatre unit. The recent package of interim works will complement a significant level of capital investment in the hospital sector in the region in recent years, to which the Minister of State, Deputy O'Malley, will refer.

There has been considerable focus on the configuration of services to be provided across the Cavan-Monaghan group. In July 2003, my predecessor as Minister for Health and Children, Deputy Martin, published the report of Mr. Kevin Bonner setting out proposals for the future development of Monaghan General Hospital within the group. The report was commissioned by the Minister following the independent inquiry into events surrounding the birth and tragic death of baby Bronagh Livingstone on 11 December 2002. The Minister indicated at that time his acceptance of the main recommendation of the report that Monaghan General Hospital should continue to play a vital role in the delivery of acute hospital services to the local community within the Cavan-Monaghan hospital group. It was also accepted that additional services could be provided at the hospital to the benefit of the local community.

The current position as regards the two hospitals is as follows. The board proposes to recruit five additional non-consultant hospital doctors to facilitate the early restoration of 24 hour, seven-day medical cover to Monaghan General Hospital, at an estimated additional revenue cost of €500,000 a year. The Department is advised that the recruitment process is underway and it is anticipated by the board that these staff will be in place in early 2005. Work has commenced on the development of an expanded treatment room at Monaghan hospital. Capital funding of €750,000 has been approved for this purpose. We have also approved revenue funding of €500,000 to commission ten additional day beds at Monaghan General Hospital. The commissioning of these beds is to be progressed by the board and by the health service executive

next year. I expect these beds will be opened next year as a priority.

The Department has also given financial clearance for the recruitment of three replacement consultant surgical posts to facilitate the development of surgical services across the Cavan-Monaghan hospital group. The health board has recently submitted details of the revenue funding and staffing required to commission an additional 19 beds at Cavan General Hospital as part of the reconfiguration of services across the group. The submission is now being examined by the Department.

Ireland has a population of 4 million. This is somewhat less than the population of the West Midlands in Britain, or Los Angeles in the United States. Our population is spread out over a greater area than either of these, although we are particularly concentrated on the eastern seaboard. We have to provide hospital services for the needs of our population, as we are doing in each region of the country, and in a way that ensures that best quality care is delivered. This cannot mean a few mega-hospitals in Dublin, nor a full service acute hospital in every town in the land. What is needed is in between those two extremes. It means a full range of hospital services on a regional basis working in a network, for all but the most specialised services.

Since I became Minister for Health and Children, many people have told me that hospitals and doctors can work in networks to provide patients with top quality care by experienced professionals. We can deliver top quality hospital care in each region if we build our services on a regional basis, which is the essential vision behind the Hanly report. The report is not about taking services away from people, much less closing down hospitals, it is about finding ways to deliver top quality services for people in each region. The report is not about centralising services, but involves removing the need for people to travel outside their region for services.

Balanced regional development involves regional hospital and health services as well as roads and factories. Far too many people must come to Dublin to have their medical needs addressed, including some from the North Eastern Health Board area. Anyone who truly favours balanced regional development will surely see the merit of developing hospital services for each county on a regional basis. The Government is not asking people to believe in a report, but intends to act to put in place the services people need on a regional basis. The Government intends to invest in and reform regional hospital services in a way which commands public confidence and support. When people see and experience what a 24-hour, seven days a week accident and emergency department staffed by consultants delivers, they will have much greater confidence in their regional hospital services. People do not want to page through technical reports on health service reform nor do

they believe that drafting a report will deliver an improvement in services. People simply want services they can have confidence in, and that is what we intend to deliver.

The Fine Gael motion asks by what mechanism the regional health offices of the new health service executive will be accountable to the Dáil. Under the health service executive legislation, the primary, community and continuing care directorate will be organised into four regional health offices and 32 local health offices using the existing community care area structures. One of the four regions will be known as Dublin north east and will have a regional office in Kells in County Meath. While the motion assumes regional health offices will take over regional responsibility for all the services currently managed and delivered by health boards, this will not be the case. Regional health offices will co-ordinate services where they span more than one local area and will have responsibility for performance management, translating national policies through local areas and gathering and relaying information on a regional basis. Regional offices will ensure arrangements are put in place to engage with and consult members of the public, patients and elected public representatives on service provision. They will also ensure patients and service users receive a comprehensive and integrated response from the delivery system.

The interim health service executive has identified the local health office as the primary service delivery unit in each community. Local and regional offices will be accountable to the board of the executive through the national directorates and the chief executive officer. Legislation to establish the executive on a statutory basis will be published shortly and it will report and be accountable to me as Minister for Health and Children. I place considerable emphasis on the introduction by the executive of a robust, quality customer service and, in particular, the development of an effective system of rapid response to inquiries from Members of the Oireachtas and the public. The health service executive will be accountable at national level for the management and delivery of health and personal social services.

Regional structures are aimed at enabling meaningful and sustained dialogue and consultation between the executive and local public representatives and will facilitate representation by locally elected public representatives in the context of the operation and development of health and personal social services. Members will be nominated to the consultative fora by local authorities in each forum's functional area. These mechanisms will complement and reinforce the role of the Joint Committee on Health and Children in reflecting the views of public representatives in the ongoing oversight of the health services. The health service executive will build on the existing strength of consumer panels and co-ordinating committees within the health system.

The forthcoming legislation will enable the executive to establish advisory panels specifically aimed at effective consultation with local communities on the provision and development of services.

Our comprehensive programme of investment and reform is tangible evidence of the Government's commitment to the provision of high quality, cost-effective and responsive hospital services to all people in the north-eastern region. I acknowledge the work of the north eastern board in pursuing a programme of hospital reform in a challenging and changing environment. The new health service executive will soon take this work forward. This is a great opportunity to give additional impetus to implementing best practice and reform in hospital services in the north east. Our objective continues to be to ensure that a comprehensive range of services is available and accessible locally and that patients who require access to specialist care outside a region are in a position to receive high quality and timely care. I am confident we can and will deliver this service to the people of the north east.

**Minister of State at the Department of Health and Children (Mr. T. O'Malley):** The Fine Gael motion places strong emphasis on the need to properly resource the hospital sector in the north east and to invest in services at Beaumont Hospital. I welcome the opportunity to outline to the House on behalf of the Government some of the significant developments being progressed for the benefit of patients who reside in the north east. The product of this investment is reflected not just in terms of expenditure, activity and employment numbers, but also in the continuous drive to improve the quality of services provided. The Government is committed to the further development of services in the north east in line with available resources.

The Tánaiste has referred to the package of interim capital works approved for the north east pending the longer term redevelopment of each hospital group. The investment package will complement significant capital investment in the region's hospital sector in recent years. For example, a cardiac rehabilitation unit opened at Louth County Hospital, Dundalk, in 2002 while an additional 14 beds opened under the national bed-capacity initiative. The full-year revenue cost of these beds exceeds €1.4 million. Last year, the Department sanctioned the purchase by the board of 6.85 acres of land adjacent to Louth County Hospital at a cost of €2.6 million for development purposes.

Developments at Our Lady of Lourdes Hospital in Drogheda include the upgrading of the intensive care and coronary care units at a capital cost of €1.3 million. An additional four beds were commissioned in June at an additional revenue cost of €800,000 and an extensive re-equipping programme was implemented over three years costing in the region of €2 million. Furthermore, a new symptomatic breast care and

[Mr. T. O'Malley.]

palliative care service commenced in June 2004 with the commissioning of new modular accommodation and a cardiac rehabilitation service commenced in July 2004.

Capital developments at Navan in recent years have included—

**Mr. English:** That is a joke.

**Mr. T. O'Malley:** —the refurbishment of the accident and emergency department, rehabilitation department, outpatient department, medical ward and main hallways. All X-ray equipment has been replaced while X-ray rooms have been refurbished. An eight-bed day ward and a four-bed intensive care high dependency unit have been provided while the female medical ward has been refurbished. An additional 14 beds were commissioned under the bed-capacity initiative and car parking facilities have been improved.

The Tánaiste covered the development of services across the Cavan-Monaghan group which has been the subject of particular comment. The range of developments to which the Tánaiste referred occurred in addition to an investment package of €4.5 million which has been provided since 1999 to fund interim capital projects at Monaghan General Hospital. The main projects completed over the period were the provision of a new modular theatre, refurbishment of a female medical ward, the upgrading of the boiler plant and a car park extension.

Cancer and cardiovascular services in the north east have been developed significantly. Since 1997, there has been a cumulative additional investment of approximately €28 million to develop appropriate treatment and care services for people with cancer in the north-eastern region. This investment has enabled the funding of ten additional consultant posts together with support staff in key areas such as medical oncology, haematology, breast surgery and palliative care. The funding has also facilitated the appointment of 20 nurse specialists across the region. Cardiovascular services have received additional funding of almost €5 million to support a 32% increase in admissions since 1997. In the context of the Estimates for 2005 the Department will consider proposals for the further development of cancer and cardiovascular services in the north east.

The future resourcing of Beaumont Hospital is also mentioned in the Fine Gael motion. I take this opportunity to outline some of the major developments which are taking place at Beaumont Hospital and which are being supported by the Exchequer.

In 2000, an extensive programme of general equipping and refurbishment was approved for the hospital. The equipment replacement component of the programme has now been completed. The refurbishment programme will allow the hospital to commence a wide range of improvements to its existing infrastructure. The

combined investment in equipment replacement and refurbishment at Beaumont Hospital will be of the order of €40 million. Other developments approved in recent years at Beaumont Hospital include a capital grant of €1.3 million to upgrade electrical services, an additional 35 beds funded under the bed capacity initiative, recent approval for the provision of a second MRI scanner at the hospital, a capital grant of €1.5 million for the provision of an enhanced tissue-typing facility at the hospital and the provision of a purpose-built 44-station dialysis unit.

In addition, Beaumont Hospital has recently taken management responsibility for St. Joseph's Hospital, Raheny. Funding has been approved for the provision of a 15-bedded rehabilitation unit at St. Joseph's for patients over 65 requiring rehabilitation following a stroke or other life changing-threatening condition. The Eastern Regional Health Authority has also approved funding for the recruitment of ten extra consultants who will provide additional services at Beaumont and St. Joseph's hospitals.

The level of investment in hospital and emergency services in the north east is impressive by any standards. The range of developments described is comprehensive. New developments are being put in place at each of the five acute hospital sites. This is being done in a planned way and is consistent with the national and regional policy framework. The Government will continue to support the development of services in the region which are responsive, safe and of the highest quality.

**Ms McManus:** I seek permission to share time with Deputy Ó Caoláin.

**An Leas-Cheann Comhairle:** Is the Deputy sharing time with Deputy Costello?

**Ms McManus:** No. I welcome the motion proposed by Fine Gael which deals with specific problems in the North Eastern Health Board area but it also highlights important aspects of our health service nationally that have suffered severely from the ineptitude and lethargy of the Government. Fianna Fáil and the Progressive Democrats have had over seven years to improve the health service and to increase access to it, in the North Eastern Health Board area as well as everywhere else in the country. This Government has had more money than any other before it. The record shows that far from spending money wisely the Government has squandered money in the area of health to such an extent that many of the problems are getting worse rather than better. Thousands of public patients are still on hospital waiting lists while fewer patients enjoy the security of a medical card. There is a chronic crisis in our accident and emergency services, a shortage of nurses in key intensive care units and for the first time our national maternity hospital has imposed new and unprecedented restrictions on pregnant women availing of maternity care. The

8 o'clock



record shows — I say this with some regret — this is a Government with more money than sense.

Foolishness and fraudulence are the hallmarks of the Government. It is foolish in how the money was squandered and fraudulent in regard to what was promised to the people before the general election and what was actually delivered after it. It is important that the new Minister for Health and Children who has a reputation for honesty tries to keep to that reputation. The picture she painted of the Hanly report is grossly inaccurate. The Hanly report specifically proposes the closing of accident and emergency units on a 24 hour seven day basis in hospitals right across the country. That is set out unequivocally. If it was held as the letter of the law there would be no full-time accident and emergency department for the south east between St. Vincent's Hospital and Waterford Regional Hospital. That is the logic of Hanly and we had better refresh our minds in that regard because the Tánaiste is either deliberately woolly or is trying to say that Hanly is something other than it is.

I am also concerned about her views on the health service executive reforms. The whole purpose of the argument on transparency is to seek a better way to have accountability in the system because we all recognise the health board system was flawed. What is being proposed, as is clear from what the Tánaiste has said, is a regional level which does not have responsibility for the services being provided and yet is charged with providing accountability and consultation. That does not make sense. How will people impact on a service if they are dealing with a level of authority that, in effect, has no authority over the services at local level? She misses the point when she says county councils would select who would be on the consultative bodies. The great strength of accountability is direct reference back to the people. What she should do even at this 11th hour is to ensure that anybody that is providing accountability in the system is directly elected by the people. Had the health board members been directly elected by the people they would have been much more effective and focused in the work they did. The Tánaiste is introducing the same lack of clarity and lack of accountability into the new system which will make it inefficient. She does not appreciate just how closed the system has become because there is no media scrutiny of health board meetings as there are no meetings. There are no public representatives on boards because there are no boards. It is a virtual board and its only purpose is to provide a seal for the CEO to make all the decisions.

As the motion states we are blessed with the nurses, doctors and health care professionals who are second to none and who work to a standard of excellence even when the conditions within which they work militate against excellence. The INO has today again produced figures showing an increase in the number of people, 221 patients, lying on trolleys or sitting on chairs as we debate

this issue. Certainly Dublin is in the forefront in receipt of the pressure but the experience in the North Eastern Health Board has not been good either.

In an unprecedented move this summer, 25 general practitioners in the catchment area of Our Lady of Lourdes Hospital in Drogheda wrote to the Minister for Health and Children outlining their grave concern at the pressures in the hospital resulting from the transfer of services from Dundalk and Monaghan hospitals as well as an increase in population and the policy in the hospital to expand specialist services. They said, "In the absence of a plan to either extend the hospital on its current site or build a new hospital lives are being put at risk, morale in the hospital is inevitably low". The doctors also claim that the accident and emergency department is inadequate and often over-crowded, that there is no space for proper X-ray facilities, not enough theatres to service the surgical teams, that general practitioners do not have access to basic diagnostic tools such as ultrasound or physiotherapy and that the flow of consultants locum coverage is such that there is no working knowledge as to who is to do what job on a weekly basis. They refer to the fact that there are no emergency referrals in gynaecology and paediatric departments and a four year waiting list for urology appointments. The Tánaiste has restated various commitments for the hospital as if they were some major achievements. Any improvements regarding this hospital are long overdue and they involve the provision of necessities. A little humility and honesty in this regard would be helpful. Let us remember that this is a flagship hospital in the North Eastern Health Board region and that it is to become a centre of excellence. It did not have the problems of other hospitals in the region. If it did, they certainly have not been as pronounced recently.

I will hand over to Deputy to Deputy Ó Caoláin in a moment——

**Caoimhghín Ó Caoláin:** To clarify, I have not been granted five minutes of Deputy McManus's time.

**Ms McManus:** That is all right, but the motion refers to the Deputy's area.

**Caoimhghín Ó Caoláin:** I understand. There was some confusion to the effect that there was an equal divide. That was all the time I had been——

**Ms McManus:** The Deputy has eight minutes anyway.

**Caoimhghín Ó Caoláin:** I thank the Deputy very much.

**Ms McManus:** Rather, I do not know how much time the Deputy will have at this stage because I am so confused.



**Caoimhghín Ó Caoláin:** I was only trying to be helpful so the Deputy would have more time.

**Ms McManus:** How many minutes are remaining?

**An Leas-Cheann Comhairle:** Eleven minutes.

**Ms McManus:** I reiterate the importance of having the debate in this Chamber. It could not be held anywhere else. The North Eastern Health Board has lost its accountability. I suggest that the Minister examine what has been happening in our health boards since scrutiny ended.

I get the impression that CEOs are availing of their considerable powers, including powers to buy and sell property. How much land is being sold at a time when the Minister for Health and Children is talking about selling lands? Unfortunately, I believe selling lands is for short-term gain. It appears that in some health boards, CEOs are ahead of the Minister in that they are making arrangements and doing deals to provide for various projects, which I have no doubt have been approved. These arrangements are making a nonsense of the Minister's talk of selling off lands to provide for certain services.

Let me refer briefly to the needs of Beaumont Hospital. There is a desperate need for additional posts in clinical neurophysiology at Beaumont and the Mater hospitals. These posts have not been sanctioned because there is some argument between the Eastern Regional Health Authority and the Department of Health and Children. As a result, both hospitals are extremely frustrated by the difficulties experienced and the gross inefficiency arising from reliance on locums. There has been a steady loss of qualified technical staff as a result of the delays. Beaumont has now stopped performing outpatient EEGs. There are long delays for other investigations, thus impacting significantly on patient care. I ask the Minister to address this issue as a priority.

It has been striking how both the neurology specialists and advocates of their patients have come together to make a strong case for the additional posts to be sanctioned and for resources to be put in place. Many patients are vulnerable and very often cannot articulate their needs, but in spite of the case being made for them, nothing has happened. The Oireachtas Joint Committee on Health and Children heard a very powerful case, but there has still been no progress. I urge the Minister to address this issue.

**Caoimhghín Ó Caoláin:** I thank Deputy McManus for sharing her time. I welcome this Fine Gael Private Members' motion and thank Deputy Twomey and his colleagues for tabling it. I recognise no small effort on the part of my constituency colleague, Deputy Crawford, in influencing its construction.

I was flabbergasted by the absolute gall of Government in the amendment it tabled to this motion. That members of Government can come into this Chamber and seek to commend the Government "for the unprecedented increase in the level of investment in health services in the

north east since 1997" challenges every truth and reality that the people of the north east have known since 1997. In 1998 the framework document for the configuration of hospital care delivery in the north east was unanimously signed off by the North Eastern Health Board and political opinion across the north-eastern region, including me. I was not then a member of the North Eastern Health Board but I looked forward to the implementation of the commitments contained in the document. Little did I know the vista that lay before me when I became a member of the North Eastern Health Board the following year, 1999, after the local government elections. The document was already in flitters in litter bins in the CEO's office and every other office of the administration of health care locally, regionally and nationally.

It is timely and appropriate that we should focus this evening on the North Eastern Health Board area, which has experienced some of the worst results of what clearly have been the fundamentally flawed health policies of the Government. I have long and bitter experience of the neglect by successive Governments of the health service needs of the people of my constituency of Cavan-Monaghan and the north Louth area. The fight for the retention of Monaghan General Hospital did not begin today or yesterday. One should not mistake that it dates back to the 1980s, when the matter was in the hands of a previous manifestation of this Government, when the existence of the hospital was under threat.

Although the current configuration of Government was not in power at the time, the opportunities were there, and they were there subsequently. Those placed in responsible roles failed to match up not only the expectations of the local community but also the rights and needs of local people. The threat of closure was averted through the determined campaigning of the local community at the time. In that regard, I pay tribute to the late Paddy Turley, the then editor of *The Northern Standard*, who played a leading part in the campaign and continued in that role almost until his recent death. Ar dheis Dé go raibh a ainm dílis.

While our hospital remains a vital part of our community infrastructure, it has suffered successive losses of key services. Most serious of all these losses is the closure of the maternity unit and the accident and emergency unit. The axing of such vital services is neither forgotten nor forgiven. The community in Monaghan remains absolutely determined to ensure the return of these units. That demand has never been withdrawn and I reassert it tonight.

As a member of the North Eastern Health Board from 1999, I saw at first hand how the system worked, or did not work, depending on one's point of view. Elected representatives were effectively sidelined while all the real decisions were taken by Comhairle na nOspidéal, the other professional bodies, representative bodies of the various consultant interests, the Department of Health and Children, the CEO of the North Eastern Health Board and those who aligned themselves with his determination to reduce the

level of service provision at Monaghan General Hospital. The community I represented then and now had little or no say in how health care was delivered. There was little accountability and minimal information. This is in no way to diminish the professionalism, courtesy and helpfulness of many health board staff with whom I worked over these years and whom I hold in very high regard.

We must examine what has happened under the Government's so-called reform of the health services. What little accountability there was has been taken away. The health boards, with their representation from elected bodies and sectoral groups, have been abolished. They will be replaced with bigger regional super bureaucracies and/or a health services executive. The centralisation of services, as well as bureaucracy, will put further strain on already over-stretched hospitals in the Dublin region. The motion refers to Beaumont hospital, which will soon be in the same region as the current North Eastern Health Board area. I know from my colleague in Dublin, Councillor Larry O'Toole, who represents the area where Beaumont hospital is located, that the hospital is already under severe strain. This is being reflected right down to the grassroots within the regions. Like all our hospitals, it suffers staff shortages and under-resourcing.

The motion refers to the tragic events that occurred in the North Eastern Health Board area. These include the tragic death of baby Bronagh-Livingstone whose name will forever be associated with the closure of Monaghan maternity unit. More recently, an elderly resident of Monaghan town, Benny McCullagh, who lived close to the hospital, died en route to Cavan General Hospital. A lady from Clontibret also died in an ambulance en route to the Louth hospital in Dundalk. There have been many other tragic experiences, not all resulting in loss of life but tragic nonetheless, leaving a real and indelible mark in the memory of people relating to their hospital and health care experience within the north eastern region and, in the main, allied to the loss of critical services at Monaghan General Hospital. This is the common denominator in all these events.

We heard in recent days that maternity hospitals are warning they cannot cope, and may have to cap the number of admissions. What type of horrible prospect are we seeing painted before us? Even in the worst days for this economy, we never had such a situation, nor was one threatened. It is almost miraculous that a Government could so mismanage public services in this prosperous State that we cannot cope with the birth of children. It is an absolute outrage and demonstrates the folly of closing maternity units in local hospitals, and determining maternity provision on the basis of what I can only describe as arbitrary numbers of births per consultant per year. These are figures suited to other countries and they do not take account of the real needs of the people of Ireland.

I listened to the Tánaiste's contribution to the debate and am shocked and astonished. Even in terms of the short time from when the previous

Minister, Deputy Martin, vacated his role and his eve of exit announcement, we can see that a significant part of what he then committed to is no longer a currency within the statement of the current Minister. The Minister of State is nodding his head, but can he tell me when the CAT scan will be introduced to Monaghan General Hospital? I support the motion.

**Minister of State at the Department of Agriculture and Food (Mr. B. Smith):** I am pleased to have an opportunity to contribute to the important motion before the House. Like other Deputies from the Cavan-Monaghan area, I had reason on many occasions in the House to raise issues in regard to the delivery of health services in the Cavan-Monaghan area.

I disagree with Deputy Ó Caoláin's closing remarks on the Tánaiste's statement here this evening. Senator Wilson and I had meetings with the Tánaiste since she took office as Minister for Health and Children and she is committed to the implementation of the agreement announced in late September by the previous Minister, Deputy Martin. The Tánaiste did not have time in her contribution to cover each specific area.

**Caoimhghín Ó Caoláin:** I have her text.

**Mr. B. Smith:** The Deputy should listen if he wants to hear the truth. The Fine Gael motion does not refer to one area for which I would give credit to the North Eastern Health Board, and which other public representatives and I raised down through the years, namely, the need to provide proper care for the elderly. In recent years, modern state-of-the-art facilities for the elderly have been provided at Breffni care unit, Ballyconnell, and a 50 bed nursing unit and community health facility at Virginia, which were provided at substantial cost and deliver an excellent service to patients who avail of them. The health care unit in Virginia is an excellent example of how primary care should be provided. It provides one of the best services to patients from the area. I support fully the agreement announced by the previous Minister, Deputy Martin. The Tánaiste stated clearly that she is determined to implement these proposals, which will provide a much better standard of care and health delivery for the people of Cavan-Monaghan.

I am pleased that at last the North Eastern Health Board has put proposals to the Department of Health and Children in regard to commissioning an additional 19 beds at Cavan General Hospital. It will only take a reconfiguration of services within the existing hospital to provide the additional 19 beds. It is absolutely essential these are brought on stream and commissioned as soon as possible. Another issue other public representatives and I have raised is the need to use all Cavan General Hospital. Public representatives in the area are aware that a former Minister for Health, Barry Desmond, in decisions made in the mid-1980s, decided that part of Cavan General Hospital, which had been recently built, would not be commissioned. I am pleased

[Mr. B. Smith.]

that decisions were made some time ago to bring that area of the hospital, which was known as medical 3, into use. I have made strong representations to the Tánaiste that this area of the hospital be put to use. The design team is currently working on the proposal.

When we talk about health services in the North Eastern Health Board area, we must not just look at the north east as an area comprising only Meath, Louth and Monaghan-Cavan. We must think of our neighbouring counties north of the Border. There is no reason we cannot have greater development of services on the basis of Sligo-Enniskillen, Cavan-Enniskillen and Monaghan, with a number of hospitals north of the Border, and likewise the hospitals in County Louth, with their counterparts in Daisyhill and others north of the Border. We must examine the delivery of the health services on an all-island basis. We are living in a constituency that would be the greatest beneficiary of a development of services based on an all-Ireland context.

There have been excellent developments in the North Eastern Health Board area in recent years. I take the opportunity to highlight the renal dialysis service provided at Cavan General Hospital for Monaghan, Cavan, north Longford, south Leitrim and part of Westmeath and Meath. The service providers are doing an excellent job in providing a renal dialysis service of the highest quality. I am pleased that some months ago the Minister for Health and Children approved the appointment of a consultant nephrologist. The appointment will come on stream shortly and it will allow a further development of the renal dialysis service at Cavan General Hospital, in conjunction with Beaumont Hospital, which is a centre of excellence in the whole area of nephrology etc. This is the type of area that needs to be developed.

Monaghan General Hospital must be used to its full capacity.

Debate adjourned.

### Adjournment Debate.

### Health Board Property.

**Mr. Kirk:** I thank the Ceann Comhairle for the opportunity to raise this important matter. We have concluded tonight's debate on the health service in the north-east region and I am looking forward to contributing on that debate tomorrow night.

The matter I am raising on the Adjournment relates to health board land at St. Bridget's psychiatric hospital in Ardee. The land at Curragbeg was sold to an industrial prospector for a pharmaceutical plant. There was a long protracted negotiation on planning permission, which was eventually granted by An Bord Pleanála, but,

unfortunately, the specific project did not proceed. I understand that the North Eastern Health Board is making arrangements to have the land returned to its ownership, as per the original agreement when the land was sold to the pharmaceutical company.

There is considerable concern in the Ardee and mid-Louth area about what will happen the land when it returns to health board ownership. There is existing planning permission for a pharmaceutical facility on it, which clearly enhances its value and leaves it in a prime position for the location of a pharmaceutical plant if a suitable one were to turn up. Can we have an assurance from the Department that the land will continue to be available for industrial development purposes in the town of Ardee in west Louth? It has not been easy to attract industry to Ardee. The advantage of a ready-made suitable site, not alone for a pharmaceutical facility but for other industries that might come to the area, would benefit the general promotional efforts to attract much needed industry to the town and this part of County Louth.

I also refer to the land to which the Tánaiste referred in her contribution on the Private Members' debate, the land purchased recently which adjoins the Louth County Hospital in Dundalk. We were told recently that land assets are to be brought back into the ownership of health boards and, in certain circumstances, to be sold on. The land at the Louth County Hospital was bought with the clear intention of expanding facilities at the hospital for the future. County Louth has two of the largest provincial towns in the country, Drogheda and Dundalk, where because of the demographic position, health services are under considerable pressure. We hope that the land purchased at Louth County Hospital will be retained for future expansion of the facilities at the hospital.

I am glad the Minister of State at the Department of Health and Children, Deputy Tim O'Malley, will respond on the Adjournment. I look forward to his reply.

**Minister of State at the Department of Health and Children (Mr. T. O'Malley):** I thank Deputy Kirk for raising this matter on the Adjournment. The Department of Health and Children is not aware of speculation concerning the lands in question. I have made inquiries from the North Eastern Health Board about the issues raised.

With regard to the lands at Curragbeg, Ardee, I am advised that the North Eastern Health Board intends to reacquire the lands from a third party at the original purchase price paid to it, in accordance with the terms of the sale of the lands. I understand it had been a condition of the sale that an industrial development would be created on the site by the purchaser. While some planning difficulties which had occurred over the years are now resolved, I am informed that the board currently feels that it is uncertain that the planned development for the site will occur. Because of



the increased value of the site, the North Eastern Health Board has decided to exercise the condition of the sale on the option to buy back the land at Curragbeg.

The position on the land at Louth County Hospital is that the Department gave approval to the board in December 2003 to purchase a site adjacent to the hospital. This site was recognised as being of strategic value for the potential future development of health facilities in the area. The site has been included in the development control plan for Louth County Hospital which I understand is at an advanced stage of preparation by the board. I hope this response is satisfactory.

### Hospital Services.

**Mr. Ferris:** I welcome the opportunity to raise this matter on the Adjournment. Kerry's general hospital was built in the late 1970s and when fully operational has 377 hospital beds. In recent years two wards have been closed down each summer. Each year the number of babies born has increased and the number has rocketed in the past two years. This is an indication of the confidence the people of Kerry, north Cork and west Limerick have in the service provided in Tralee General Hospital. Only two weeks ago I had the beautiful experience of my granddaughter being born there. I compliment the staff on the tremendous work they do, despite the difficulties encountered.

Despite an increase of 40% in the number of babies born in Tralee, staffing levels have remained static. Approximately 1,460 children were born there last year and the figure for this year is running at 150 a month. Despite this growth there is a shortage of midwives. When applications were sought for the position of midwife last month, not one person applied. Six midwives have left the hospital this year. The question must be asked as to the reason for this.

The situation is so serious that the eminent gynaecologist, Dr. Mary McCaffrey, went public yesterday out of frustration and desperation. She is a fantastic person who does tremendous work, but is at her wit's end. She has called for the provision of a new maternity unit and the immediate approval of funds for more doctors and staff. I urge the Minister to address this matter.

The Irish Nurses Organisation has sought an urgent meeting with senior Southern Health Board officials to discuss the chaos in Kerry's general hospital. People are particularly exasperated on account of the fact that the advertisement for three midwives got no response. We must ask why. The reason is evident, according to one of the local newspapers, which states that it is because of poor conditions and wages. Matters are so desperate that some midwives have had to work in the wards changing beds and helping ordinary staff.

All the elected representatives in the area are aware of the situation and they and I have raised the matter here on several occasions. Something

needs to be done about the accident and emergency unit, bed closures and the maternity section. The problems must be addressed now. Matters must be serious when we see a conservative newspaper like *The Kingdom* state:

It can only be a matter of time before the ordinary people of Kerry follow the example of disgruntled patients and their families in Dublin and take to the streets in protest. If they do, *The Kingdom* will be right there beside them and we will shout loudest and longest.

This is the situation that is developing, according to the local widely read newspaper. These are not the sentiments of somebody like me in the business of opposition, these are the feelings of people on the ground who have visited the hospital, seen the waiting lists, the accident and emergency unit where people are lying on trolleys and the continued deterioration in the maternity section.

The Minister must listen to the staff who are crying out for help. The numbers born in the maternity section have been turned around and there are now more children born in Kerry's general hospital than at any time since 1979, especially in the past few years. Previously mothers went to Cork University Hospital to have their children but that trend has been reversed due to the tremendous service provided in Tralee despite the lack of funds. There is a chance for the Minister to turn the situation around, but she needs to address the matter urgently.

**Mr. T. O'Malley:** I thank Deputy Ferris for raising this matter on the Adjournment. I congratulate him on the recent birth of his grandchild in Tralee hospital.

The Deputy will be aware that responsibility for the provision of services at Kerry's general hospital in Tralee rests with the Southern Health Board. A capital projects development team for Kerry General Hospital, Tralee was established in September 2000 to prepare a strategy plan for the current and future needs of the hospital. The development plan included the construction of a purpose-built maternity unit.

On 11 February this year, the Southern Health Board sent a statement of need to the Department of Health and Children for a women's health unit at Kerry General Hospital, Tralee. This statement of need sets out the current position on the delivery of maternity services at the hospital, which are under pressure to cater for the current demands for the service. The growth in demand for obstetric services is evident from the number of births at the hospital, which increased from 1,163 in 1999 to 1,452 in 2003. Establishment of a project team to progress proposals for a new maternity unit at Kerry General Hospital falls to be considered in the context of overall funding resources available under the Capital Investment Framework 2004-2008.



[Mr. T. O'Malley.]

The Department of Health and Children understands that the Southern Health Board is in the process of updating the statement of need to take account of the most recent needs identified for the service. In June 2004, the Department approved the filling of a third permanent consultant obstetrician-gynaecologist post at Kerry General Hospital. I understand that the board has now advertised this post.

The Department and the Southern Health Board will continue to work together to identify a means of progressing this project.

### Health Board Services.

**Dr. Upton:** I welcome the opportunity to raise this matter on the Adjournment.

My constituents, an elderly couple whose only income is their invalidity pension, find themselves caught in a health care trap between the cost and availability of private care and the famine of available health care for public patients. This couple has no savings and very limited borrowing capacity. Any borrowing they can access via their credit union places a very severe financial burden on them to repay a loan.

The wife had a number of medical procedures carried out at St. James's Hospital, which were unsuccessful. She had ongoing visits to doctors and stays in the hospital, was constantly in pain and found herself on ever-extending waiting lists for treatment. Finally, the consultant advised that he could do no more for her. A number of emergencies occurred in the midst of all of this.

Her husband decided, having carefully considered the cost, that consulting a private consultant and going as a private patient was worthy of investigation and he undertook to speak to a consultant in St. Vincent's Hospital. The consultant decided that treatment was a possibility and that he would undertake to carry out the appropriate procedure.

At this point the husband discussed the possible cost with the hospital. He was told that the daily cost would be of the order of €225. He decided to borrow this from the credit union and worked out carefully how he would make the repayments. The couple decided together that this was worthwhile and that the consequent improvement in her health would be worth the financial strain of the repayments.

However, they were genuinely unaware that the cost outlined to them referred only to the hospital bed, that it did not include the cost of any specialist tests, the anaesthetist, laboratory reports and so on. All of these additional costs had not been referred to when they made their inquiries. A number of complications arose and she required not one but three weeks in hospital. They now find themselves with an outstanding bill of €7,500. This has been going on since 1999. They are in no position to pay this bill. However, they defrayed the costs of the consultant, the anaesthetist and so on to the extent of €2,500.

This couple acted entirely in good faith. They planned carefully for the hospital as far as they were aware. They were unaware of the complexities of private hospital treatment for the simple reason that they had never had the opportunity to avail of it previously. To add insult to injury in St. James's Hospital on a previous occasion, the patient needed a CAT scan. When her husband telephoned the hospital to make an appointment as a public patient — and his consultant advised him that it was urgent — he was told that there was a waiting list of approximately 18 months. Again, he decided he would save up the cost of a private consultation. He telephoned the same hospital to make an appointment as a private patient and was asked what time the following day he would like to have the appointment.

In a general way, this points up the gross inequality of the private and public facilities and waiting times. It is totally unacceptable and is placed in sharp focus by the dilemma in which this couple find themselves. It is particularly unacceptable when an elderly couple must worry and fret over the cost of health care when illness is already a major burden for them. They now find themselves with an enormous bill that they cannot hope to pay.

They have received a number of reminders from St. Vincent's Hospital as well as reminders more recently from a firm of solicitors acting on behalf of the hospital, and they are now under constant stress because of this bill hanging over their heads. Any consultant they met did not suggest to them that they might have been eligible for the national treatment purchase fund. They would have been more than happy to avail of this if they had been informed of it.

I ask the Minister to review this case sympathetically and to arrange to waive the outstanding amount that this couple has been billed for. They are unable to pay it now or in the future because of the constant strain on their already very meagre resources through ongoing ill health.

**Mr. T. O'Malley:** I thank Deputy Upton for raising this matter on the Adjournment.

I understand the person to which the Deputy referred received treatment in a private hospital and is seeking assistance to cover the cost involved.

I should like, first of all, to point out to the Deputy that responsibility for the provision of health services to residents of Counties Dublin, Kildare and Wicklow rests with the Eastern Regional Health Authority.

Under arrangements for public hospital services introduced in June 1991, everyone, regardless of income is entitled to public hospital and public consultant services subject only to modest statutory charges, from which medical card holders are exempt. At present these charges are set at €45 per night, subject to a maximum of €450 in any twelve consecutive months, in respect of in-patient public hospital services.

Alternatively, one can opt to be the private patient of both the consultant and the hospital. Any patient, whether a medical card holder or not, who opts for treatment in a private hospital or as a private patient in a public hospital is liable for the costs relating to such treatment. The 1989 Commission on Health Funding recommended on the grounds of equity that patients make an explicit choice between public and private health care.

Under the Health Act, 1970, the determination of eligibility for health services is the responsibility of the chief executive officer of the appropriate health board. I would add that health boards have discretion, in cases of exceptional need, to provide assistance to individuals where undue hardship would otherwise be caused. In this regard my Department has forwarded the case referred to by the Deputy to the Regional Chief Executive of the Eastern Regional Health Authority for consideration.

I will raise the matter with the CEO because I understand the hardship involved for an elderly couple caught in this situation, having come across such cases previously.

### Special Educational Needs.

**Mr. McGuinness:** I welcome the appointment of Deputy Hanafin to the Department of Education and Science. I know from the response from the public and from schools in my constituency that that appointment is welcome. People involved in education are looking forward to her term in office.

The case I must make this evening relates to the School of the Holy Spirit in Kilkenny. No words of mine can describe the anger and frustration of parents who are waiting to have their children placed in this school.

The issue regarding the school as been going on since the school first occupied that building almost 12 years ago. It is a prefabricated building not built for the purpose of education. It certainly does not meet the modern day needs of a school of this type. It has been in existence for the past 12 years. There are currently 31 children and 20 staff housed in a very small building and various temporary structures outside of that building. There is a complete lack of facilities at the school and it does not lend itself to the proper education of the children who attend there and who are availing of the type of education being provided.

Furthermore, it is frustrating that the temporary accommodation that was promised has now been stalled for some reason. The argument has dragged on and on. The parents have been encouraged, with the supporters of the school, to write to every Dáil Deputy in the constituency to highlight the problem. I now highlight the problem on their behalf.

There is a need to provide a special purpose-built school on the site which has been made available at Seville Lodge, Callan Road, Kilkenny. This project has been dragging on and

there seems to be some problem in implementing the next stage. Parents of the children who attend the school are anxious that they be given a clear commitment from the Department with regard to the completion of the next stage and its funding. In the interim, I ask that any obstacles in the way of the provision of the temporary accommodation be removed immediately and that the school be provided with the proper accommodation for its pupils. The hardship that is created relates to the fact that many of the children attending the school, some of them autistic, are unable to access the home support which would keep them up to speed in the context of the attention they would normally receive in the school. Action must be taken in this matter.

There is also a problem with regard to those parents who are trying to look after their children at home in that they are not receiving the support that is required. Some children are getting 20 hours home tuition while others are getting far less. Various decisions are being made with regard to home tuition relative to the number of hours given. It is not good enough that the education of these special children is put on the long finger. That they are not receiving sufficient tuition at home adds further to the burden of the parents.

I highlight the Goresbridge situation, where more than €250,000 in funding was announced by the Department for the refurbishment of an old school building for the education of children with autism. I joined the associated group when it lobbied departmental officials and a very clear indication was given that €253,000 would be allocated to the project. We are anxious to see this money spent on refurbishment. The project was sponsored by Saplings and Mr. Marc de Salvo, and we are anxious that they should be involved in the provision of education at the newly-refurbished building.

There is some uncertainty as to the method which will be used in the context of the delivery of education at Goresbridge. Saplings should be central to this but I understand the Department has stated that only aspects of applied behavioural analysis, ABA, will be used. This is not what we entered into in the beginning. When this issue was discussed with departmental officials, a clear plan was set out for the school. This included a provision of €250,000 for refurbishment and the central involvement of Saplings and Mr. Marc de Salvo in the running of the school. The experience gathered by the Saplings group would be of great benefit to those who attend the school.

A High Court case is pending with regard to one family which has spent more than €80,000 in the care of a child while awaiting the opening of the facility in Goresbridge. I urge the Minister to consider these families, those availing of the Holy Spirit special school and the facility in Goresbridge, and the family caught up in a High Court case with her Department. I ask her to bring them

[Mr. McGuinness.]

some relief in the context of the provision of special education of this kind in County Kilkenny. A great effort has been made by the local community and I indicate my support for the project. It is difficult to find the words to describe the community's anger and frustration, which I hope the Minister will relieve with some announcement.

**Minister for Education and Science (Ms Hanafin):** I thank Deputy McGuinness for raising his obvious concern regarding the Holy Spirit special school in Kilkenny and the proposed new autism facility in Goresbridge. My Department is aware of the increased demand for dedicated educational provision for children with autism. Only yesterday, I enjoyed a special evening with seven parents of eight autistic children. These parents shared with me their needs, hopes and aspirations for their children into the future. My officials have been examining the matter of long-term service provision for children with autism, particularly in the context of Deputy McGuinness's question regarding the Holy Spirit special school in Kilkenny city and the new facility to be located in a refurbished former school building in Goresbridge in County Kilkenny.

As Deputy McGuinness observed, the Holy Spirit special school caters for pupils with special educational needs, including pupils with autism. It has an enrolment of 37 pupils and a staffing of seven class teachers and 13 classroom assistants. The building project for the school has been assigned a band one rating by my Department, which is the highest priority rating that can be assigned. A site at Seville Lodge has been purchased for the provision of the new permanent accommodation and architectural planning is proceeding.

As an interim measure, my Department recently approved the rental of temporary accommodation comprising two classrooms and one sensory integration room for the school to alleviate the current accommodation shortfall. I am unsure from what Deputy McGuinness said whether this temporary accommodation is working out well. The Department is finalising its deliberations on the current and future enrolment levels for the school with a view to determining the accommodation brief. The Department will be in touch with the school authorities as it works through this process. As with all special schools, Holy Spirit special school provides an invaluable service in catering for the needs of pupils with special needs in the area and it is a priority to

ensure that the scheme is progressed and that departmental deliberations are concluded as soon as possible.

All building projects in the schools building programme are considered in the context of the budgetary and Estimates process. Applications for special needs accommodation command a high priority rating in line with the agreed criteria for prioritising large scale projects. The ranking applied to all special schools in the building programme will heavily and positively influence the timescale for delivery of special needs projects.

Deputy McGuinness referred to the project to develop a facility for the education of autistic children in Goresbridge. This centre will be based on the existing education facility in County Kildare which uses the Saplings model. As Deputy McGuinness observed, the Saplings approach is one component of ABA. From speaking to parents of autistic children, I know that many place great store on this approach and feel it helps their children to develop educationally. The contract was placed on 10 September 2004 in the amount of €253,105, including VAT, to carry out refurbishment works at the school. Departmental officials are of the view that this work will be completed before Christmas. This is not the situation Deputy McGuinness presented so further examination may be required. A pre-Christmas completion was, however, the hope and intention of the Department in placing this contract.

Discussions regarding annual funding and staffing levels based on one-to-one staffing support for the facility are ongoing. This will be done in conjunction with the providers of the service. All costs and issues relating to staffing levels required for the project will be finalised prior to the completion of the current refurbishment works. My Department recognises the crucial nature of an early intervention programme for autistic children and is conscious to ensure that the children who are to avail of this facility should not lose out while they are waiting. In this regard, funding is provided for a system of home tuition for children on the waiting list. If families are experiencing difficulties such as those outlined by Deputy McGuinness, the special needs section in the Department will be happy to work with those parents to ensure their children's needs are met on an interim basis pending the opening of the school.

I thank Deputy McGuinness for raising this important and sensitive issue.

The Dáil adjourned at 9 p.m. until 10.30 a.m. on Wednesday, 10 November 2004.



## Written Answers.

**The following are questions tabled by Members for written response and the ministerial replies received from the Departments [unrevised].**

*Questions Nos. 1 to 11, inclusive, answered orally.*

*Questions Nos. 12 to 73, inclusive, resubmitted.*

*Questions Nos. 74 to 80, inclusive, answered orally.*

### An Teanga Ghaeilge.

81. D'fhiafraigh **Mr. M. Higgins** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta conas is féidir a dheimhniú go mbeidh caighdeán Gaeilge ard a dhóthain ag daoine a lorgaíonn cead pleanála sa Ghaeltacht; agus an ndéanfaidh sé ráiteas ina leith. [27960/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** Mar atá a fhios ag an Teachta, baineann an córas pleanála leis na húdaráis áitiúla a bhfuil ceantair Ghaeltachta faoin a gcúram agus leis an mBord Pleanála i gcás achomharc, i gcomhréir leis an Acht um Pleanáil agus Forbairt 2000. Leagtar síos san Acht sin nach mór aird a thabhairt, i gcomhthéacs treoracha reigiúnacha pleanála, ar an ngá le cosaint a thabhairt d'oidhreacht teanga agus cultúrtha na Gaeltachta. Tá sé den riachtanas, ar ndóigh, go bhfeidhmeodh na heagrais éagsúla Stáit ar bhealach a thugann an tacaíocht is fearr agus is féidir don teanga sa Ghaeltacht.

### Dormant Accounts Fund.

82. **Ms O'Sullivan** asked the Minister for Community, Rural and Gaeltacht Affairs the position with regard to legislation concerning the dormant accounts fund; when he expects the legislation to proceed through Dáil Éireann; if his attention has been drawn to the concerns that the new legislation leaves allocations from the fund open to political abuse; and if he will make a statement on the matter. [27971/04]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern):** The Dormant Accounts (Amendment) Bill 2004 was published in June 2004, fulfilling a commitment given by Government in December last, following its review of arrangements relating to dormant accounts funding. At that time, the Government committed itself to maintaining an open, transparent and accountable process for dealing with applications for dormant accounts funding. These commitments have been honoured in the Bill in the following ways: the objectives of the disbursements scheme will remain unchanged; disbursements will continue to be within the framework of objectives and priorities set out in the dormant accounts disbursements plan; application processes for dormant accounts

funding will be transparent and publicised; decisions on disbursements will be made and publicised by Government; appropriate arrangements will be put in place so that the spend from the dormant accounts fund is separate and additional; and the future role of the board will focus on preparation of the disbursements plan, reviewing progress in achieving objectives and assessing the additionality and impact of spend. The Bill has completed Second and Committee Stages in the Seanad and the draft legislation will continue its passage through the Oireachtas shortly and be enacted in due course.

With regard to concerns raised, one of the main reasons the Government decided to review arrangements is to ensure that the focus of spending from the fund is consistent with policy priorities debated in this House and approved by Government. If we are serious about tackling disadvantage, we must ensure that available resources are targeted in a particularly focused and sustained manner. I am satisfied the draft legislation provides that decisions made by Government will be based on transparent assessment criteria and will not be influenced by other factors.

### Company Closures.

83. **Mr. Eamon Ryan** asked the Minister for Community, Rural and Gaeltacht Affairs the way in which he has responded to the call by an association (details supplied) that his Department should become more involved in supports for Inishowen, in the aftermath of several recent factory closures. [28016/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** My Department provides funding and supports to the Inishowen area from a number of sources. The Inishowen partnership board delivers the local development social inclusion programme, LDSIP, in its area. This programme aims to counter disadvantage and promote equality and social and economic partnership. Funding of €695,524 was allocated to the partnership under LDSIP in 2004 to support actions under the three submeasures of the programme — services for the unemployed, community development and community-based youth initiatives. Inishowen Partnership also operates a jobs club in three separate locations in Inishowen which provides a range of options for people who are unemployed.

With regard to the community development programme, CDP, Action Inishowen is funded by my Department at a level of €92,000 per annum to concentrate on social development throughout the Inishowen peninsula. It is part of a strong network of projects all over the county, which act as community development resource projects or centres in communities affected by high unemployment. The target groups identified by Action Inishowen include the elderly, youth, long-term unemployed, early school leavers, children of separated, divorced and-or deceased parents, lone



[Éamon Ó Cuív.]  
parents, people with disabilities and low income farm families. Under the scheme of grants for

locally based community projects, funding was recently announced to the following five projects in Inishowen:

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Donegal CPAB	1,680	Education
Inishowen Women's Information Network	3,330	Computer Training
Inishowen Women's Information Network	5,500	Training
Moville & District Mental Health Assoc	5,000	Computer Training
Muff Comm. Development Co Op Ltd. MCD	5,520	Equipment

Six DEDs in the Inishowen peninsula are included in the CLÁR programme for disadvantaged rural areas. Those areas are benefiting this year under the class III roads, local improvement roads scheme, flashing amber safety lights at schools, ESB single to three phase electricity conversion, village enhancement and school outdoor play facilities measures of the programme to the value of €90,000 CLÁR funding. Under my Department's rural development fund, Inishowen Rural Development Limited has received 80% of the cost of employing a development worker and related administrative expenses for almost two years, up to a maximum of €40,000 per annum, to help the Malin Head community group to develop a tourist attraction for its area. Inishowen Partnership Company Limited, based in Buncrana, is also receiving 80% of the costs of providing a training programme to preserve traditional skills and talents, up to a maximum of €26,000. My Department also provides funding to Inishowen Rural Development Limited under the LEADER programmes to encourage the implementation of high quality and innovative strategies in rural communities, including rural enterprise projects. Inishowen Rural Development Limited was allocated €2.32 million under the LEADER+ community initiative and €730,000 under the LEADER national rural development programme for the period 2001 to 2006.

#### Proposed Legislation.

84. **Mr. O'Shea** asked the Minister for Community, Rural and Gaeltacht Affairs the position with regard to publishing legislation specifically based on the recommendations contained in Tipping the Balance; and if he will make a statement on the matter. [27980/04]

131. **Mr. Quinn** asked the Minister for Community, Rural and Gaeltacht Affairs if he proposes to introduce specific legislation on volunteering during the lifetime of this Government; and if he will make a statement on the matter. [27975/04]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N.**

**Ahern):** I propose to take Questions Nos. 84 and 131 together.

The process of examination and consideration of the recommendations contained in the report of the national committee on volunteering, Tipping the Balance, is continuing in my Department. The question of legislation and other issues arising from the examination of the report will be considered on conclusion of my Department's examination.

#### National Drugs Strategy.

85. **Mr. Gogarty** asked the Minister for Community, Rural and Gaeltacht Affairs if he will report on the mid-term review of the national drugs strategy. [28020/04]

109. **Ms Burton** asked the Minister for Community, Rural and Gaeltacht Affairs when the mid-term review of the National Drugs Strategy 2001-2008 will be complete; the number of submissions he has received to date for consideration in the review; and if he will make a statement on the matter. [27984/04]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern):** I propose to take Questions Nos. 85 and 109 together.

The mid-term review of the national drugs strategy is under way. The review is examining the progress made to date in implementing the strategy and it will enable priorities for future action to be identified — and a re-focusing of the strategy, if necessary — for the remaining period up to 2008. The review will also examine the relevance of the strategy in tackling the current nature and extent of drug misuse in Ireland, including emerging trends, and will identify any gaps presenting and how they might be addressed.

The review is being overseen by a steering group chaired by my Department, which comprises representatives from a number of Departments and agencies involved in implementing the strategy as well as the community and voluntary sectors. PA Consulting Group is assisting the steering group in its ongoing work. A comprehensive consultation process has been undertaken as part of the review. Presentations from more than 25 Departments, agencies and voluntary and

community groups involved in delivering the strategy were made to the steering group during September and early October, most of which I attended. Five regional seminars also took place in October in Galway, Limerick, Waterford, Carrick-on-Shannon and Dublin. The sessions were attended by members of the public as well as representatives from statutory agencies, Departments, community and voluntary groups, regional and local drug task forces and public representatives. I was happy to attend all the regional sessions and to partake in discussions. Focus groups involving young people were also held during October in Galway, Sligo, Limerick, Waterford and Dublin. A total of 117 written submissions to the review have been received to date.

The consultation process has enabled us to get a broad and varied perspective on the strategy and what its future direction should be. PA Consulting are synthesising and evaluating the views received and they will be reporting to the steering group by mid-December. Following consideration of the various issues by the steering group, I will make recommendations on the way forward to the Cabinet committee on social inclusion. I expect the review to be completed early next year.

#### **An Teanga Ghaeilge.**

86. D'fhiafraigh **Mr. Gilmore** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta an bhfuil aon phlean aige cabhair agus tacaíocht a thabhairt do phobail atá lasmuigh den Ghaeltacht teacht suas go dtí caighdeán teangeolaíochta a bhainfeadh stádas Gaeltachta amach; agus an ndéanfaidh sé ráiteas ina leith. [27961/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** Tá Fóram na Gaeilge bunaithe agam chun comhairle a chur orm maidir le: inmholacht plean straitéiseach 20 bliain a réiteach don Ghaeilge sa Stát le spriocanna réalaíochta; na tosaíochtaí straitéise gearrthéarmacha do chaomhnú agus do chur chun cinn na Gaeilge laistigh den Stát; na tosaíochtaí maidir le cur i bhfeidhm Acht na dTeangacha Oifigiúla; agus na bealaí is fearr agus is praiticiúla chun dul chun cinn a bhaint amach maidir le cur i bhfeidhm na hoibre sin.

Bheadh súil agam go mbeidh obair an fhórait, go háirithe maidir le plean a réiteach a bheadh dírithe ar chothú agus ar chaomhnú na teanga sa Stáit agus a chlúdódh réimse leathan tosaíochtaí i leith na Gaeilge, mar thaca do phobail ar fud na tíre atá ag iarraidh an Ghaeilge a chothú. Ar ndóigh, tá réimse tacaíochtaí ar fáil cheana féin ó Fhoras na Gaeilge agus ó mo Roinnse chun cabhair a thabhairt do phobail lasmuigh den Ghaeltacht an teanga a chur chun cinn mar theanga labhartha.

Maidir le stádas Gaeltachta de, tá conradh chun staidéar teangeolaíoch ar úsáid na Gaeilge

sa Ghaeltacht bronnata ar Acadamh na hOllscolaíochta Gaeilge, Ollscoil na hÉireann, Gaillimh, i gcomhar leis an Institiúid Náisiúnta um Anailís Réigiúnach agus Spásúil, Ollscoil na hÉireann, Máigh Nuad. Beidh an staidéar mar bhunús chun forbairt theangeolaíoch na Gaeltachta mar cheantar labhartha Gaeilge a threisiú agus athbhreithniú a dhéanamh ar na limistéir oifigiúla Gaeltachta. Tuigim go mbeidh na roghanna éagsúla tíreolaíochta agus deimeagrafaíochta, a mheastar a bheith oiriúnach mar bhunús chun na limistéir oifigiúla Ghaeltachta a shainiú, á scrúdú mar chuid den staidéar.

#### **Community Development.**

87. **Ms Lynch** asked the Minister for Community, Rural and Gaeltacht Affairs if he has proposals to expand and develop the RAPID programme; and if he will make a statement on the matter. [27966/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** I envisage that the RAPID programme will operate on a number of different levels in tandem in future. Many small-scale proposals from RAPID areas are being dealt with more effectively at local level. I have put in place a dedicated fund of €4.5 million in 2004 to help progress these proposals and support this approach. These proposals are being co-funded by the relevant Department or local agency under a number of categories, with broad levels of funding agreed at national level.

A total of €2 million is being provided for the local authority housing estate enhancement scheme. This scheme is being operated by the local authorities and is being funded on a euro for euro basis — €1 million from my Department and €1 million from the local authorities through the Department of Environment, Heritage and Local Government. Each of the strand I and strand II RAPID areas received total allocations of €60,000 and €40,000 respectively. Funding of €3 million is being provided for the current year to support the development of playgrounds in RAPID areas — €1.5 million from my Department and €1.5 million from the Department of Health and Children. Each of the strand I and strand II RAPID areas received total allocations of €72,000 and €60,000 respectively. The local authority, in consultation with the relevant area implementation team, AIT, selected the projects to be supported under both schemes.

A sum of €2.2 million in top-up funding has been allocated to 73 projects in RAPID areas, which were successful under the sports capital programme 2004. All successful projects that were endorsed by the AIT were considered for top-up funding, with up to 30% additional funding being provided by my Department, subject to the total grant not exceeding 80% of project cost or the amount requested by the applicant. The

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roll out of these co-funding measures is continuing and it is hoped to make further announcements regarding same in the near future.

The larger projects from RAPID plans that have been submitted to Departments will continue to be considered for funding within existing funding streams in each Department. However, I expect Departments will deal with a smaller number of projects and will, therefore, be in a better position to prioritise projects and set out timescales for further actions. Work on improving integration and co-ordination of service delivery at local level will also continue, as this is a key component of the RAPID programme.

Special provision was made by the Government for RAPID areas under the dormant accounts plan. Under the women's equality measure, €7 million out of €12 million of the funds has been reserved for RAPID areas. Discussions are ongoing with Departments regarding prioritisation of other non capital actions included in the AIT plans.

I have no plans to expand the RAPID programme geographically. However, Ballyfermot met the criteria for inclusion in strand I of the RAPID programme but was omitted due to its inclusion in the URBAN II programme. I am examining this apparent anomaly.

#### **Social Welfare Benefits.**

88. **Mr. Crawford** asked the Minister for Community, Rural and Gaeltacht Affairs the situation regarding medical cards and benefits for those who join the new rural social employment scheme; his views on whether they should have the same rights as community employment workers; and if he will make a statement on the matter. [27740/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** It has always been my intention that participants on the rural social scheme should retain their entitlement to medical cards and other secondary benefits and, indeed, have the same entitlements as community employment workers. My Department has made a case to the chief executive officers group of the health boards regarding medical cards and they have accepted, in principle, that payments under the scheme will be treated the same as payments to those on community employment. Confirmation of this from the Department of Health and Children is expected soon.

The only other case that has arisen in terms of secondary benefits relates to the fuel allowance. Those on the rural social scheme who claim fuel allowance receive it as part of their normal weekly payment under the scheme. The Christmas bonus will also be paid to participants on the rural social scheme.

*Question No. 89 answered with Question No. 80.*

#### **Community Development.**

90. **Mr. S. Ryan** asked the Minister for Community, Rural and Gaeltacht Affairs the latest action he has taken with colleagues in Government to support the work of Comhairle na Tuaithe; if progress has been made on the development of a national countryside recreation strategy; and if he will make a statement on the matter. [27976/04]

118. **Mr. Gormley** asked the Minister for Community, Rural and Gaeltacht Affairs the measures he has taken or intends to take to encourage and protect access to the countryside on recognised walking routes. [28017/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** I propose to take Questions Nos. 90 and 118 together.

When I established Comhairle na Tuaithe in February 2004, I identified several specific aims and objectives for this group, including the development of a national countryside recreation strategy, and the identification of appropriate mechanisms for resolving issues of access to and responsible enjoyment of the countryside, including access to recognised walking routes. The work of Comhairle na Tuaithe is supported by funding I made available from the rural development fund, including support for the appointment of a research-development officer.

Comhairle na Tuaithe has established working groups to address specific required outputs to achieve its work programme. These groups are working on the examination of the issues surrounding access to the countryside; the development of a national countryside recreation strategy; and the development of a countryside code. Comhairle na Tuaithe has arranged a national conference to be held in November to promote and develop its work including the areas specifically outlined above. This event will serve as an opportunity to progress the development of a countryside recreation strategy. I will pursue with my colleagues in Government action, which may be necessary, arising out of the results of the ongoing processes outlined.

#### **Irish Language.**

91. **Ms McManus** asked the Minister for Community, Rural and Gaeltacht Affairs if he has been involved in the recent initial bilateral discussions with representatives of other EU member states and EU institutions regarding official working status for the Irish language in the EU; and if he will make a statement on the matter. [27968/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** As I announced on 14



July 2004 on behalf of the Government, a process of discussions has been initiated with the other EU member states and the EU institutions with a view to seeking official and working language status for the Irish language in the EU under EEC Regulation 1/1958. The regulation is the legal instrument that governs the EU institutions' official and working language regime. The focus in these ongoing discussions, which are taking place at official level, with representatives of the other member states and EU institutions is on securing agreement on the practical modalities in relation to this objective. As our relationship with the EU institutions and other member states is managed by the Department of Foreign Affairs, the discussions are led by that Department.

As I indicated in reply to Question No. 230 on 5 October, once these official level discussions have progressed sufficiently to clarify the practical options and issues arising in achieving this objective, the matter will return formally to Government. The Deputy will understand why it would not be appropriate for me to make a public comment on the detail of these discussions until they have been brought to a conclusion.

### Community Development.

92. **Mr. Crowe** asked the Minister for Community, Rural and Gaeltacht Affairs if he has proposals for putting measures in place to adequately resource community and voluntary organisations in order that they can provide services, retain staff and attract the required expertise. [28001/04]

96. **Mr. Ferris** asked the Minister for Community, Rural and Gaeltacht Affairs if he will allocate adequate funding to the community and voluntary sector to provide adequate training and capacity building. [28004/04]

105. **Mr. Morgan** asked the Minister for Community, Rural and Gaeltacht Affairs if he has plans to address the problem of *ad hoc* funding in the community and voluntary sector by allocating the sufficient core funding to these groups. [28002/04]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Aherne):** I propose to take Questions Nos. 92, 96 and 105 together.

My Department provides a broad range of measures to support the voluntary sector, including schemes that provide once-off grant support and others which offer multi-annual funding, normally over a three-year period. My Department will provide in excess of €31 million in grants to community development projects, CDPs, and supports to community groups this year. This amount includes allocations as part of multi-annual funding to CDPs. In addition, my Department is providing €42.1 million in support of local

development. The bulk of this amount is also payable in the context of multi-annual funding to area based partnerships and community partnerships, based on three-year renewable contracts. Funding for LEADER groups is also provided on a multi-annual basis.

I announced the successful applicants for two funding initiatives arising from the White Paper in September 2003 — the funding scheme to support the role of federations, networks and umbrella bodies in the community and voluntary sector and the funding scheme for training and supports in the community and voluntary sector. Both schemes operate on a multi-annual basis with successful applicants receiving total funding of €5.48 million in respect of the federations and networks scheme and €1.83 million in respect of the training and supports scheme over a three-year period.

93. **Mr. Durkan** asked the Minister for Community, Rural and Gaeltacht Affairs if, having regard to his previously expressed concerns on rural depopulation and difficulties in regard to one off housing development in rural Ireland, he has satisfied himself that current building regulations adequately address the issues involved; if he plans further initiatives in this regard; and if he will make a statement on the matter. [27944/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** My Department is committed to maintaining the maximum number of people in rural areas and to strengthening rural communities economically, socially and culturally. The national spatial strategy addresses many of my concerns on issues such as rural housing. The rural settlement policy framework contained in the NSS, which represents overall Government policy on rural housing, aims to sustain and renew established rural communities while strengthening the structure of villages and smaller settlements to support local economies. In this way it seeks to ensure key assets in rural areas are protected to support quality of life and that rural settlement policies are responsive to the differing local circumstances in different areas.

My colleague, the Minister for Environment, Heritage and Local Government, agrees it is vitally important that there should be certainty and consistency in the implementation by planning authorities of Government policy on rural housing through their own development plans and in the operation of the development control system under planning legislation. On 4 March, the Minister for the Environment, Heritage and Local Government, published the consultation draft of guidelines for planning authorities on sustainable rural housing. These draft guidelines are vitally important so that there is clarity and consistency in the implementation by planning auth-



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orities of Government policy in on rural housing. They provide a more detailed framework for planners, based on what the national spatial strategy has to say on rural housing policy.

The guidelines reflect what I have been saying for the past number of years. As I said in my statement at the time welcoming the publication of the draft guidelines, rural housing within the confines of good planning practice is needed. The consultation process has been concluded and that the Minister for the Environment, Heritage and Local Government expects to publish the definitive guidelines later in the year.

### Úsáid na Gaeilge sa Ghaeltacht.

94. D'fhiafraigh **Mr. Sargent** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cén machnamh atá déanta aige faoin moladh ón Ollamh Gearóid Ó Tuathaigh agus ó dhaoine eile ag féile an Oireachtais le déanaí, Áisíneacht Tionchair Teanga a chur ar bun chun úsáid na Gaeilge a chosaint agus a chur chun cinn sna Gaeltachtaí. [27950/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** Is amhlaidh gur tháinig na moltaí seo chun cinn ag Féile Shamhna an Oireachtais mar chuid den díospóireacht faoin gcóras pleanála sa Ghaeltacht. Baineann an córas pleanála leis an Roinn Comhshaoil, Oidhreacht agus Rialtais Áitiúil agus leis na húdaráis áitiúla a bhfuil ceantair Ghaeltachta faoin a gcúram, i gcomhréir leis an Acht um Pleanáil agus Forbairt 2000. Leagtar síos san Acht sin nach mór aird a thabhairt, i gcomhthéacs treoracha réigiúnacha pleanála, ar an ngá le cosaint a thabhairt d'oidhreacht teanga agus cultúrtha na Gaeltachta. Tá sé den riachtanas, ar ndóigh, go bhfeidhmeodh na heagrais éagsúla Stáit ar bhealach a thugann an tacaíocht is fearr agus is féidir don teanga sa Ghaeltacht.

Beidh a fhios ag an Teachta freisin go bhfuil céimeanna suntasacha tógtha ag mo Roinnse agus ag Údarás na Gaeltachta le tamall anuas chun an Ghaeilge a chosaint agus a láidriú sa Ghaeltacht, ina measc cur i bhfeidhm Acht na dTeangacha Oifigiúla 2003; ceapachán an Choimisinéir Teanga; cinneadh maidir tús a chur le próiseas plé le baillstát eile an Aontais Eorpaigh agus leis an gCoimisiún d'fhonn stádas oifigiúil oibre a iarraidh don Ghaeilge; an staidéar ar úsáid na Gaeilge sa Ghaeltacht a bheidh mar bhunús chun forbairt theangeolaíoch na Gaeltachta mar cheantar labhartha Gaeilge a threisiú agus chun athbhreithniú a dhéanamh ar na limistéir oifigiúla Ghaeltachta; an feachtas feasachta teanga — Ár dTeanga Nádúrtha féin — a fhéachann leis na buntáistí a bhaineann le húsáid na Gaeilge mar phríomh-theanga teaghlaigh a chur ina luí ar thuismitheoirí na Gaeltachta; an ciste €1.56 millúin thar trí bliana chun tionscnamh pleanála teanga a chur chun cinn sa Ghaeltacht ar bhonn trialach;

an soláthar breise de €890,000 atá curtha ar fáil do mo Roinn i 2004 chun díriú tuilleadh ar ghníomhaíochtaí teanga-lárnaithe trí chéile sa Ghaeltacht; agus an soláthar breise €1 millúin atá ceadaithe agam d'Údarás na Gaeltachta lena chumasú dóibh béim níos láidre a chur ar naíscolaíocht, ar sheirbhísí don óige, ar gníomhaíochtaí na gcomharchumann agus ar sheirbhísí tacaíochta eile don Ghaeilge sa Ghaeltacht.

Tá mé sásta go bhfuil dul chun cinn suntasach déanta agus á dhéanamh maidir le caomhnú agus buanú na Gaeilge sa Ghaeltacht. Ní mór a rá freisin go mbeidh mé sásta i gcónaí scrúdú a dhéanamh ar mholtaí nua chun na spriocanna seo a bhaint amach. Ar ndóigh, tá rath na hoibre seo trí chéile ag brath cuid mhaith ar thacaíocht agus comhoibriú ó phobal na Gaeltachta iad féin, chomh maith leis na páirtithe leasmhara uile a bhfuil baint acu le ceist na Gaeilge sa Ghaeltacht.

### Departmental Bodies.

95. **Mr. Penrose** asked the Minister for Community, Rural and Gaeltacht Affairs the position in regard to the latest work of the Western Development Commission; and if he will make a statement on the matter. [27972/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** I refer the Deputy to my reply on 5 October 2004 to Question No. 151 regarding the work of the Western Development Commission. There has been no significant change since.

*Question No. 96 answered with Question No. 92.*

### Dormant Accounts Fund.

97. **Mr. Durkan** asked the Minister for Community, Rural and Gaeltacht Affairs the extent to which he has utilised funds from the dormant accounts fund to assist urban or rural community groups in the fight against drugs; if he intends to take further significant initiatives in this regard; and if he will make a statement on the matter. [27945/04]

267. **Mr. McGuinness** asked the Minister for Community, Rural and Gaeltacht Affairs if the Dormant Accounts Fund Disbursements Board has further funds to allocate; if new applications will be invited from interested groups; if so, when; the criteria used to assess applications and disburse the funds; the reason certain counties that submitted applications received no funding; if he intends to change the process for future allocations; and if he will make a statement on the matter. [28120/04]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Aherne):** I propose to take Questions Nos. 97 and 267 together.

Decisions on the disbursement of funds from dormant accounts moneys are a matter for the Dormant Accounts Fund Disbursements Board, an independent body established under the Dormant Accounts Acts. The board has engaged Area Development Management Limited, ADM, to administer this initial round of funding on its behalf and the process of assessing and approving applications received is ongoing. The Government announced in June 2004 an increase in the overall amount that the Dormant Accounts Fund Disbursements Board may spend from €30 million to €60 million under the initial round of funding. To date, the board has approved 318 projects for funding totalling approximately €30 million. Over the coming months, further allocations will be made by the board up to a total figure of €60 million.

The bulk of dormant accounts funding is initially being targeted at areas designated as disadvantaged, that is, RAPID, CLÁR and drugs task force areas. Within those parameters, it is anticipated that a balanced regional distribution of funding will be achieved when the board has allocated the full amount available for disbursement under this round of funding. The Dormant Accounts (Amendment) Bill 2004 was published on 24 June 2004 fulfilling a commitment given by Government in December last following its review of arrangements in relation to dormant accounts funding. The Bill proposes key changes to the role of the board and in relation to decision making on disbursements. The Bill is before the Oireachtas. Subject to its enactment, a further round of applications for funding may be anticipated during 2005.

### Community Development.

98. **Mr. Rabbitte** asked the Minister for Community, Rural and Gaeltacht Affairs if his attention has been drawn to the report of the Tallaght west childhood development initiative; his views on the serious picture of inequality and social deprivation in some areas of Tallaght depicted in the report; the action he plans to take on foot of this report; and if he will make a statement on the matter. [27990/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** I refer the Deputy to the motion on this matter taken in the House on 27 and 28 October 2004 to which I gave a detailed response.

### Foclóir Béarla-Gaeilge.

99. D'fhiafraigh **Mr. M. Higgins** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cén dul chun cinn atá déanta i leith an fhoclóra leictreonaigh Béarla-Gaeilge atá idir lámha ag Foras na Gaeilge; agus an ndéanfaidh sé ráiteas ina leith. [27959/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** Tá céim a haon, céim na pleanála agus an dearaidh theicniúil, de thionscadal an Fhoclóra Béarla-Gaeilge ag druidim chun deiridh. Beifear ag fógairt comórtas tairisceana poiblí i dtaca le céim a dó den tionscadal, céim an tiomsaithe, go luath agus táthar ag súil nuair a bheidh an plé ar fad le hábhar conraitheoirí curtha i gcrích go gcuirfear tús leis an obair ar an gcéim seo faoi thús an tsamhraidh 2005.

### Proposed Legislation.

100. **Ms B. Moynihan-Cronin** asked the Minister for Community, Rural and Gaeltacht Affairs if it is his intention that the proposed regulatory body in the promised charities legislation will have the power to publish a league table of charities to allow for more public information regarding the way in which money is spent by charities; and if he will make a statement on the matter. [27994/04]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern):** In response to Question No. 132 on this subject tabled by Deputy O'Shea on 5 October 2004, I indicated that, as signalled in the consultation paper on establishing a modern statutory framework for charities, the proposed regulatory body would be tasked with issuing performance reports on areas of the charities sector and that I would expect matters such as the publication of league tables to come under this aspect of its responsibilities.

*Question No. 101 answered with Question No. 80.*

### Community Development.

102. **Mr. S. Ryan** asked the Minister for Community, Rural and Gaeltacht Affairs if he has addressed the apparent anomaly whereby communities that have met the criteria for inclusion in the RAPID programme were omitted from strand one due to their inclusion in the URBAN two programme; and if he will make a statement on the matter. [27977/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** While I have no plans to expand the RAPID programme, I am aware that Ballyfermot met the criteria for inclusion in strand I of the RAPID programme but was omitted due to its inclusion in the URBAN II programme. I am examining this apparent anomaly.

### Departmental Bodies.

103. **Mr. Stagg** asked the Minister for Community, Rural and Gaeltacht Affairs the progress made to date in the clarification and updating of

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the functions of Udaras na Gaeltachta; and if he will make a statement on the matter. [27993/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** It is proposed to clarify and update issues relating to the functions of Údarás na Gaeltachta and to consolidate the existing body of legislation. Departmental officials are examining the various issues in association with an tÚdarás and other relevant stakeholders. As part of the process, I intend to initiate a public consultation shortly. I hope to bring proposals to Government by next summer.

### Community Development.

104. **Mr. Boyle** asked the Minister for Community, Rural and Gaeltacht Affairs if the definition of “community” within his Department is strictly geographic; and if support is forthcoming from his Department on community groupings formed on any other basis. [28011/04]

269. **Mr. Boyle** asked the Minister for Community, Rural and Gaeltacht Affairs if the definition of “community” within his Department is strictly geographic; and if support is forthcoming from his Department on community groupings formed on any other basis. [28070/04]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern):** I propose to take Questions Nos. 104 and 269 together.

Under the community development programme, funding is targeted at the support of disadvantaged and socially excluded communities. The network of 175 community development resource centres and projects consists of both locally-based communities and communities of interest. A number of projects with a national remit are receiving funding under the programme, including the national Traveller women’s forum, the Bosnian CDP, the senior citizens parliament and Interaction. In addition, funding is also provided to Women’s Aid, Pavee Point and the national consultative committee on racism and interculturalism towards the specialist support needs of projects in the programme.

*Question No. 105 answered with Question No. 92.*

106. **Mr. Sherlock** asked the Minister for Community, Rural and Gaeltacht Affairs the progress made in regard to the rural social scheme; when the scheme will be introduced; and if he will make a statement on the matter. [27978/04]

115. **Mr. Gormley** asked the Minister for Community, Rural and Gaeltacht Affairs if he will report on the uptake of places being provided through the rural social scheme. [28018/04]

268. **Mr. P. McGrath** asked the Minister for Community, Rural and Gaeltacht Affairs the number of participants per county in the new rural social scheme as announced in budget 2004; and the total expenditure to date on this scheme. [28209/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** I propose to take Questions Nos. 106, 115 and 268 together.

The rural social scheme was introduced on a phased basis for the LEADER companies and Údarás na Gaeltachta from May 2004. The scheme is available throughout the country. A total of 509 participants have commenced on the scheme and a further 498 places have been allocated to participants who will commence on the scheme this month. The following table provides a breakdown of the number of scheme participants per county:

County	No. of Participants
Cavan	1
Clare	54
Cork	32
Donegal	38
Galway	58
Kerry	73
Leitrim	74
Limerick	9
Mayo	90
Roscommon	76
Sligo	3
Tipperary	1

It is expected that all 2,500 participants will have commenced on the scheme no later than the end of January 2005. The total expenditure by my Department to date on the scheme is, €1,587,508.00.

### Íocaíochtaí Deontais.

107. D’fhiafraigh **Mr. Sargent** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cén t-idirphlé a bhí aige le déanaí, nó atá á phleanáil, a bhaineann le soláthar deontas ó Fhoras na Gaeilge go mór mór i dtaobh an nuachtáin *Lá* a chuireann nuachtán laethúil le 11 phost ar fáil. [27951/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** Tuigfidh an Teachta gur ceist d’Fhoras na Gaeilge féin cinntí a dhéanamh maidir le soláthar deontas, i gcomhréir leis an réimse reachtúil ina fheidhmíonn sé agus na Pleananna Oibre agus Corporáide atá aige. Maidir le *Lá*, tuigtear dom go dtugann Foras na Gaeilge deontas forbartha do Phreas an Phobail chun cúig eagrán den nuachtán laethúil *Lá* a fhoilsiú in aghaidh na seachtaine. Faoi láthair, tá measúnú neamhspleách á dhéanamh ag Foras na Gaeilge ar an togra agus, bunaithe ar thorthaí an mheasú-

naithe seo, déanfaidh bord an fhorais cinneadh maidir le maoiniú don nuachtán sa todhchaí.

### **Dormant Accounts Fund.**

108. **Ms Shortall** asked the Minister for Community, Rural and Gaeltacht Affairs the number of projects allocated funding by the Dormant Accounts Fund Disbursements Board; if the board has allocated funding up to €60 million; and if he will make a statement on the matter. [27989/04]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N.**

**Ahern):** The Government announced an increase in the overall amount that the Dormant Accounts Fund Disbursements Board may spend from €30 million to €60 million in June 2004. The board has engaged Area Development Management Limited, ADM, to administer this round of funding on its behalf. The board has approved 318 projects for funding totaling approximately €30 million to date. The details of these approvals, including the names of the individual organisations and the specific grant amounts follow. Over the coming months, further allocations will be made by the board up to a total figure of €60 million.

### Appendix

#### List of Approved Grants.

Group/Organisation	Grant (€)	Proposal Description
Wexford Borough Council	160,000.00	Provision of three play areas within local disadvantaged estates
Co. Roscommon Higher Education Centre	104,000.00	Establishment of a centre to provide a range of third level certified courses for mature students
Donegal Youth Information Centre	37,450.00	For the provision of a computer clubhouse to provide an outreach service to young people in South and West Donegal.
ÉIRÍ Corca Baiscinn, Kilkee, Co Clare	58,000.00	Providing a full-time youth worker for Kilrush town
Éirí Corca Baiscinn	47,000.00	To provide supports to increase the employability of rural adults
North & West Connemara Rural Project Ltd	120,200.00	To develop and expand the Social Care programme with older people and persons with a disability throughout North West Connemara.
Bantry Integrated Development Group	327,000.00	To develop a structure of home visits for people in isolated areas of West Cork.
Frenchpark & Districts Childcare, Roscommon	190,000.00	Equipping and fitting out Frenchpark Childcare facility
Inishowen Women's Information Network, Lifford, Co Donegal	100,000.00	Employing two staff
Ballyfermot Youth Services, Dublin 10	34,000.00	Providing computer training
Labre Park After Schools Programme Ballyfermot, Dublin 8	158,920.00	Supporting a group of young boys in transferring successfully from Primary School to second level education
FACT Ballincollig Family Resource Centre LTD, Co Cork	60,000.00	Providing an Education Disadvantage Intervention Service
St. Laurence O'Toole GAA Club	170,000.00	Floodlit all weather training facility
Mountwood Fitzgerald Park Community Development Project	127,500.00	To employ a family service Coordinator
Crosscare Aftercare Support Unit, Dublin 7	103,000.00	Development of community programmes to benefit young people
Youghal Youth Committee (Foróige), Co. Cork	130,000.00	Programme enabling at risk young people achieve optimum benefit from school
Mayfield Employment Action Project Ltd., Old Youghal Road, Co. Cork	5,231.00	Conduct study of community education needs
KDYS Youth Centre, Kerry	154,357.00	Responding to the personal, social, cultural and educational needs of young travellers
Nagle Centre, Slievekeale Rd, Waterford	89,578.00	Providing IT training
Knockanrawley Resource Centre Ltd., Tipperary Town	110,000.00	Providing integrated personal and educational development programmes
St. Saviours National School, Ballybeg, Waterford	35,636.00	Furnishing a 'targeted' room in the school for various uses
Ferns Diocesan Youth Service, Francis St., Wexford	53,601.00	Extending Coolcotts Community Youth Project
Youth New Ross, Co Wexford	121,565.00	Addressing educational disadvantage
Waterford Pathways, Manor St, Waterford	30,500.00	Delivering a programme dealing with early school leavers
Kerry Diocesan Youth Service (KDYS, Tralee)	32,500.00	Developing a project focused on, the educational needs of young mothers



Group/Organisation	Grant (€)	Proposal Description
Drogheda Youth Development, Co Louth	167,920.00	Targeting young people to participate in training with the intention of breaking the cycle of educational disadvantage
Barnardo's Carlow Family Support Project	19,000.00	Building a structure which will provide additional space and enhance existing use of premises and services
Athy Youth Project, Co Kildare	58,775.00	Recruiting a full-time community youth worker
Athy Travellers' Club, Co Kildare	50,420.00	Setting up a 'Breakfast and after schools project' for Traveller children aged from 5-16 who live in the Athy region
Wexford Education Network	149,616.00	Employing project workers to monitor attendance and track potential early school leavers at primary and post primary level
Cloyne Diocesan Youth Service	131,000.00	Employ outreach worker for drugs education/prevention
St. Paul's Scout Unit, Lisduggan, Waterford	95,000.00	Scout hall renovation
Mallow Daycare Centre, Cork	6,029.75	Provision of furniture for daycare extension
Tralee Community Development Project Ltd., Kerry	199,912.05	Refurbishment of first floor of centre
Monsignor McCarthy Steering Committee, Athlone, Co. Westmeath	110,300.00	Renovations to existing community recreational facility
Our Lady of Lourdes Community Services Group, Limerick	122,772.00	Refurbishment to provide a youth/sport facility
Clonmel Celtic Football Club, Tipperary	49,000.00	Construction of a sports pavilion
St. Oliver's Community Management Committee	6,068.00	To repair the roof at St. Oliver's Community Centre
Mayfield Community Adult Learning Project	7,874.00	Equip community resource centre computer room
Avondhu Dev. Group Ltd.	147,299.00	To implement 'integrate Mallow' project
Longford Women's Link, Ardnacassa Ave, Longford.	84,272.00	For the employment of a Domestic Violence Outreach Worker
Kerry Rape and Sexual Abuse Centre	95,800.00	To employ two part-time counsellors
Bedford Row Family Centre, Limerick City	70,941.00	Maintaining and developing a hospitality information support and referral service
Clare Youth Service, Ennis, Co Clare	78,828.00	Employing a youth worker to work in Ennis
Tallaght West Education Support Forum, Dublin 24	52,300.00	Training programme for isolated women
Futura Out of School Transition Initiative, Dublin	190,000.00	Extension of support programme for 12 to 15 year olds who have left, or are at risk of leaving, formal education
Blanchardstown Travellers Support Group, Dublin 15	106,300.00	Hiring a worker
Little Bray Family Resource Centre, Co Wicklow	75,288.00	Providing accessible educational courses for parents and young adults
Tallaght Intercultural Action, Dublin 24	130,000.00	Employing an Intercultural Education Co-ordinator
Dillon's Cross/Post Release Project, Cork	34,133.00	Providing education/training to ex-prisoners and their families
Ballymun Job Centre, Dublin 11	79,127.00	Providing support, guidance and structured interventions for young early school leavers
Community Women's Education Initiative Ltd, Lr. John St. Cork	24,726.00	Delivering a community education programme
Barnardo's Childrens Services Dublin North, Mulhuddart, Dublin 15	80,000.00	Employing project worker and assistant
Blakestown and Mountview Youth Initiative, Clonsilla, Dublin 15	78,742.00	Employing of a Resource Teacher
Dolphin House Community Development Association, Rialto, Dublin 8	118,000.00	Providing training in all aspects of IT, from basic computer skills to web design
Darndale Belcamp Integrated Childcare Service, Dublin 17	84,000.00	Recruiting a project worker
Dublin Aids Alliance (DAA) LTD, Parnell Sq, Dublin 1	41,000.00	Training young people in peer education
Larkin/ Shelbourne Project, Dublin 1	100,000.00	Enabling young boys/girls, who have a talent for football, to avail of the coaching expertise of Shelbourne Football Club through the "Learning through Soccer" programme and continue their education to Junior Cert level at least
Fettercairn Youth Horse Programme, Tallaght, Dublin 24	184,314.00	Developing outreach action aimed at seeking the participation of the most marginalised group (including potential and early school-leavers, travellers, young people with disabilities, and young people at risk) within the West Tallaght area using horse care as the medium
St. Andrew's Resource Centre, Pearse St, Dublin 2	125,200.00	Providing computer training

Group/Organisation	Grant (€)	Proposal Description
Mellow Springs Childcare Dev, Finglas, Dublin 11	85,790.00	Setting up a language and creativity room
O'Devaney Gardens Forum, Dublin 7	66,943.00	Running after schools activities for children in O'Devaney Gardens aged between 5-10 years
Youth Horizons, Dublin 24	45,000.00	Developing a project which focuses on two areas of assessed need for young people, IT training and sessional counselling
Loreto Centre, Dublin 12	48,148.00	Employing a part-time support worker to assist the coordinator in the delivery of Diploma in Women's Studies
Dime Project Advisory Committee, Dublin 1	135,318.00	Developing and implementing needs based programmes, in the North Inner City of Dublin
Fingal ICTU Centre for the Unemployed, Finglas, Dublin 11	100,878.00	Enhancing and expanding the opt-in programme
Adventure Sport Project, Dublin 1	113,680.00	Providing an issue-based sports youth programme for young females age between 11-17 years in an after school environment in the North Inner City area of Dublin
St. Vincent de Paul, Cork	20,000.00	Providing a part-time outreach worker in Cork
Gateway Project, Dublin 7	6,900.00	Providing new equipment and furniture
Collinstown Park School Completion Programme	71,500.00	To employ a full-time youth worker to work directly with Collinstown Park Community College to implement school-based youth work activities
Scoil na Croise Naofa, Mahon, Co Cork	10,000.00	Purchasing new computers
Tallaght Volunteer Bureau, Dublin 24	46,762.00	Employing a supported volunteering officer
Merchants Quay Project, Dublin 8	157,709.00	Managing drug-related neighbourhood programme
Clonliffe and Croke Park Community Hall	15,000.00	Towards the initial cost of equipment to furnish the community centre
Beacon of Light Counselling Centre	80,000.00	To provide a salary for one counsellor for two years to counsel young people under 18 and their parents
Irish Traveller Movement, Temple Bar, Dublin 2	129,510.00	Implementing an education programme
Board of Management of Ballyspillane Community and Family Resource Centre, Killarney, Co Kerry	20,000.00	Providing a Homework Support Club
Tramore YDP — Foróige, Co Waterford	161,625.00	Increasing targeted young people's participation in school through individual, group and family support
Kildare Youth Services (Curragh Youth Project)	81,226.00	Recruiting a community youth worker to work with young people at risk of early school leaving in the Curragh
Rosemount Community Dev Group, Dublin 14	50,974.00	Providing homework support for primary and post primary students who live in the Dundrum area of Dublin
Taghmon Action Group, Co Wexford	70,000.00	Implementing an integrated, community-based programme to tackle three specific aspects of educational disadvantage in Taghmon
Mountmellick Development Association	60,332.60	Building renovations to ensure accessibility for persons with a disability
Co. Wexford Community Workshop, Enniscorthy	250,000.00	Provision of sports facility for persons with a disability
Irish Rural Link, Moate, Co. Westmeath	45,109.61	Building renovations to ensure accessibility for persons with a disability
Ballyowens Meadow School, Stillorgan, Dublin	50,000.00	Building an outdoor playground for autistic children
The Swan Group, Sligo	3,053.00	Supporting the local community in being independent and providing a "sound beam" for use with adults with complex needs
AWARE, Dublin 2	141,000.00	Expansion of an awareness programme about depression and suicide to both non-mainstream and mainstream schools
The Autistic Outreach Unit	20,000.00	To provide a special educational unit with equipment for autistic children and children with special needs within the Co. Tipperary area
The Linkup Project	24,000.00	To provide an adult literacy tutor training program for 20 deaf adults
The Alzheimers Society of Ireland	25,000.00	To facilitate the centre to open 5 days per week
Leitrim County Council	40,000.00	Renovations to Drumshanbo outdoor swimming pool
Sligo County Council	117,800.00	Development of urban regeneration plan for Cranmore area
TASS (Target After School Service), Drogheda	122,750.00	Providing targeted children with after school support
Family-School-Community Educational Disadvantage Partnership, Limerick	331,396.00	Setting up intervention projects for disadvantaged pupils

Group/Organisation	Grant (€)	Proposal Description
Families and Schools Together, Jobstown, Tallaght, Dublin 24	77,245.00	Employing a project worker
National College of Ireland, Mayor St, Dublin 1	33,950.00	Providing educational mentoring
St. Peter Apostle JNS, Clondalkin, Dublin 22	41,000.00	Provision of breakfast for school children and cooking facilities for after school clubs
TOFE Program ( School Completion Prog), Dublin 15	37,600.00	Purchasing a bus to collect targeted students who have very high rates of absenteeism
Learning Through Arts Scholarship Programme, Dublin 1	91,000.00	Providing 'The Learning through Arts Scholarship Programme' for pupils from disadvantaged schools throughout Dublin
Our Lady Immaculate Junior National School, Darndale, Dublin 17	10,000.00	Refurbishment and equipping the school library
Castlecomer Community School, Co. Kilkenny	147,640.00	Establishing the current educational disadvantage project in two other key locations in the catchment area
Clonmel Borough Council/SEHB	7,449.38	For a marked play space for children and young people
Clonmel Borough Council	74,431.03	For the development of a playground for children and young people.
Waterford City Council	200,000.00	Creation of two playground areas and upgrading of surrounding area
Cavan County Council	278,210.00	Development of a coordinated and integrated youth service for all, particularly those classified as difficult to reach
Clonmel Borough Council	3,375.90	Provision of notice boards to enable communities access to information about service provision, community activity and training and other opportunities
Sligo Borough Council	203,280.00	To develop the foreshore area, for recreational and amenity purposes around a large local authority estate on the northern suburb of Sligo town
Tralee Town Council	175,000.00	Developing the green area in St. Martins Park
Ennis Town Council, Clare	278,764.79	Development of a recreational sports facility
County Leitrim Partnership Ltd.	73,991.00	Providing education and training opportunities to increase employment
Tralee Learning Together Network	137,500.00	Extending after school study support programmes in the 3 RAPID areas of Tralee and Ardferd rural community
Drogheda Northside Partnership (DNCP), Co. Louth	41,000.00	Employing a family counsellor to work with the children and the families attending the eight primary schools on the North side of Drogheda town
Galway Rural Development	430,000.00	To establish a service that will enable greater co-ordination and integration of educational service provision in Tuam and Ballinasloe.
Clondalkin Community Health Initiative, Dublin 22	133,230.00	Pilot project to increase awareness of health issues, deliver health programmes, train local people as trainers and develop a local health alliance
Emotional Behavioural Difficulties Project, Dublin 22	141,358.00	Introducing the Incredible Years Child, Parent & Teacher Training programmes into schools and community organisations
The Glen CDP, Cork	6,000.00	Purchasing computers
The Larkin Centre, 57-58 North Strand Road, Dublin 3	147,700.00	Implementing a community arts programme
Ronanstown CDP/Womens Ed. Forum, Clondalkin, Dublin 22	79,670.00	Employing a development worker
North Clondalkin CDP/Campus	47,712.00	Developing a project addressing educational disadvantage which includes the employment of a Parent Resource worker
Northside Partnership	331,000.00	2 year pilot programme to reintegrate former drug misusers
The Glen CDP, Cork	67,637.00	The provision of an outreach/development support worker
Co-Operation Fingal, Co Dublin	66,000.00	Developing a tracking system for young people at risk of dropping out of the education system
Borrisokane Area Network Development Co., Co. Tipperary	3,000.00	Providing an 'Art for Youth' project which will target disadvantaged children between the ages of 7-12 years of age
Borrisokane AND Company Ltd., Co. Tipperary	17,687.00	Employing a youth worker to develop a new after-school club in Kilbarron and extend existing club in Borrisokane
Wicklow Working Together Ltd.	22,500.00	The creation of a therapeutic room to provide more therapeutic support for children and as a place in which to carry out assessments
National Adult Literacy Agency, Dublin 1	69,555.00	Develop literacy CD
South Westmeath Literacy Scheme, Athlone	17,500.00	Assistance for After Schools Programme

Group/Organisation	Grant (€)	Proposal Description
City of Galway VEC	20,214.00	Helping young people complete FETAC accredited modules
Literacy Service, Co Westmeath VEC	116,000.00	Co-ordinating a Family Learning project in areas of geographical disadvantage
North Cork Adult Basic Education Service, Mallow	49,331.00	Education programme for adults who missed out on second-level education
City of Limerick VEC Adult Education Service	249,540.00	Development of new services and consolidation of existing services
Vocational School Abbeyfeale, Limerick	9,600.00	Providing a homework club for disadvantaged students
Junior Certificate School Programme Demonstration Library Project, Dublin 12	113,500.00	Providing a further 5 schools in disadvantaged areas with a high quality school library, staffed by a full-time professional librarian
Senior Citizens Social Housing Unit Beaufort, Dún Laoghaire	3,500.00	providing laundry facilities for elderly residents of Beaufort
Kerry Adolescent Counselling Service, Tralee, Co Kerry	35,000.00	extending its current bereavement & counselling service by providing a preventative suicide outreach programme for young people
The Midland Health Board Steering Group on Suicide, Portlaoise, Co Laois	14,264.00	providing a means of disposal of unused medications in order to limit access to means of self-harm
SAOL, Dublin 1	105,500.00	provision of training in suicide prevention and drug misuse prevention
Loughlinstown Community Rooms, Dún Laoghaire, Co Dublin	20,247.00	providing furniture and equipment and security shuttering
Ógra Chorcaí Ltd, Cork City	200,775.00	refurbishment of a building
Smashing Times Theatre Company Ltd, Dublin 7	79,990.00	raising awareness of the issues surrounding suicide through the medium of drama
Common Ground Ltd, 10 Grattan Crescent, Dublin 8	32,333.00	developing a drama and visual arts project
Comhar Chathair Chorcaí, Mallow Rd, Cork City	10,750.00	creating awareness of the work of carers
Dominican Day Centre for Senior Citizens, Dublin 1	10,696.00	carrying out building renovation works
Galway Rape Crisis Centre, Galway City	81,879.00	provision of a counselling and support service for female survivors of sexual violence
Mulhuddart Resource Centre, Dublin 15	2,500.00	refurbishment and decoration of two rooms in centre
Mulhuddart Corduff Community Drug Team, Dublin 15	13,080.00	providing training courses for drug misusers
Vista Community Development Project, Dublin 8	8,000.00	expanding the range of play club activities provided
CANDO Ltd, Dublin Rd, Carlow Town	6,000.00	providing playground markings in two schools and two communities in Carlow
Mountview Senior Citizens Support Group, Blanchardstown, Dublin 15	15,000.00	providing a free and confidential telephone alert/good neighbour service for older people and those vulnerable to social isolation
Streetline Ltd, Dublin 1	25,000.00	funding a residential project providing accommodation and care to young people
West Cork Carers Support Group Ltd, Bantry, Co Cork	81,580.00	developing a support service to meet the needs of carers in an isolated rural area of West Cork
TRAIL, Dublin 1	80,000.00	providing accommodation and support for prisoners who are homeless on release from prison
Samaritans, 112 Marlborough St, Dublin 1	97,998.00	awareness raising, volunteer targeting and volunteer training programme
Dublin Simon Community, Dublin 1	160,885.00	developing a non residential community based aftercare programme for homeless people
The National Network of Women's Refuges and Support Services, Athlone, Co Westmeath	45,000.00	developing programmes of work in the area of women's domestic violence support services in Ireland
Longford Community Resources Ltd, Longford Town	150,376.00	developing a community development programme in specific areas of disadvantage
Youth Projects Network, Dublin North-East Inner City, Dublin 3	39,900.00	providing a transport service for the participants in activities and programmes delivered by neighbourhood youth projects
Killinarden Drug Primary Prevention Group, Tallaght, Dublin 24	40,000.00	funding personal development, education and training for new facilitators
Finglas Cabra Partnership Finglas RAPID Programme, Finglas, Dublin 11	107,865.00	developing programmes for elderly residents within the Finglas area
Ballinasloe Social Services Ltd, Ballinasloe, Co Galway	25,846.00	refurbishing the premises to acceptable safety standards
Kerry Respite Care Ltd, Co Kerry	118,987.00	developing the respite care and personal care service



Group/Organisation	Grant (€)	Proposal Description
Finglas Sports Development Group, Finglas West, Dublin 11	26,160.00	developing a 'Teen Gym' for young teenagers from 14 to 18 years in the Finglas area
Southern Health Board, Tralee, Co Kerry	7,500.00	developing a Springboard Initiative in Tralee
Leenane Development Association, Leenane, Co Galway	7,040.00	developing a playground
Drogheda Borough Council, Drogheda, Co Louth	18,000.00	developing a playground
Catherine McAuley Centre, Dublin 2	68,208.00	setting up support and integration groups for women asylum seekers, refugees and immigrants
ADAPT (Limerick), Limerick City	285,000.00	fitting out newly constructed apartments and outreach facilities to assist women who are homeless and/or disadvantaged due to domestic abuse
An Síol Senior Citizens Project, Dublin 7	38,000.00	providing transport service for elderly people
The Traveller Visibility Group, The Glen, Cork City	5,580.00	providing supports for the Farranree Traveller Women's Health and Social Group
Franciscan Social Justice Initiatives, Dublin 8	93,541.00	providing support services for homeless people
Longford Community Resources Ltd, Longford Town	110,354.00	establishing a youth service in the area
Carrick-on-Suir Neighbourhood Youth Project, Carrick-on-Suir, Co Tipperary	89,561.00	developing an early pregnancy prevention programme
St. Brendan's The Glen Snr. Citizens, Cork City	30,000.00	providing support services and activities for the elderly in the Glen and surrounding areas
Carrick-on-Shannon Active Age Group, Co Leitrim	5,882.00	purchasing additional equipment for the benefit of the group's participants
Watergate Muintir Community Council, Limerick City	71,600.00	developing community structures in disadvantaged areas
Awareness Education Office, Dublin 7	105,500.00	expanding service delivery in the areas of suicide, bullying and relationships
Whitefriar St Community Education & Development Project, Dublin 2	4,350.00	providing office and kitchen equipment
Cairde, Dublin 1	76,072.00	provision of public service information to ethnic minorities
Galway Refugee Support Group, Headford Road, Galway City	82,710.00	developing programmes that help refugees integrate into the local community
Mulhuddart Lifestart, Dublin 15	79,090.00	providing support to parents of young children
Dublin North East Community Communications Co-Operative, Bunratty Road, Dublin 17	126,000.00	providing IT training
Dóchas Family Centre, Clondalkin, Dublin 22	200,000.00	providing appropriate facilities to ensure people with disabilities have equal access to centre and provision of additional space
After Care Recovery Group Ltd, Dublin 1	28,653.00	fitting out premises
Adrigole Family Resource Centre, Beara, Co Cork	7,200.00	providing accommodation to facilitate a Community Education programme at local level
2nd Galway Tuam Scouts SI, Co Galway	110,000.00	renovating an existing hall for use for the Scouting Organisation in Tuam
Togher Wednesday Social Group, Co Cork	4,000.00	producing a regular News Letter
Little Bray Family Resource Centre, Bray Co Wicklow	62,940.00	developing the Centre's Little Bray Youth Project
Kerry Suicide Support Group, Castleisland, Co Kerry	42,000.00	training volunteers in peer support and information dissemination
Foróige, Rockwood Parade Sligo Town	101,280.00	rolling out the 'Big Brother / Big Sister' (BBBS) programme in the Sligo town area
Carlow Regional Youth Services Ltd, Carlow Town	64,699.00	providing targeted youth work among the most at risk young people in the Graiguecullen RAPID area of Carlow town
Corduff Community Resource Centre, Corduff Dublin 15	30,000.00	extending the centre's coffee shop and providing additional facilities
Cork Threshold Housing Advice Service,	174,303.00	extending the existing service to homeless persons
Millennium Holiday Home Project,	17,500.00	refurbishing and providing furniture for residence used to provide holidays for disadvantaged families
Catholic Youth Care/Bray Outdoor Pursuits Project, Bray Co Wicklow	78,150.00	expansion of existing programmes for young people to learn outdoor pursuits and adventure activities
MAAN Group, Dublin 22	162,500.00	completing an improved sports facilities at Corcaigh Park in Clondalkin
Neighbourhood Youth Project, Castlerea Co Roscommon	10,000.00	equipping the groups new premises and some programme funding
Tallaght Homeless Advice Unit, Tallaght Dublin 24	155,000.00	providing funding to allow the group move to new dedicated premises and to develop the services provided

Group/Organisation	Grant (€)	Proposal Description
Tallaght Homeless Advice Unit, Tallaght Dublin 24	90,658.00	providing information, advice, advocacy and crisis intervention to persons homeless or at risk of homelessness
Parasuicide Intervention Study Group, Wilton, Cork City	96,900.00	an evaluation of a large-scale intervention programme for parasuicide
Kerry Diocesan Youth Service (KDYS, Killarney), Killarney, Co Kerry	120,000.00	delivering a range of Youth Projects in response to the identified needs of young people
Doras Luimní, South Circular Rd Limerick City	41,754.00	providing an information and advice service to asylum seekers
Socially Inclusive Health Centre — SWAHB, Dublin 12	130,500.00	developing a model of a Socially Inclusive Health Centre
Anna Liffey Drug Project, Dublin 1	35,000.00	developing a research project to produce an inter-agency plan to address needs of homeless drug users
Dublin 15 Playground Action Group, Blanchardstown, Dublin 15	26,800.00	developing two innovative play areas for children
Blakestown Community Resource Centre, Blakestown, Dublin 15	134,000.00	refurbishing part of the resource centre in order to expand range of services offered
Farranree Alcohol and Drugs Awareness Project, Farranree, Cork City	21,180.00	developing computer services and recreational facility
Ballybane/Mervue Community Development Project, Galway City	107,423.00	developing a resource programme for men in two designated areas of Galway City
Cumas and Cairdeas, Clondalkin, Dublin 22	13,400.00	refurbishing and providing equipment for premises
Bray Community Enterprise, Bray, Co Wicklow	55,600.00	reducing isolation by teaching people about e-mail and the internet
Crumlin Sports Employment Project, Dublin 6W	60,000.00	managing the new all weather facility in Willie Pearse Park
Inishowen Partnership Company, Buncrana, Co Donegal	4,500.00	providing information and support to socially isolated farm and fishing families
St. Catherine's Community Services Centre, Carlow Town	11,000.00	providing enhanced security measures at the centre
North Wall Womens Centre, Dublin 1	119,700.00	re-developing the premises
Ballymoe Development Centre Ltd, Galway City	60,000.00	developing a community based playground on a green area adjacent to Ballymoe Development Centre
Deora Project, Seville Place, Dublin 1	45,000.00	developing and expanding the existing bereavement counselling service
Duhallow Carers Network, Mallow, Co Cork	950.00	organising a Patient Moving and Handling Course for carers in the area
Loughlinstown Playgroup Development Group, Loughlinstown, Co Dublin	51,250.00	developing a purpose built play facility
Harmony Community Development Programme, Athlone, Co Westmeath	110,151.00	supporting a Development Worker, to work with the traveller community in Athlone
Mahon Resource Centre Ltd, Cork City	141,205.00	completing the construction and equipping of a purpose-built Family Resource Centre.
Basement Project Trading as Mountwood Fitzgerald Park CDP, Dún Laoghaire, Co Dublin	300,000.00	building a new Community Centre
Homeless Network, Cope Street, Dublin 2	132,492.00	developing and strengthening the homeless network to facilitate it to participate more effectively in the partnership structures of the Homeless Agency
Community After Schools Project (CASPr), Dublin 1	40,000.00	replacing mini bus and purchasing musical instruments
Mayfield Community Arts Centre, Newbury House, Mayfield, Cork City	45,000.00	part funding extension of premises
Mulranny Day Centre Housing Company Limited, Mulranny Co. Mayo	152,310.00	extending the services offered by the Centre
Limerick Travellers Development Group, Limerick City	41,000.00	self-improvement and development of Travellers in the Limerick area
Vita House Family Centre, Roscommon Town	65,000.00	providing counselling services and development programmes
Bunratty Road Tenants Association, Coolock, Dublin 17	38,860.00	erecting CCTV to cover the Stardust Memorial Park
Hillside Club, Ballinalee, Co Longford	1,000.00	providing local transport to members to facilitate their attendance at club meetings and outings
Churchfield Community Trust, Cork City	172,520.00	further extending the services and support offered to young men within the project and to those who leave and move on to work
Cope — Meals on Wheels, Tuam Road Galway City	90,750.00	renovating and refurbishing kitchen
Sligo Northside Community Partnership Ltd, Sligo Town	129,010.00	consolidating and developing programmes and activities for young people in Sligo North Ward

Group/Organisation	Grant (€)	Proposal Description
Rahoon Family Centre, Galway	15,383.00	running a series of workshops to support and aid parents
Roma Support Group, Dublin 1	65,000.00	supporting the development of Roma network and profile in Ireland
Dublin Community Games, Dublin 7	70,000.00	introducing children to sports and cultural activities in six identified areas in Tallaght and Clondalkin
Huntington's Disease Association of Ireland, Dublin 7	3,536.00	improving and enhancing a library of information on all aspects of Huntington's Disease
KARE, Co Kildare	194,000.00	installing a lift
Delta Centre Ltd, Carlow Town	200,000.00	providing a sensory theatre building
Co-operation Fingal, Balbriggan Co Dublin	171,616.00	establishing a holistic information, training and support service for people with disabilities in North Fingal
ROSEQUAL Ltd, Roscommon Town	21,374.00	providing capital funding for its Community Radio programme
Walkinstown Association for Handicapped People Ltd, Dublin 12	8,800.00	provision of literacy and numeracy training to adults with an intellectual disability and to purchase literacy teaching materials
Walkinstown Association for Handicapped People Ltd, Dublin 12	50,000.00	renovating a four-bedroomed house to be used as a residential house for people with intellectual disabilities
Disability Federation of Ireland, Fumbally Lane Dublin 8	79,850.00	providing training and advice to disability organisations and people with disabilities on how they can improve upon their advocacy skills
Avondhu Development Group Ltd, Mallow, Co Cork	20,777.00	providing a fully accessible bus for an integrated transport project
Employ Ability Ltd, Old Naas Road Dublin 12	144,830.00	providing employment support to people who have significant support needs or disabilities
Mental Health Ireland, Dún Laoghaire, Co Dublin	97,576.00	developing local befriending supports for people with a mental illness
Spinal Injuries Action Association, Dún Laoghaire, Co Dublin	66,312.00	supporting people with spinal injuries to become active again through new sports and activities
Kilcannon Industries Limited, Enniscorthy, Co Wexford	250,000.00	constructing a training room, restaurant facilities and toilets for persons with a disability
Ballincollig Child and Family Clinic, Ballincollig, Co Cork	10,234.00	purchasing snoezelen and other sensory equipment to assist children with intellectual disabilities
Waterford Befriending Project, Tramore Co Waterford	60,000.00	developing a befriending scheme to assist mental health service users
St. Mary's Hall Committee, Carrick on Shannon, Co Leitrim	20,000.00	refurbishment of a building
Aspire, the Asperger Syndrome Association of Ireland, Dublin 7	22,200.00	developing a social and communicative group development programme for people with Asperger Syndrome
Service Users Forum-South East Region, Kilkenny City	34,000.00	developing and implementing a leadership model of training to members of the existing service users forum
Schizophrenia Ireland, Dublin 7	30,500.00	the expansion of the national lo call Information Helpline
Myasthenia Gravis Association, Ennis, Co Clare	6,000.00	an awareness raising campaign about Myasthenia Gravis
Kilrush Family Resource Centre Ltd, Kilrush, Co Clare	21,000.00	the renovation of old toilet facilities to provide wheelchair and disabled accessibility
Walkinstown Association for Handicapped People Ltd, Dublin 12	10,000.00	providing advocacy training for staff and self-advocacy training for service-users
Board of Management, Our Lady of Good Counsel Special School, Ballincollig, Co Cork	17,902.00	purchasing a minibus
Cneasta, Buncrana, Co Donegal	52,500.00	start up costs for organisation representing people with disabilities
Brothers of Charity Services, Limerick Region, Limerick	60,599.00	providing Person Centred Planning for adults with an intellectual disability
North Western Health Board Assistive Technology Unit, Sligo Town	112,000.00	initiating an assistive technology service in Co Donegal to meet the needs of persons with a disability
Hospitaller Order of St. John of God, Celbridge, Co Kildare	167,336.00	developing an IT/Computer Resource Centre with multi-media and assistive technology to teach computer skills to people with disabilities
The Royal Hospital Donnybrook, Dublin 4	78,555.00	provision of a driver for the wheelchair accessible vehicles
Hazel Day Hospital, Blanchardstown, Dublin 15	22,700.00	developing the garden area of Hazel Day Hospital
AHEAD Association for Higher Education Access and Disability, Dublin 2	123,500.00	developing and implementing a career opportunities programme for students with disabilities in second level about career opportunities
Sisters of Charity of Jesus and Mary, Co Kildare	300,000.00	contributing to the capital costs of providing purpose-built accommodation for people with disabilities

Group/Organisation	Grant (€)	Proposal Description
Ballyduff National School, Kilmeaden, Co Waterford	21,000.00	establishing play area for children with autistic spectrum disorders
Aiséir Treatment Centre, Cahir, Co Tipperary	47,000.00	building on a bedroom with en suite facilities for persons with special needs and other works to make the building more accessible
Brothers of Charity Services, Roscommon Town	7,500.00	creating an organic garden for use by people with intellectual disabilities
RehabCare, Sandymount, Dublin4	45,277.00	developing and delivering a leadership development course for adults with disabilities and for parents of young children with disabilities
Easi Access Transport Ltd, Bray Co Wicklow	129,894.00	providing transport services for persons with a disability
Lucan Disability Action Group Ltd., Lucan, Co Dublin	22,900.00	providing transport services for persons with a disability
Togher Family Centre, Togher, Co Cork	3,447.00	making the centre wheelchair accessible and purchase of a wheelchair
Ability Enterprises Ltd, Ballindine, Co Mayo	41,441.00	purchasing an accessible minibus and selective aids for students with disabilities
North West Parents and Friends, Sligo Town	110,000.00	modernising existing building used to provide services for children and adults with learning disabilities
Brothers of Charity Services, Roscommon, Roscommon Town	161,862.00	providing services to people with an intellectual disability and autism
Marian Centre Special School, Tullamore, Co Offaly	60,000.00	purchasing a bus which is accessible to persons with a disability
Avondhu Development Group, Mallow, Co Cork	36,663.00	improving the participation of people with hearing impairments/deafness in society through promoting the understanding and use of Irish Sign Language (ISL)
Cluain Training and Enterprise Centre Ltd, Clonmel, Co Tipperary	88,237.00	a capital project to develop the third floor of Cluain's Training Centre
Blue Teapot Theatre Company, Renmore, Co Galway	45,722.00	funding a theatre project for learning disabled and to purchase a van for the theatre company.
The Royal Hospital Donnybrook Voluntary Housing Association Ltd, Ranelagh Dublin 6	11,117.00	installation of an improved security system for residents
Irish Wheelchair Association and National Council for the Blind of Ireland, Clane, Co Kildare	211,800.00	running a programme which will train people with disabilities as peer counsellors
County Wexford Community Workshop (Enniscorthy) Limited, Enniscorthy, Co Wexford	115,000.00	upgrading existing residential areas for persons with intellectual disabilities
Western Care Association, Castlebar, Co Mayo	70,000.00	developing a Bocce court at St. John's Day Service, Kiltimagh
Childhood Days for Children with Learning Disability Ltd, Drumshanbo, Co Leitrim	24,826.00	extending the educational services provided for children with special needs
Longford Dyslexia Association, Ballinalee, Co Longford	10,000.00	updating and restocking workshop resources
The Royal Hospital Donnybrook Voluntary Housing Association Ltd, Ranelagh Dublin 6	34,340.00	commissioning an "action van" to facilitate older people & adults with disabilities to stay in or return to their own home environments
Tír na nÓg Pre-School for Travelling Children, Ballyfermot Dublin 10	111,700.00	buying a larger, purpose built prefab for pre-school and creche
St. Fergal's Resource Centre, Bray Co Wicklow	75,288.00	providing training programmes for parents and young adults
The Shanty Educational Project Ltd, Tallaght Dublin 24	62,346.00	providing an Early Childhood Development and Education Programme for pre-school children from the Tallaght West area
St. Teresa's Gardens Environment and Employment Project, Dublin 8	7,741.00	running a course of recreational and educational activities for at risk teenagers
Dublin CABAS School Parent Group, Kilbarrack Dublin 5	49,884.00	extending the CABAS project assisting in the education of children with Autism
Pathways Through Education Community Links Programme, Dublin 1	212,571.00	providing support for students during the transition from primary to secondary schools
Mary Queen of Angels, Ballyfermot, Dublin 10	102,173.00	providing transport services to disadvantaged school children
The Web Project, Taylors Lane, Dublin 16	17,000.00	provision of training and purchase of computers
Togher Family Centre After Schools Activity Programme, Togher, Cork City	29,620.00	employing a part-time project worker to work in the After Schools Activities Programme
Colaiste Eoin Secondary School/Co Cork VEC, Youghal, Co Cork	50,852.00	providing after school homework support and recreational activities for educationally disadvantaged children
Bray Adult Learning Centre, Co Wicklow VEC Adult Education Service, Co Wicklow	78,740.00	employing a Literacy Resource & Outreach Worker



Group/Organisation	Grant (€)	Proposal Description
Inishowen Partnership Company, Buncrana Co Donegal	6,000.00	providing IT training for older people living in Inishowen peninsula
Educational Disadvantage Centre, Drumcondra, Dublin 9	158,158.00	installing a sound field amplification system in eight schools and funding a research programme
Cherry Orchard Equine, Education and Training Centre, Ballyfermot, Dublin 10	297,400.00	providing a range of activities for young people using horses as a medium for their education and development
Parkside Community Development Project Ltd, Ballina, Co Mayo	10,500.00	providing a community media resource, which will enable access to the medium of film, video and sound production
Kilbarrack CDP, Children's Centre, Dublin 5	3,000.00	providing furniture, books and training materials
Board of Management St. John's and St. Paul's NS, Co Louth	104,700.00	developing and operating the Breakfast and Homework Club for two primary schools in disadvantaged areas
Board of Management, Scoil Phádraig Naofa, Athy, Co Kildare	41,000.00	upgrading the present kitchen, dining and storage facilities to current health and safety standards
The Blue Box Creative Learning Centre, Limerick City	71,500.00	expanding the group's present arts therapy services
Comhlamh, The Irish Association of Development Workers, Dublin 2	20,000.00	running a series of workshops in the South West Inner City RAPID area
St. Peter Apostle SNS, Clondalkin, Dublin 22	20,000.00	updating and modernising the school kitchen
ABAILE, Co Louth	54,894.00	setting up an outreach programme in conjunction with the Drogheda CABAS School
WESLIN — Waterford Early School Leaving Integrated Network, Waterford City	90,579.00	expanding the existing service to reduce the incidence of early school leaving
NWHB, Barrack St, Sligo Town	63,251.00	adapting and delivering the existing Lifestart programme to members of the Travelling Community in Sligo town
Kerry Education Service, Tralee, Co Kerry	144,000.00	providing training to men and women from the Travelling Community
Ballinasloe Community Resources Ltd, Ballinasloe, Co Galway	53,000.00	establishing a learning and study centre
Beara Youth Development Project (YDP) — Foróige, Castletownbere, Co Cork	108,000.00	employing a project worker to provide an outreach service to those experiencing crisis situations
Global Action Plan, Dublin 9	40,000.00	implementing projects, which raise environmental awareness among young people in the school and community context
Alzheimer Society of Ireland, Blackrock Branch, 34 Northumberland Ave, Dún Laoghaire	2,277,171.00	developing a National Alzheimer Centre
Waterford Local Economic Development Co Ltd, Kilbarry, Waterford	816,000.00	developing a multi-purpose sports facility
Garranabraher Churchfield Development Group, Garranabraher, Cork	485,000.00	development an refurbishment of Garranabraher Churchfield community facility
Peamount Hospital, Newcastle, Co Dublin	783,000.00	capital development project
Totals	29,729,981.11	No. of Projects — 318

*Question No. 109 answered with Question No. 85.*

### **Irish Language.**

110. **Mr. Sherlock** asked the Minister for Community, Rural and Gaeltacht Affairs if he will elaborate on his comments in his letter in a newspaper (details supplied) on 31 October 2004, that people often profess to love the Irish language, yet at the same time object to money being spent to provide equality of service in the Irish language to Irish speakers; and if he will make a statement on the matter. [27995/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** The Deputy will appreciate that I was pointing out the inconsistency by those articulating a love of the language on the one hand, while objecting to money being spent to provide equality of service in Irish.

### **Community Development.**

111. **Mr. Stanton** asked the Minister for Com-

munity, Rural and Gaeltacht Affairs the way in which he supports the work of community councils; his views on same; and if he will make a statement on the matter. [27997/04]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern):** My Department does not fund community councils. However, we fund the community development programme, CDP. The CDP supports locally-based groups involved in anti-poverty and social inclusion initiatives in their communities so that they can contribute to a process of change in their areas and improve the quality of life of their communities. The CDP remit is to maintain an anti-poverty-anti-exclusion-anti-discrimination focus and to promote the participation of people experiencing poverty, exclusion and discrimination at all levels within the programme. A total of 175 projects are participating in the programme in urban and rural areas with a further 15 in the process of establishment.

The total funding allocated in 2004 to the programme was €20.6 million.

### **Inland Waterways.**

112. **Mr. Crawford** asked the Minister for Community, Rural and Gaeltacht Affairs if he will report on his efforts to provide funding for the reopening of the Ulster Canal on either a phased or total basis; his views on whether this is a truly cross-Border project with the full support of all politicians and communities North and South; and his further views on whether this project would be of major benefit towards a proper tourism structure and therefore of major economic benefit to this hard-pressed Border area. [27837/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** One of the functions of Waterways Ireland, one of the six North-South implementation bodies established under the British-Irish Agreement Act 1999, is to examine the possible restoration of the Ulster Canal. No decision has been taken to proceed with the restoration of the Ulster Canal. A study was commissioned which estimated the cost of the restoration of the full canal at approximately £90 million Sterling based on costs in 2000. The issues arising in regard to the Ulster Canal, including the question of whether a phased or partial approach to the matter might be feasible, are being considered by my Department and the Department of Culture, Arts and Leisure in the North. The Deputy will appreciate that the question of allocating funding does not arise at this time.

### **Community Development.**

113. **Ms McManus** asked the Minister for Community, Rural and Gaeltacht Affairs the position with regard to the CLÁR programme; and if he will make a statement on the matter. [27967/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** I introduced the CLÁR programme in October 2001 to address depopulation as well as the decline and lack of services in rural areas. The agreed programme for Government contained a commitment to annual funding for the CLÁR programme and to consider additional areas for inclusion in light of the 2002 population census data. The Government decided on the additional areas for inclusion in the CLÁR programme and I announced these on 17 January 2003. Areas in 18 counties, amounting to a total population of 361,000, are included in the programme.

CLÁR funds or co-funds, together with other Departments, State agencies and local authorities, investment in selected priority developments. These investments are made through a series of more than 20 measures, which support physical, economic and social infrastructure such as electricity conversion, roads, water and sewerage, village, housing and schools enhancement, health, broadband and sports and community projects. The measures reflect the priorities iden-

tified by the communities in the selected areas whom I consulted at the start of the programme.

The measures were agreed with and are operated in tandem with the lead Departments, State agencies or public utilities, as appropriate. This ensures efficiency and effectiveness and meets the needs of the people in the CLÁR areas. I intend to continue this practice for new measures I may introduce, depending on identified needs. Equally, I will keep the operation of existing measures under review.

The merits of this practice are reflected in the successful delivery of the programme. Expenditure amounted to €14.14 million in 2002 and €8.613 million in 2003 which, it is estimated, secured a further €21 million in related public and private expenditure in these areas, which otherwise would have been bottom of the list for infrastructure investment. To date in 2004, more than €19 million has been allocated to the counties in CLÁR under the various measures operating under the programme. A number of measures operate on a two-year cycle, 2004 and 2005, and this is reflected in the funding allocated. The bulk of the approved funding in 2004 for other areas will not fall for payment in the same year, for example, top-up funding under the 2004 sports capital programme.

### **Tourism Industry.**

114. **Dr. Upton** asked the Minister for Community, Rural and Gaeltacht Affairs if his Department has a strategy to promote agri-tourism; the value to the economy annually of agri-tourism; and if he will make a statement on the matter. [24498/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** Under the area based rural development initiative, my Department provides some €30 million in funding for rural-agri-tourism over the period 2000 to 2006. This funding is made available to rural communities through their local LEADER companies. The objectives of this funding include the development and enhancement of the rural-agri-tourism product range in an environmentally and sustainable way and the promotion and development of rural-agri-tourism in conjunction with Fáilte Ireland and the regional tourism authorities.

My Department also provides a number of other supports to rural or agri-tourism including sponsorship of the national rural tourism awards, funding the western development tourism programme aimed at developing areas in the western counties which are underperforming in terms of tourism and the work of Comhairle na Tuaithe in relation to the development of a countryside recreation strategy.

Agri-tourism plays an important role in the development and maintenance of the rural economy. Work is under way on advancing performance indicators for various areas relating to the work of my Department. Matters such as the value to the economy of agri-tourism will be considered.

*Question No. 115 answered with Question No. 106.*

**State Property.**

116. **Mr. Cuffe** asked the Minister for Community, Rural and Gaeltacht Affairs the position regarding work being funded through his Department on the refurbishment of the old courthouse at Clifden, County Galway. [28013/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** I introduced a scheme for the refurbishment of courthouses in CLÁR areas in 2003, for which funding of €300,000 was

made available for 2003-04. The scheme is funded on the basis of €1 from CLÁR to every €2 from the Courts Service. The refurbishment works cover replacing windows and doors, painting, repairs to footpaths, general clean-up of grounds and minor improvements.

CLÁR funding of €50,000 was approved for Clifden Courthouse, County Galway, in October 2004 to enable interior refurbishment works of €150,000 to proceed. Works being carried out by the OPW are expected to be completed by end 2004.

Garda stations approved 2003

None in 2004.

County	Station	DED	Total Cost	Approved CLÁR Funding
			€	€
CAVAN	Shercock	Shercock	20,000	6,666.67
CLARE	Miltown Malbay	Miltown Malbay	20,000	6,666.67
CORK	Goleen	Goleen	19,630	6,543.33
CORK	Boherboy	Boherboy	15,000	5,000.00
DONEGAL	Carrick	Glencolmbkille	20,000	6,666.67
GALWAY	Glenamaddy	Glenamaddy	20,000	6,666.67
KERRY	Castlegregory	Castlegregory	19,000	6,333.33
LIMERICK	Dolla	Dolla	20,000	6,666.67
LEITRIM	Cloone	Cloone	20,000	6,666.67
LOUTH	Omeath	Drummulagh	20,000	6,666.67
MAYO	Ballycroy	Ballycroy	20,000	6,666.67
	Louisburg	Louisburg	16,000	5,333.33
ROSCOMMON	Keadue	Keadue	20,000	6,666.67
	Loughlynn	Loughlynn	17,967	5,989.00
	Ballaghadereen	Ballaghadereen	23,927	7,975.67
SLIGO	Skreen	Skreen	20,430	6,810.00
TOTAL			311,954	103,984.67

Courthouses approved 2003.

County	Courthouse	DED	Total Cost	Approved CLÁR Funding
			€	€
DONEGAL	Glenties	Glenties	15,000	5,000
MAYO	Belmullet	Belmullet	300,000	100,000
TOTAL			315,000	105,000

Courthouses approved 2004.

County	Courthouse	DED	Total Cost	Approved CLÁR Funding
			€	€
DONEGAL	Glenties	Glenties	65,000	21,666
GALWAY	Clifden	Clifden	150,000	50,000
WATERFORD	Lismore	Lismore Urban	500,000	100,000
TOTAL			715,000	171,667

### Irish Language.

117. **Mr. Howlin** asked the Minister for Community, Rural and Gaeltacht Affairs the way in which grants under the language planning initiative were allocated to the five successful applicant groups; the way in which the spending of these grants will be monitored by his Department; when the next tranche of money will be allocated under the initiative; and if he will make a statement on the matter. [27964/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** The scheme in question initially provided for an annual grant of up to a maximum of €130,000 to community-based Gaeltacht organisations over a three-year period to assist in the preparation and implementation of an Irish language plan within their areas of operation. A total of €1.56 million was provided for this purpose.

Applications received under the scheme were assessed according to the following criteria: the fulfilment of the various conditions outlined in the application procedure; the manner in which the applicant intended to pursue and achieve the objectives of the project; the capacity and suitability of the organisation to carry out the project; the experience and competence of the organisation in the preparation and implementation of an appropriate language plan in the Gaeltacht; the level and appropriateness of the resources available for the project; value for money and overall cost to the Department on an annual basis. A total of three people — two from my own Department and one from Údarás na Gaeltachta — were involved in the evaluation of all applications received.

With regard to monitoring, it is intended that a language manager will be recruited in each case who will be responsible in the first instance to a local steering committee. This committee will include representatives of the local community, representatives of the organisation itself as well as regional officials from my Department and from Údarás na Gaeltachta and will meet on a regular basis to monitor progress. The various steering committees will then report on periodically to a high level steering committee, which will include senior representatives of the Department of Community Rural and Gaeltacht Affairs and Údarás na Gaeltachta.

This is a pilot scheme introduced by my Department this year as a result of the recommendations in the report of Coimisiún na Gaeltachta. The provision of further funding will depend on the success of this initiative in meeting the goals set out in the various plans.

*Question No. 118 answered with Question No. 90.*

### Decentralisation Programme.

119. **Ms B. Moynihan-Cronin** asked the Minister for Community, Rural and Gaeltacht Affairs

the progress made on the decentralisation of his Department to Knock; the number of applications or expressions of interest which have been made to the central applications facility in this regard; and if he will make a statement on the matter. [27969/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** As I indicated in reply to Questions Nos. 142 and 231 of 5 October 2004, the progress of decentralisation in all Departments is guided by the overall implementation process being carried out centrally by the decentralisation implementation group. In that context, the following steps have been taken by my Department to advance the decentralisation process: a dedicated decentralisation unit was set up to manage the programme. The unit is staffed by a higher executive officer and a clerical officer, who report to the personnel officer. This unit has prepared and distributed to staff an information pack which includes a wide range of information on decentralisation areas relating to my Department's remit. The unit issues regular bulletins to staff with the most up to date information available on decentralisation and all documentation relating to the issue is made available on the public folders of my Department's e-mail system. A departmental decentralisation committee has been established to steer the decentralisation process within the Department. Membership of the committee is made up of senior management and staff. A liaison officer has been appointed to facilitate communication between the Department of Finance and my Department. Special meetings of my Department's partnership committee are held to specifically address issues arising from decentralisation and use is made of such meetings to ensure staff are kept informed on all aspects of the decentralisation process. There is regular communication between my Department and staff associations through the departmental council process.

In addition, work is in hand regarding the establishment of systems for job analysis and process mapping for each function within my Department to facilitate effective transfers of staff in the future. An initial decentralisation implementation plan for my Department has been prepared and submitted to the decentralisation implementation group. The September 2004 data obtained from the CAF system indicates that 159 civil servants and nine public servants have lodged applications for or expressed an interest in decentralisation to Knock Airport. The number of staff required by my Department for that location is 159.9.

### Ferry Services.

120. **Mr. Penrose** asked the Minister for Community, Rural and Gaeltacht Affairs if he has finished the preparation of regulations in respect of formal contracts with ferry operators providing services, which incorporate road transport links,



[Mr. Penrose .]  
to the islands; and if he will make a statement on the matter. [27973/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** My Department is preparing regulations in respect of formal contracts with ferry operators providing services, which incorporate road transport links. It is hoped to have these regulations published at an early date. These regulations, which will be subject to the consent of the Ministers for Finance and Transport, will set down the agreed destinations for connecting bus passenger services and will form the basis for entering into formal contracts in these cases.

#### Laghdú Fostaíochta.

121. D'fhiafraigh **Mr. McGinley** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cad é mar atá an cás maidir le tionscal (sonraí tugtha) faoi láthair agus leis na hiarrachtaí atá á ndéanamh leis an tionscal a dhul i mbun táirgíochta arís. [27952/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** Dírim aird an Teachta ar an bhfreagra a thug mé ar Cheist Uimh. 190 ar 5 Deireadh Fómhair 2004. Tuigim ó Údarás na Gaeltachta go bhfuil caidreamh rialta idir an tÚdarás agus an comhlacht seo agus go bhfuil iar-rachtaí á ndéanamh ag an gcomhlacht féin gnó nua a aimsiú chun cur ar a gcumas dul i mbun táirgíochta arís go luath.

#### National Drugs Strategy.

122. **Mr. Costello** asked the Minister for Community, Rural and Gaeltacht Affairs if he has had discussions with the Department of Finance in regard to seeking increased funding for local drugs task forces; and if he will make a statement on the matter. [27985/04]

130. **Mr. Costello** asked the Minister for Community, Rural and Gaeltacht Affairs the extent to which community research is contributing to efforts to combat drug abuse here; the support that he is giving to community-based organisations working on drug use; if he has asked the Department of Finance for more funds for these organisations; and if he will make a statement on the matter. [27986/04]

272. **Mr. Durkan** asked the Minister for Community, Rural and Gaeltacht Affairs the extent to which he has offered assistance to communities involved in the fight against drugs in the past 12 months; and if he will make a statement on the matter. [28134/04]

273. **Mr. Durkan** asked the Minister for Community, Rural and Gaeltacht Affairs the number of urban and rural community groups to which he has awarded grant aid or other assistance in the fight against drugs; if he has proposals to increase

activity in this area; and if he will make a statement on the matter. [28135/04]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern):** I propose to take Questions Nos. 122, 130, 272 and 273 together.

My Department has overall responsibility for co-ordinating the implementation of the National Drugs Strategy 2001-2008. The strategy contains 100 individual actions, under the four pillars of supply reduction, prevention, treatment and research, to be implemented by a range of Departments and agencies. My Department also has responsibility for the work of 14 local drugs task forces, LDTFs, which were established in the areas experiencing the highest levels of drug misuse, particularly heroin.

To date, more than €80 million has been allocated to the task forces to implement their two rounds of local action plans. A broad range of community-based projects are being supported in areas such as treatment, prevention, education etc., through these plans. A further €12.8 million has been allocated to capital projects under the LDTF premises initiative, which is designed to meet the accommodation needs of community based drugs projects. In addition, approximately €75 million has been allocated to support the work of the young people's facilities and services fund in LDTF areas and four other urban centres. The main aim of the fund is to attract "at risk" young people in disadvantaged areas into recreational facilities and activities and divert them away from the dangers of substance misuse.

My Department also has responsibility for the national advisory committee on drugs, NACD, which was established in July 2000 to advise the Government on the prevalence, prevention, treatment and consequences of problem drug use in Ireland based on the analysis of research findings and information available to it. The NACD launched a community-voluntary sector research grant scheme to generate innovative, community-based drugs research in December 2001. Arising from this scheme, four research studies were published in September last. Ballymun youth action project undertook a study on the role of benzodiazepines in the development of substance misuse problems in Ballymun Kilbarrack coast community programme examined the issue of drug misuse among ten to 17 year olds in the Kilbarrack area. Merchants Quay Ireland examined drug use among new communities in Ireland. Tallaght homeless advice unit explored the links between homelessness and drug use. The findings of these studies are being examined by various Departments and will also be considered by my Department in the context of the mid-term review of the national drugs strategy.

I refer to funding for drugs work. The Estimates process for 2005 ongoing and my Department has been in discussions with the Department of Finance in this regard. While the Deputies will appreciate that the allocations for

my Department for next year have not been finalised, I assure them that tackling drug misuse remains a priority for this Government and it is my intention that significant resources will continue to be targeted at this problem.

### Community Development.

123. **Mr. Stanton** asked the Minister for Community, Rural and Gaeltacht Affairs the initiatives he has taken to support rural communities; and if he will make a statement on the matter. [27996/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** I have undertaken a wide range of initiatives in support of rural communities. These include establishment and expansion of the CLÁR programme; establishment of the rural social scheme; small food producers forum and co-ordinator; Comhairle na Tuaithe; and a review of enterprise supporting rural areas. In addition, my Department continues to oversee the delivery of programmes which support rural communities. These comprise the LEADER programme; rural development fund; PEACE II programme; rural initiative measure of INTERREG; farm relief services; local development and social inclusion programme; community development programme; and Gaeltacht and island development.

Details on each of the foregoing are set out in the following appendix:

#### Appendix

I introduced the CLÁR programme in October 2001 to address depopulation as well as the decline and lack of services in rural areas. Areas in 18 counties, amounting to a total population of 361,000, are included in the programme. CLÁR funds, or co-funds, with other Departments, State agencies and local authorities, investment in selected priority developments. These investments are made through a series of more than 20 measures that support physical, economic and social infrastructure such as electricity conversion, roads, water and sewerage, village, housing and schools enhancement, health, broadband and sports and community projects. The measures reflect the priorities identified by the communities in the selected areas whom I consulted at the start of the programme and were agreed with and are operated in tandem with the lead Departments, State agencies or public utilities, as appropriate.

Expenditure amounted to €14.14 million in 2002 and €8.613 million in 2003 which, it is estimated, secured a further €21 million in related public and private expenditure in these areas which otherwise would have been bottom of the list for infrastructure investment. To date in 2004, more than €19 million has been allo-

cated to the counties in CLÁR under the various programme measures.

I launched the rural social scheme in May of this year. The aims of the scheme are to provide services of benefit to rural communities by harnessing the skills and talents available among low income farmers and fishermen and income support to low income farmers and fishermen who are in receipt of specified, primarily long-term, social welfare payments. I hosted a small food producers forum in Maynooth in November 2003 to support small food producers and those working with them. A number of topics were raised at this forum, including co-ordination between small food producers and statutory agencies, training bodies etc.; training and technical support; access to markets; food safety issues and testing, assessment and waste disposal; the regulatory environment; access to information; and product promotion, branding and accreditation. The European Commissioner for Health and Consumer Protection, Mr. David Byrne, spoke at the forum.

My Department is financially supporting the appointment of a small food producers co-ordinator, working with Comhar LEADER na hÉireann, who will endeavour to tackle the barriers inhibiting small food producers, ranging from the scale of the enterprise, access to funding and distribution, marketing and promotion as well as the provision of skills training and the regulatory environment.

I established Comhairle na Tuaithe in February 2004. It includes representatives of farmer, recreational users, tourism marketing bodies and other interested groups. Comhairle na Tuaithe is working on conflict resolution on access to the countryside, the development of a countryside code and a countryside recreation strategy. A national conference organised by Comhairle na Tuaithe will take place on 19 November.

I have initiated a review of enterprise support in rural areas in conjunction with the Ministers for Enterprise, Trade and Employment and Arts, Sport and Tourism.

My Department is responsible for the implementation of the LEADER programmes, the rural social scheme, the rural development aspects of the cross-Border programmes, PEACE and INTERREG and the farm relief services measure of the national development plan. The rural measures under these programmes promote the development of rural areas and strengthen the rural communities within them.

LEADER is the European Community initiative for rural development, which provides approved local action groups with public funding — EU and domestic — to implement multisectoral business plans for the develop-

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ment of their own areas. In accordance with the bottom-up philosophy of rural development, the local LEADER group is the decision-making authority in relation to approving actions falling within its business plan. The approval of grants by groups is made within detailed operating rules drawn up by the Department and approved by the European Commission. LEADER is being delivered in two ways during the current Structural Fund period 2000 to 2006: the EU Initiative, LEADER +, and the area based rural development programme — LEADER — funded under the Border, midland and west and southern and eastern regional operational programmes. Public co-funding of these programmes, amounting to €150 million, has been allocated to the new LEADER programmes over the period.

I am also supporting a number of pilot projects from my Department's rural development fund to regenerate particularly disadvantaged rural areas through a variety of community initiatives. Payments totalling €266,000 have been paid to these projects to date in 2004.

The cross-Border rural development measures of the PEACE II programme aim to promote agriculture and rural development co-operation in the Border area. The rural initiative measure of the INTERREG Ireland-Northern Ireland programme is aimed at encouraging rural businesses and communities to engage in the development of their area. Financial support is also provided to rural communities under the INTERREG Ireland-Wales programme for rural development and diversification activities within the programme's eligible area.

My Department also provides funding to the farm relief services measure of the national development plan. The funding is primarily aimed at training of farm relief operatives and staff with smaller elements for infrastructure and research and development. Funding of €42.144 million is available for the local development and social inclusion programme in 2004. This programme operates in both rural and urban areas and aims to counter disadvantage and promote equality and social and economic inclusion through the provision of funding and support to local partnerships and community groups.

My Department also supports, on a multi-annual basis, 47 locally-based projects, which are involved in anti-poverty and social inclusion initiatives in rural communities. This support is provided by way of core funding through the community development programme. Projects funded under the programme provide support to disadvantaged communities geared towards improving their capacity to benefit from economic and social development.

The Department will spend up to €10.5 million in 2004 on the development of capital infrastructure on the islands. In addition, a total of €2.5 million will be spent on providing essential transport services between the islands and the mainland. In addition to current funding of €10.193 million, capital funding of €22 million has been made available to Údarás na Gaeltachta in 2004 to enable it to achieve its objectives of developing the economy of the Gaeltacht and encouraging the preservation and extension of the Irish language in the Gaeltacht. An tÚdarás also promotes and supports community development and pursues a range of language and cultural activities involving individuals, community groups and industries throughout the Gaeltacht.

#### **Proposed Legislation.**

124. **Ms Lynch** asked the Minister for Community, Rural and Gaeltacht Affairs his views on whether the best estimate for a publication date for the draft legislation on charities remains the end of 2005; the likely content of such legislation; and if he will make a statement on the matter. [27965/04]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern):** The current best estimate publication date for the draft legislation on charities regulation is the end of 2005. The most up-to-date information on progress is always available on the charities regulation web page of my Department's website at [http://www.pobail.ie/en/Charities\\_Regulation/](http://www.pobail.ie/en/Charities_Regulation/). The content of the draft legislation is likely to reflect the proposals contained in the Government approved consultation paper on establishing a modern statutory framework for charities, which received a broad overall endorsement in the public consultation earlier this year. The draft legislation will be substantial, given that, as signalled in the consultation paper, it will involve statute law revision and restatement in addition to the new legislative provisions to regulate the charities sector.

#### **Irish Language.**

125. **Mr. Broughan** asked the Minister for Community, Rural and Gaeltacht Affairs the efforts he is making to ensure language clauses are included in planning permissions granted by local authorities for housing developments in Gaeltacht areas; the action he can take against local authorities which do not include such language clauses for housing developments in Gaeltacht areas; his views on whether the failure to include language clauses in planning permissions granted for housing developments in Gaeltacht areas represents a threat to the survival of the Irish language in these areas; and if he will make a statement on the matter. [27981/04]



**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** Planning permission is a matter for the local authorities that have responsibility for Gaeltacht areas or An Bord Pleanála on appeal, in accordance with the Planning and Development Act 2000. This Act outlines the need to protect the linguistic and cultural heritage of the Gaeltacht, including the promotion of Irish as the community language. It is essential that all State agencies function in a manner that supports the Irish language in the Gaeltacht in every way.

#### **Decentralisation Programme.**

126. **Mr. Quinn** asked the Minister for Community, Rural and Gaeltacht Affairs the situation with regard to the decentralisation of Foras na Gaeilge to County Donegal; and if he will make a statement on the matter. [27974/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** The relocation of Foras na Gaeilge staff is subject to the agreement of the North-South Ministerial Council. Discussions in this regard are ongoing and I met Minister Angela Smith in May last to discuss this matter among a range of issues. My Department is preparing documents for submission to the authorities in the North and I hope this will be done in the near future.

#### **Irish Language.**

127. **Ms Burton** asked the Minister for Community, Rural and Gaeltacht Affairs if he has met officials of the Department of the Environment, Heritage and Local Government to discuss the workings of their new advisory group to encourage and promote the use of Irish in local authorities; if his Department will play a supplementary role in promoting the use of Irish in local authorities; and if he will make a statement on the matter. [27983/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** My Department is represented on the new local authority advisory group and participated in the work of the first meeting of the group on 20 October 2004. I welcome the establishment of the working group and look forward to fruitful co-operation between it and my Department. I have no doubt that the group can exert a positive influence with regard to the promotion of the language within the local authority sector. This work will compliment the role of my Department under the Official Languages Act 2003.

My Department has been asked to make a presentation to the group at a future meeting on the Official Languages Act 2003 and its implications for local authorities. As the Deputy may be aware, four local authorities — Donegal, Galway, Kerry and Waterford County Councils

— are in the process of drafting schemes under the Act.

#### **Telecommunications Services.**

128. **Mr. Boyle** asked the Minister for Community, Rural and Gaeltacht Affairs if he will elaborate on remarks of his made at the launch of a scheme (details supplied). [28012/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** I am always anxious to facilitate Deputies with detailed replies to questions. I touched on the following issues at the launch: the telephone system in Connemara in the 1970s and 1980s; the Border, midland and west broadband scheme; the desirability of community involvement in development; the CLÁR broadband scheme; the benefits of broadband to rural areas; and replies to questions from the media regarding broadband in schools. The Deputy will appreciate, against the background of this range of subjects, that it is not practicable to make further comment in the absence of him specifying the topic in which he has an interest.

*Question No. 129 answered with Question No. 79.*

*Question No. 130 answered with Question No. 122.*

*Question No. 131 answered with Question No. 84.*

#### **An Teanga Ghaeilge.**

132. D'fhiafraigh **Dr. Upton** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cén plan atá aige díospóireacht náisiúnta a spreagadh ar cheist na Gaeilge; agus an ndéanfaidh sé ráiteas ina leith. [27963/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** Dírím aird an Teachta ar an bhfreagra a thug mé ar Cheisteanna Uimh. 79 agus 129 maidir le Fóram na Gaeilge. Bheadh súil agam go dtarlódh de bharr obair an fhórait — go háirithe maidir le plan a réiteach a bheadh dírithe ar chothú agus ar chaomhnú na teanga sa Stáit agus a chlúdódh réimse leathan tosaíochtaí i leith na Gaeilge — go spreagfar tuilleadh suime sa phobal maidir leis an teanga, rud a chabhródh le díospóireacht náisiúnta faoi cheist na Gaeilge.

#### **Proposed Legislation.**

133. **Mr. Costello** asked the Taoiseach if he will consider amending the Prosecution of Offences Act 1974 to require the DPP to respond to requests for an explanation when decisions not to prosecute or to prosecute in a particular way are queried by persons affected by the decisions; and if he will make a statement on the matter. [27803/04]



**The Taoiseach:** There are no proposals to initiate legislation to amend the Prosecution of Offences Act 1974, as suggested by the Deputy.

### Health Board Services.

134. **Ms O. Mitchell** asked the Tánaiste and Minister for Health and Children the services which are planned for autistic children who are coming towards 18 years of age and who require an adult service within the ERHA area; and if his attention has been drawn to the serious deficiency in services. [27741/04]

**Minister of State at the Department of Health and Children (Mr. T. O'Malley):** Responsibility for the provision of services for persons with an intellectual disability and those with autism in the Eastern Regional Health Authority is a matter, in the first instance, for that authority. My Department has asked the regional chief executive of the authority to investigate the matter raised by the Deputy and reply directly to her.

### Hospital Services.

135. **Ms O. Mitchell** asked the Tánaiste and Minister for Health and Children the immediate measures which are being taken at the Beaumont Hospital dialysis unit on foot of the report which fails to identify the source of new infection of a dialysis patient with hepatitis C; when funding will be made available for the planned new unit; and when the unit will be operational. [27742/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** Services at Beaumont Hospital are provided under an arrangement with the Eastern Regional Health Authority and my Department has, therefore, asked the regional chief executive of the authority to examine this issue and to reply to the Deputy directly.

### Mental Health Services.

136. **Ms O. Mitchell** asked the Tánaiste and Minister for Health and Children the number of specialist beds available in each of the health board areas to treat patients suffering from eating disorders; and if her attention has been drawn to the under capacity to treat or respond in a timely fashion to patients, particularly young patients, presenting with this problem. [27743/04]

**Minister of State at the Department of Health and Children (Mr. T. O'Malley):** As part of a comprehensive community oriented psychiatric service, persons presenting with eating disorders are generally treated in their own health board area. Where inpatient treatment is deemed necessary, it is provided in child and adolescent psychiatric inpatient units or the local acute psychiatric unit or hospital. Outpatient services are provided from hospitals, health centres, day hospitals and day centres. In addition, a tertiary referral service

for eating disorders is available in St. Vincent's Hospital, Elm Park, Dublin, where three inpatient beds are designated for this purpose. A similar service is available privately at St. Patrick's Hospital, James's Street, Dublin 8, and at St. John of God Hospital, Stillorgan, County Dublin.

At present, psychiatric inpatient services for children and adolescents under 16 years of age are provided in Warrenstown House, Dublin, and St. Anne's, Taylors Hill, in Galway. Project teams have been established to progress the development of new child and adolescent inpatient psychiatric units in Cork, Galway, Limerick and at St. Vincent's Hospital, Fairview, in the Eastern Regional Health Authority area. Approval was recently given by the Department of Health and Children to the relevant health board to proceed with the selection of a design team for the proposed units in Cork, Galway and Limerick. It is envisaged that the focus of these centres will be the assessment and treatment of psychiatric, emotional or family disorders, including eating disorders, using a combination of family systemic, individual psycho-dynamic and medical model perspectives.

The internationally acknowledged best practice for the provision of child and adolescent psychiatric services is through the multi-disciplinary team. Since 1997, additional funding of almost €19 million has been provided to allow for the appointment of additional consultants in child and adolescent psychiatry, for the enhancement of existing consultant led multidisciplinary teams and towards the establishment of further teams. This has resulted in the funding of a further 19 child and adolescent consultant psychiatrists. Nationally, there are now 52 such psychiatrists employed.

An expert group on mental health policy is preparing a national policy framework for the further modernisation of the mental health services, updating the 1984 policy document, Planning for the Future. The future direction and delivery of all aspects of our mental health services, including those services for persons with an eating disorder, will be considered in the context of the work of the group. It is expected that the expert group will report in 2005.

### Hospital Accommodation.

137. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children if she has sanctioned the funding for 19 additional beds in Wexford General Hospital; and if she will make a statement on the matter. [27744/04]

138. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children when she will sanction the funding for 19 additional beds in Wexford General Hospital; and if she will make a statement on the matter. [27745/04]

140. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children the reason sanction has not yet been given for the funding for 19 additional beds in Wexford General Hospital; and if she will make a statement on the matter. [27747/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** I propose to take Questions Nos. 137, 138 and 140 together.

My Department accepts the need for an additional 19 inpatient beds at Wexford General Hospital. It is hoped to progress this development in the context of the health capital investment framework 2004-08 in line with overall funding resources available under the framework.

139. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children if consideration will be given to utilising the facilities under proper medical supervision at Ely Hospital, Wexford town, to address the chronic overcrowding at Wexford General Hospital; and if she will make a statement on the matter. [27746/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** Responsibility for the provision of health services in County Wexford is, in the first instance, a matter for the South Eastern Health Board. My Department has, therefore, asked the chief executive officer of the South Eastern Health Board to reply to the Deputy directly about the issue raised.

*Question No. 140 answered with Question No. 137.*

#### **Organ Retention.**

141. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children the position regarding matters raised by a person (details supplied) in County Waterford; and if she will make a statement on the matter. [27756/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** The terms of reference of the post mortem inquiry require it to review post mortem policy, practice and procedure in all hospitals in the State since 1970, with particular reference to organ removal, retention, storage and disposal. The inquiry is also mandated to examine any arrangements with pharmaceutical companies regarding retained organs, including pituitary glands.

The chairman has confirmed that the inquiry has received considerable co-operation from each of the hospitals with which it is dealing and that the inquiry's non-statutory nature has not thus far significantly hampered its substantive work. The chairman has indicated that she will provide a report on paediatric hospitals in December 2004. There are ongoing consultations with the inquiry about the other elements of its remit, having

regard to the Government decision that the inquiry should conclude by 31 March next.

Pending receipt of the chairman's report, it would be inappropriate for me to comment on the actions of specific pharmaceutical companies. I am advised that individual hospitals have adopted differing policies on the question of contacting next of kin of deceased persons whose organs were retained.

At the end of August 2004, the inquiry had incurred direct expenditure of €11,577,610. This includes fees to the inquiry's legal team and costs associated with the establishment and rental or administration of the inquiry office. My Department has also provided funding to the Eastern Regional Health Authority and Parents for Justice in respect of inquiry — related expenditure amounting to €6,780,424. This brings the total expenditure relating to the inquiry to the end of August 2004 to €18.358 million.

The persons who wrote to the Deputy may wish to make contact with the relevant hospital for further details about the particular post mortem that affects them.

#### **Departmental Properties.**

142. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children further to Question No. 920 of 30 September 2003, if her Department or the South Eastern Health Board carried out a feasibility study of the lands and building at Myshall, County Carlow; if the study is available; if so, the location of same; the action that has been taken or will be taken arising from the study; the cost of the study; and if she will make a statement on the matter. [27758/04]

143. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if plans are available setting out the proposed use for a property at Myshall, County Carlow; if services for persons with autism will be located here; if the plan is costed; if so the total cost involved; the cost of maintaining the property to date; the cost of security for the property to date; her views on the unacceptable length of time it is taking to deal with this matter; and if she will make a statement on the matter. [27759/04]

**Minister of State at the Department of Health and Children (Mr. T. O'Malley):** I propose to take Questions Nos. 142 and 143 together.

It is my Department's understanding from correspondence recently received from the health board that the board has not fully completed its study on the potential use of the property at Myshall, County Carlow. The responsibility for the provision of security at Myshall rested with my Department from September 2002 to December 2002. During that period the total cost of the security to my Department was €18,606.36. Since January 2003, it has been the responsibility

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of the South Eastern Health Board. My Department has asked the chief executive officer of the health board to reply directly to the Deputy on the matter.

#### **Health Board Services.**

144. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the outcome of an assessment which was recently carried out on a person (details supplied) in County Mayo. [27769/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** The provision of health services in County Mayo is, in the first instance, the responsibility of the Western Health Board. My Department has, therefore, asked the chief executive officer of the board to investigate the issue raised by the Deputy and reply direct to him as a matter of urgency.

#### **Hospital Services.**

145. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the number of persons in County Mayo who are receiving dialysis in the Galway hospitals on a weekly basis; and the number who are receiving dialysis in Sligo General Hospital on a weekly basis. [27770/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** The provision of hospital services for people living in County Mayo is a matter for the Western Health Board. My Department has asked the chief executive officer of the board to investigate the position on the matter raised and to reply directly to the Deputy.

#### **Departmental Properties.**

146. **Ms McManus** asked the Tánaiste and Minister for Health and Children if she or the health boards have proposals to sell lands, properties or facilities between now and the coming into force of the new Health Service Executive; the nature of each proposal and its location; if such sales have taken place to date in 2004; and if she will make a statement on the matter. [27779/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** Following requests from my Department earlier this year, health boards have provided some information regarding plans or proposals to dispose of lands and properties between now and the coming into force of the new Health Service Executive. These proposals largely relate to a number of small holdings of lands and property which are deemed to be surplus to requirements and would, therefore, be appropriate for disposal. In this context, I have asked my Department to provide the Deputy

with the details of the more significant proposals being considered.

Following the enactment of the Health (Amendment) Act 2004, my consent is now required before health boards can sell or otherwise dispose of lands. I can confirm that since these proposals have not yet materialised in the form of actual transactions to dispose of the lands in question, I have not to date provided my consent to such proposals.

I am concerned that the proceeds from the sale of any particular land or properties in the health area will be applied and used for health purposes, with the exception of contributions of lands to the social and affordable housing initiatives. I am also concerned that we now establish the extent of the total surplus land and properties available in the health service. In that context, it will be necessary to carry out a professional assessment/evaluation of the entire health estate in the near future.

#### **National Treatment Purchase Fund.**

147. **Mr. J. O'Keeffe** asked the Tánaiste and Minister for Health and Children if the terms on which the national treatment purchase fund operates can be expanded to include orthopaedic outpatient facilities for those who are unable in the short to medium term to obtain an appointment with a consultant to be assessed, in order that they can be put on a waiting list for an operation. [27781/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** In accordance with health strategy objectives, the Government's immediate focus is on the reduction of waiting lists and waiting times for inpatient and day case treatments in acute hospitals. This is being facilitated by the national treatment purchase fund, NTPF.

Responsibility for the management and monitoring of patients waiting for outpatient appointments rests with the individual hospitals and health boards concerned. It is a matter for each hospital to prioritise its services based on patient need and use its available resources to best effect to ensure that patient services are delivered efficiently and effectively. The issue of expanding the remit of the NTPF to include outpatient waiting lists will be kept under review.

#### **Hospital Services.**

148. **Mr. Crowe** asked the Tánaiste and Minister for Health and Children if, in view of the crisis in the accident and emergency services in Dublin city, she will consider re-opening the old hospitals such as the old Meath, Richmond, Sir Patrick Dunne's, Adelaide and so on, which could function as accident and emergency facilities. [27783/04]



**Tánaiste and Minister for Health and Children (Ms Harney):** Responsibility for the provision of health services, including accident and emergency services, to persons residing in counties Dublin, Kildare and Wicklow rests with the Eastern Regional Health Authority. My Department has, therefore, asked the regional chief executive of the authority to investigate the issues raised by the Deputy and to reply to him directly.

Many of the difficulties and delays experienced in emergency medicine departments reflect system-wide issues. It is, therefore, necessary to take a whole system approach, involving primary care, acute care, sub-acute and community care, in tackling the problems in emergency medicine departments. I am currently identifying the particular pressure points within the health system that affect the efficient delivery of emergency services. I intend to ensure that the most pressing problems are addressed as a matter of urgency and, in the context of the upcoming Estimates, I intend to introduce a wide ranging package of measures that will address these problems.

#### **Community Care.**

149. **Mr. O'Donovan** asked the Tánaiste and Minister for Health and Children the position regarding the proposal by Cork County Council for a convalescent and day care centre for Bantry, County Cork, under the national development plan; if land has been purchased for this purpose; if her Department has invited tenders for the new project; if it is envisaged that this project will be built by public private partnerships; and if she will make a statement on the matter. [27806/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** I assume the Deputy is referring to the proposed public private partnership, PPP, project in the Southern Health Board. The project is for eight 50-bed community nursing units, CNUs, and one of these units will be located on a site adjacent to Bantry General Hospital, which is in the ownership of the Southern Health Board. The CNU will provide respite, convalescence, long stay and rehabilitation services to elderly patients in the area. It is not intended to provide a day care centre as part of this development. It is a priority to increase the availability of community nursing and other units that would meet the needs of people who need care that could not be adequately provided at home.

There have been discussions between my Department and the Department of Finance in the development of this PPP scheme, as is normal and entirely appropriate with a PPP project. As PPPs are complex schemes, it is important to have a clear view of the benefits that will accrue given the complexity of the PPP contracting structure. The work that has been done so far has helped to clarify a number of issues. I intend to examine this project in detail very soon. The put-

ting in place of a large number of nursing units will greatly help people make the transition from an acute hospital setting to care matched to their needs.

#### **Health Board Services.**

150. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children the assistance available for a person (details supplied) in County Wexford now that the South Eastern Health Board has reduced their home help hours; and if she will make a statement on the matter. [27811/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** The provision of home help services, and any matters relating to such provision within its functional area, is a matter for the relevant health board or the Eastern Regional Health Authority, ERHA. In the case of County Wexford this responsibility lies with the South Eastern Health Board. In the circumstances, my Department has requested the chief executive officer of the South Eastern Health Board to reply direct to the Deputy.

151. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the reason the dentist at Beaumont Hospital, Dublin 9 was not replaced; and the position regarding dental services at the hospital. [27816/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** The management of dental services in the Eastern Regional Health Authority area is the statutory responsibility of the regional chief executive. My Department has, therefore, asked the regional chief executive to investigate the matter raised by the Deputy and to reply to him directly.

152. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the reason there was no response from the North Western Health Board to a query in the case of a person (details supplied); the reason no real attempt was made to resolve this issue at a local level; and if she will make a statement on the matter. [27818/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** Responsibility for the matters raised by the Deputy rests in this instance with the North Western Health Board. My Department has, therefore, asked the chief executive officer to investigate these matters and to reply to the Deputy directly.

#### **Children in Care.**

153. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in Dublin 17 was placed



[Mr. F. McGrath.]  
in care; and if she will make a statement on the matter. [27819/04]

**Minister of State at the Department of Health and Children (Mr. B. Lenihan):** Responsibility for the matter referred to by the Deputy rests with the Northern Area Health Board and Eastern Regional Health Authority. Accordingly, my Department has asked the chief executive officer of the authority to reply directly to the Deputy.

#### Medical Cards.

154. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children, further to Question No. 123 of 28 October 2004 regarding inappropriate database entries, if she will provide a breakdown of the numbers deleted in each category or reason in the Southern Health Board area since 2003. [27835/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** Information provided from the Southern Health Board shows that there were 32,593 deletions from the board's medical card database from 1 January 2003 to date. The board has advised that the majority of these, 20,215, relate to clients who failed to reapply when a review of their eligibility was due and can be attributed to an increase in the number of people in employment and the improved economic situation nationally. The following is a detailed breakdown of the numbers of deletions across the various categories during this period.

Category of deletion	Number
Failed to return Review Form	20,215
Refused (Over Scale)	1,093
Deceased	6,869
Left Area	2,532
Long Stay Institution	684
Now Married	22
Registered Twice (other number remaining)	592
Did not reply to request for further information	298
Refused to Disclose Information	2
Students — Parents do not have a medical card	114
Students — Studying in an outside area	10
Over 16	1
Others	156
Parents hold a card on medical grounds	4
Means Other	1
Total	32,593

#### Hospital Services.

155. **Mr. Ferris** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Kerry will be given an appointment for an operation to remove cataracts. [27849/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** The provision of hospital services for people living in County Kerry is a matter for the Southern Health Board. My Department has, therefore, asked the chief executive officer of the board to investigate the position in this case and to reply directly to the Deputy.

#### Services for People with Disabilities.

156. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children the reason therapeutic services have not been provided for the unit for children with autism at a school (details supplied) in County Kildare; and if the services will be provided without further delay. [27869/04]

**Minister of State at the Department of Health and Children (Mr. T. O'Malley):** Responsibility for the provision of services, including therapeutic services to persons with an intellectual disability and those with autism, in the Kildare area is a matter, in the first instance, for the Eastern Regional Health Authority. My Department has, therefore, asked the regional chief executive of the authority to investigate the matter raised by the Deputy and reply directly to him.

#### Inter-Country Adoptions.

157. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children her plans to reduce the huge inter-country adoption assessment waiting lists that have built up in the various health board regions; and if she will consider the short-term temporary re-allocation of social workers from other duties to reduce the assessment waiting lists. [27870/04]

158. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children her views on whether the maintenance of a near two-year delay for adoption assessment constitutes a denial of the constitutional rights of Irish citizens who seek such assessment. [27871/04]

159. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children if she will consider introducing an optional charge of €1,000 per inter-country adoption application, to raise moneys for the sole purpose of employing extra social workers to clear the waiting list. [27872/04]

160. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children if she plans to significantly increase funding to health boards for the purpose of reducing the near two-year waiting time for initial assessment of couples' suitability for inter-country adoption; if she will consider amending adoption legislation in order that qualified persons who are employed by organisations other than health boards and registered adoption agencies may conduct the necessary assessment. [27883/04]

**Minister of State at the Department of Health and Children (Mr. B. Lenihan):** I propose to take Questions Nos. 157 to 160, inclusive, together.

Applications for inter-country adoption are processed by health boards under the Adoption Acts 1952-1998. The length of time it takes to complete the necessary assessment and the allocation of resources within the health board is a matter for the management of each individual health board. However, I have asked the Adoption Board to identify practical measures to tackle the waiting lists for inter-country assessments and it is examining this.

#### **Departmental Properties.**

161. **Ms McManus** asked the Tánaiste and Minister for Health and Children her plans for the sale of lands at Newcastle Hospital in County Wicklow in view of the announcement of the intention to sell off lands at a number of psychiatric institutions; if she has carried out an assessment on this; the extent of land; the planning consideration taken into account; the details of the consultation with the local community; and if she will make a statement on the matter. [27891/04]

**Minister of State at the Department of Health and Children (Mr. T. O'Malley):** Earlier this year, my Department requested health boards to provide it with detailed schedules of all proposals regarding planned disposal of property. The sale of assets in the health area will be used for health purposes, with the exception of a contribution towards social and affordable housing.

The information received from the health boards in response to this request is being examined at present. Among the matters to be considered in this context is the fulfilment of my Department's obligations in respect of the provision of lands for affordable housing. I believe it would be inappropriate to provide further details in advance of the completion of this process. With regard to establishing the extent of the total surplus properties available to the health services, it will be necessary to carry out a professional assessment or evaluation of the entire health estate. This issue will be addressed by a group of senior officials in my Department in the near future.

With regard to Newcastle Hospital, I am informed by the East Coast Area Health Board that consideration is being given to the development of a number of new health service facilities on the lands of Newcastle Hospital. Technical staff have been asked to formulate an overall development plan for the site. Subsequent to the production of this overall plan, the question of residual property will be reviewed in the context of health services priorities for the region.

#### **Health Board Services.**

162. **Mr. Gilmore** asked the Tánaiste and Minister for Health and Children if she has responded to representations from this Deputy concerning a person (details supplied) in County Dublin; and if she will make a statement on the matter. [27914/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** My Department has written to the regional chief executive of the Eastern Regional Health Authority requesting him to investigate the matter raised and to reply to the Deputy directly.

#### **Distribution of Iodine Tablets.**

163. **Mr. Gregory** asked the Tánaiste and Minister for Health and Children if there are plans to issue a supply of iodine tablets as were issued to every dwelling here in 2002 to the many new households existing in 2004; and the cost to the Exchequer of the initial distribution. [27915/04]

164. **Mr. Gregory** asked the Tánaiste and Minister for Health and Children if she has satisfied herself that iodine tablets issued to dwellings in 2002 are still retained by those households; if there is a risk to public health should these tablets be consumed in any quantity; and if she will make a statement on the matter. [27916/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** I propose to take Questions Nos. 163 and 164 together.

In 2002, as part of the national emergency plan for nuclear accidents, approximately 12.6 million iodine tablets were distributed by post to households nationwide. Each household received a packet containing six potassium iodate tablets BP85mg, which is sufficient to provide a single dose for each member of an average sized household.

The tablets were aluminium foil blister packed and sealed in a carton containing an information and instruction leaflet. Each carton delivered by An Post was in a sealed firm envelope labelled with appropriate warning statements and the name and address of the recipient. A public notice was placed in national newspapers at the time advising persons that these tablets were medicinal products and that they should be stored in a cool dry place, in their original sealed container and out of reach of children. While all medicines should be stored safely, I am advised that there is no significant risk from these tablets given that the average household will only hold one carton containing six tablets.

A further 1.6 million iodine tablets were distributed to health boards for persons who did not receive a supply of tablets or who did not receive a sufficient number of tablets via the postal distribution. Persons who do not have a supply of tab-

[Ms Harney.]  
lets for any reason should contact their local health board and arrange for the collection of the

tablets required. The following table sets out relevant contact details.

Health Board	
East Coast Area Health Board	Community Care Area 1, Dún Laoghaire — (01) 2365200 Community Care Area 2, Clonskeagh, D. 6 — (01) 2680300 Community Care Area 10, Wicklow Town — (0404) 68400
South Western Area Health Board	Dublin South City — (01) 6486500 Dublin South West — (01) 4154700 Dublin West — (01) 6206300 Kildare/West Wicklow — (045) 876001
Northern Area Health Board	Community Care Area 6, Rathdown Rd., D. 7 — (01) 8680444 Community Care Area 7, Richmond Rd., D. 3 — (01) 8575400 Community Care Area 8, Cromcastle Rd., D.5 — (01) 8164200
Midland Health Board	Athlone — (0902) 83101 Longford — (043) 50169 Mullingar — (044) 39191 Laois — (0502) 21135 Offaly — (0506) 41301
Mid-Western Health Board	Community Care Area — Tipperary North — (067) 31212 Community Care Area — Clare — (065) 6828525 Community Care Area — Limerick — (061) 483712
North Eastern Health Board	(046) 9079483 (046) 9023333
North Western Health Board	Sligo Area — (071) 9155100 Donegal Area — (074) 9189118 Leitrim — (071) 9650319
South Eastern Health Board	(056) 7784164 (056) 7784114
Southern Health Board	Cork City — (021) 4923133 North Cork — (022) 31855 West Cork — (028) 40413 Kerry — (066) 7184516
Western Health Board	Galway Area — (091) 523122 Roscommon Area — (090) 6626518 Mayo Area — (094) 9022333

The Eastern Regional Health Authority, which managed this contract, has indicated that the cost of purchase and distribution of iodine tablets in 2002 was approximately €2.2 million. My Department is considering what further steps may be necessary regarding the use of iodine tablets as a counter-measure under the national emergency plan for nuclear accidents.

#### Health Board Services.

165. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if she will investigate the reply given to Question No. 811 of 29 September 2004 in view of the fact that the assessment quoted was undertaken two years ago and the parents' preferred option has not been

acted on to date; if a decision will be expedited and action taken in the case. [27937/04]

**Minister of State at the Department of Health and Children (Mr. T. O'Malley):** My Department has again made inquiries of the relevant health board in respect of this matter. The health board has informed my officials that the preferred option referred to by the Deputy in his question is a matter for my colleague, the Minister for Education and Science, and therefore does not come within my remit. My Department has been in touch with the Department of Education and Science and understands that it will contact the Deputy concerning this matter.

#### Medical Cards.

166. **Ms Cooper-Flynn** asked the Tánaiste and

Minister for Health and Children the number of the 8,319 persons who lost a medical card in County Mayo between 1997 and October 2004 due to the medical cardholder being deceased or due to a duplicate entry; and if she will make a statement on the matter. [27942/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** Information from the Western Health Board indicates that of the 8,319 deletions from medical card databases for County Mayo from 1 January 1997 to 31 October 2004, 8,047 were due to deletion of deceased cardholders while 272 were for other reasons, including duplication.

The Government is fully committed to the extension of medical card coverage as set out in the programme for Government. This will focus on people on low incomes. The timing of the introduction of the extension will be decided having regard to the prevailing budgetary position.

#### Health Board Services.

167. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if a person (details supplied) in County Kildare qualifies for home help; and if she will make a statement on the matter. [28007/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** The provision of health services in the Kildare area is, in the first instance, the responsibility of the South Western Area Health Board acting under the aegis of the Eastern Regional Health Authority. My Department has, therefore, asked the chief executive of the authority to investigate the matter raised by the Deputy and reply direct to him as a matter of urgency.

#### Nursing Home Subventions.

168. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if health boards pay nursing home subvention in arrears of up to two months; if her attention has been drawn to the fact that this causes difficulty for nursing homes and relatives of patients; and if she will make a statement on the matter. [28008/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** I have had inquiries made from the health boards and the Eastern Regional Health Authority and have been informed that arrangements for payment are made for services provided when the board or authority receives the invoice, provided details are in order. This is done in a timely fashion and the boards or authority are not aware of any difficulties arising from late payments. If, however, the Deputy has a specific case in mind, he should take this up with the appropriate health board.

#### Mental Health Services.

169. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children if she will consider

transferring a person (details supplied) to a suitable place nearer to their family home upon the closure of St. Ita's Hospital in Portrane, County Dublin; and if she will make a statement on the matter. [28022/04]

170. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children the location at which a person (details supplied) will be transferred upon the closure of St. Ita's Hospital in Portrane, County Dublin; and if she will make a statement on the matter. [28023/04]

**Minister of State at the Department of Health and Children (Mr. T. O'Malley):** I propose to take Questions Nos. 169 and 170 together.

One of the key priorities of my Department is to progress as quickly as possible the development of purpose built residential and day facilities on the campus referred to by the Deputy. The suitability of the person referred to by the Deputy for transfer to an alternative facility would be a decision taken by her medical team in consultation with the relevant health board.

#### Medical Cards.

171. **Mr. English** asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in County Meath is still waiting for a medical card; the reason, in an emergency situation such as this, it was not given priority and fast-tracked through the system; if her attention has been drawn to the undue and unnecessary stress this is causing to the person and their family; and if she will make a statement on the matter. [28074/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** Responsibility for the provision of a medical card is, by legislation, a matter for the chief executive officer of the relevant health board or authority. My Department has, therefore, asked the chief executive officer of the North Eastern Health Board to investigate the matter raised by the Deputy and to reply to him directly.

#### Hospital Waiting Lists.

172. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Wexford will receive an appointment in the orthopaedic department of Waterford Regional Hospital; and if she will make a statement on the matter. [28075/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** Responsibility for the provision of services for residents of County Wexford is, in the first instance, a matter for the South Eastern Health Board. My Department has, therefore, asked the chief executive officer of the South Eastern Health Board to investigate the matter and reply to the Deputy directly.

#### Alcohol Abuse.

173. **Mr. Perry** asked the Tánaiste and Minister



[Mr. Perry.]

for Health and Children if her attention has been drawn to the fact that the north-west alcohol forum, which includes representatives from various State agencies, community groups, voluntary agencies and commercial interests, has offered Sligo, Leitrim and Donegal as a pilot area to implement an action programme on alcohol abuse and misuse; if her attention has further been drawn to the fact that the forum, sponsored by the health board, published a report on a number of recommendations, ranging from health initiatives to education legislation and community action; the progress made; if she will commit to the mandate; and if she will make a statement on the matter. [28076/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** I am familiar with the work carried out by the north-west alcohol forum and I welcome its recent report. The pilot project proposed by the forum will be considered as part of the implementation of the recommendations of the reports of the strategic task force on alcohol.

#### Health Board Services.

174. **Mr. Deasy** asked the Tánaiste and Minister for Health and Children if the South Eastern Health Board has sought funding under the national development plan for the provision of new accommodation at Mary Street, Dungarvan, County Waterford, to replace the present archaic community welfare office; and if she will make a statement on the matter. [28086/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** My Department has not received a proposal from the South Eastern Health Board for the provision of new accommodation at the community welfare office in Dungarvan. The question of providing new community care facilities in Dungarvan would, in the first instance, be a matter for the South Eastern Health Board.

#### Training of Health Professionals.

175. **Mr. Fleming** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the changes (details supplied) that were made to the terms and conditions of the training programme for persons who recently commenced the three-year doctorate programme in clinical psychology at Trinity College, Dublin; if she will reverse these changes as urgently as possible; and if she will make a statement on the matter. [28087/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** A bursary model for supporting postgraduate clinical psychology training was adopted to underpin the implementation of a key recommendation of the union-management joint review group on psychological services in the health services to substantially increase the number of training places in clinical psychology from 30 to 50 and support the establishment of

new courses at the National University of Ireland, Galway, and the University of Limerick. This increase in training places will help meet the long-term human resource needs of the health service for clinical psychologists and is, therefore, of significant benefit to those who need to avail of psychological services. The bursary model is also intended to secure the best return on the significant resources invested in the training of clinical psychologists.

The terms of the bursary model were agreed jointly by my Department with the health boards' directors of human resources group in August 2003. It assists students undertaking postgraduate training in clinical psychology by providing each student with an untaxed bursary payment of €18,000 per annum, along with an annual contribution towards fees of €6,000 for the three years of the course, that is, a total contribution of €24,000 per annum. I understand this level of financial support compares favourably to that available to postgraduate students generally.

In the absence of a national plan for postgraduate clinical psychology training, some students were previously employed as trainee clinical psychologists on a salary scale with a multiplicity of arrangements in place to fund course fees ranging from the deduction of fees from the pre-tax salary to payment of full fees. These arrangements were put in place at a time when the limited number of training places severely restricted access to postgraduate courses in clinical psychology. The introduction of the bursary model is, therefore, facilitating a substantial improvement in access to training through the development of new courses to the benefit of prospective students. It is also intended to contribute to a significant improvement in the volume of psychological services provided to the public by training the increased personnel required to reduce the current high level of vacancies for clinical psychologists in the health service.

The Deputy may wish to note that discussions have taken place with representatives of the IMPACT national vocational group and the professional body regarding the introduction of the new model. However, it has not proved possible to reach agreement and, following a conciliation conference held by the Labour Relations Commission, the matter has now been referred to the Labour Court.

#### Departmental Staff.

176. **Mr. R. Bruton** asked the Tánaiste and Minister for Health and Children the number of nurses who are employed in the health service on permanent contracts and the number who are employed on temporary contracts; the criteria for issuing permanent postings; if she has satisfied herself that high reliance on temporary posting is satisfactory either from the point of view of health delivery or from the point of view of offering nurses a secure career path; and if she will make a statement on the matter. [28090/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** Information is provided by the health boards or Eastern Regional Health Authority on a quarterly basis for the health service

	A	B	C	D	E	F	G
Total WTE excl. career break	WTE Permanent	WTE Job-Sharing Permanent	WTE Temporary	WTE Part-time	WTE Sessional	WTE Training	WTE Locum
33,969	22,588	2,383	4,313	2,062	1,035	1,012	576

*Note:* Columns A and B are permanent employees. Column C are temporary employees. A breakdown between permanent and temporary is not available for columns D to G.

The chief executive officer of each health board or authority is responsible for the management of the workforce in his or her region, including decisions on the type of contract, permanent or temporary, under which staff are employed.

Temporary nurses have always been a feature of the health service and the employment of such qualified staff is not considered detrimental to service delivery. There are a number of reasons that some nurses are employed on a temporary basis in the public health service. Temporary nurses may replace permanent nurses who are absent from their post while on career break, maternity leave, adoptive leave, parental leave and so forth; overseas nurses may initially be employed on temporary contracts; recent nursing graduates are usually employed in a temporary capacity for the first 12 months of employment; and some nurses choose to remain on temporary contracts rather than apply for permanent positions.

Temporary nurses are eligible to apply for permanent posts as they arise. The Protection of Employees (Fixed-Term Work) Act 2003 ensures that temporary employees are not treated less favourably than colleagues who have permanent appointments. The Act also provides that temporary employees in their fourth or subsequent year of continuous employment are in most cases entitled to permanent status.

#### Medical Cards.

177. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the way in which capital and interest are assessed by CWOs in deciding on the provision of medical cards; and if she will make a statement on the matter. [28102/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** Entitlement to health services in Ireland is primarily based on residency and means. Under the Health Act 1970, determination of eligibility for medical cards is the responsibility of the chief executive officer of the appropriate health board or authority other than for persons aged 70 years and over, who are automatically eligible for a medical card. Medical cards are issued to persons who, in the opinion of the chief executive officer, are unable to provide general practitioner medical and surgical services

personnel census. The following table provides a breakdown of the employment status of nurses on 30 June 2004.

for themselves and their dependants without undue hardship.

Income guidelines are drawn up each year by the health board or authority chief executive officers to assist in the determination of a person's eligibility for a medical card and these are revised annually in line with the consumer price index, CPI. The last such increase was notified in January 2004.

Health board or authority chief executive officers have discretion in issuing medical cards and a range of income sources are excluded by the health boards when assessing medical card eligibility. Despite someone having an income that exceeds the guidelines, a medical card may still be awarded if the chief executive officer considers that a person's medical needs or other circumstances would justify this. It is open to all persons to apply to the chief executive officer of the appropriate health board for health services if they are unable to provide these services for themselves or their dependants without hardship.

With regard to investment income and capital generally, health board staff take interest from savings and the amount of capital available into consideration in the assessment of means for a medical card, which is routinely carried out by a community welfare officer, CWO. Additionally the issue of the treatment of SSIA proceeds in the assessment of means for a medical card is under consideration with a view to ensuring that nobody is disadvantaged under the scheme. The chief executive officers of the boards-authority are reviewing numerous issues regarding the administration of the medical card scheme and I understand that their findings and recommendations will be available in the near future.

The Government is fully committed to the extension of medical card coverage as set out in the health strategy. This will focus on people on low incomes. The timing of the introduction of the extension will be decided having regard to the prevailing budgetary position. In line with the health strategy, my Department is committed to the preparation of new legislation to update and codify the legal framework for eligibility and entitlements in regard to health services.

#### Departmental Expenditure.

178. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if she has con-

[Mr. McGuinness.]  
sidered a report (details supplied) in the context of budget 2005 and the financial requirements of the report; if, in the context of this report, a company (details supplied) will obtain the funding it requires; and if she will make a statement on the matter. [28121/04]

**Minister of State at the Department of Health and Children (Mr. T. O'Malley):** The Deputy will appreciate that I cannot at this stage give specific commitments about levels of expenditure in 2005 for any particular service as these matters will be decided as part of the discussions on the Estimates and budget for the year between my Department and the Department of Finance.

#### **Child Care Services.**

179. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children, further to Question No. 918 of 29 September 2004, if the child care report has been finalised; if training issues for pre-school inspection staff will arise as a result of the requirements of the revised regulations; and if she will make a statement on the matter. [28162/04]

**Minister of State at the Department of Health and Children (Mr. B. Lenihan):** The report on the review of the Child Care (Pre-School Services) Regulations 1996 and amendment regulations of 1997 has not as yet been finalised. I understand that training issues for pre-school inspection staff which may arise as a result of the requirements of the revised regulations will be considered as part of the implementation of the revised regulations.

#### **Health Board Services.**

180. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in County Mayo has not received essential orthodontic treatment from the Western Health Board; and if she will make a statement on the matter. [28231/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** Responsibility for the provision of orthodontic treatment to eligible persons in County Mayo rests with the Western Health Board. My Department has asked the chief executive officer to investigate the matter raised by the Deputy and to reply to him directly.

#### **Tax Code.**

181. **Mr. F. McGrath** asked the Minister for Finance if he will review the incapacitated child allowance prior to budget 2005 and double the tax credit; and if he will make a statement on the matter. [27817/04]

**Minister for Finance (Mr. Cowen):** It has been the practice of successive Ministers for Finance not to comment on what may or may not be contained in upcoming budgets and I do not intend to depart from that approach.

182. **Mr. Ferris** asked the Minister for Finance the range of tax breaks and relief available to smaller operators in the tourism sector. [27840/04]

**Minister for Finance (Mr. Cowen):** I am advised by the Revenue Commissioners that there are no specific tax breaks or reliefs for smaller operators in the tourism sector. The general position is that expenses incurred wholly and exclusively for the purposes of a trade are deductible in arriving at taxable profits. Tax relief is available in the form of capital allowances for capital expenditure incurred on certain buildings, such as hotels, holiday cottages and holiday camps. Relief is also available for capital expenditure on plant and machinery used for the purposes of a trade. In addition, tax relief for certain tourist facilities is available under certain of the property-based incentive schemes and the business expansion and seed capital schemes.

Full details on the rural renewal, urban renewal and town renewal schemes, business expansion scheme, seed capital scheme and the relief for significant buildings are available from the Revenue Commissioners website at [www.revenue.ie](http://www.revenue.ie) in the "Leaflets and Guides" section.

#### **Departmental Properties.**

183. **Mr. McGuinness** asked the Minister for Finance the amount of rent paid to date for a green field at a location (details supplied) in County Kilkenny on foot of an agreement signed in March 2002; if he intends to withdraw from this agreement; if he intends to develop the field for use by a Department or to house asylum seekers; and if he will make a statement on the matter. [27924/04]

**Minister of State at the Department of Finance (Mr. Parlon):** The Commissioners of Public Works, acting on behalf of the Reception and Integration Agency, have paid rent to date of €490,643.52 for the site in question. This case is before the courts and is scheduled for mention on 30 November to allow time for formal correspondence between the parties about settlement proposals and to allow time for implementation of terms of settlement. In the circumstances, it would be inappropriate to comment further on the licence agreement at this stage.

#### **Financial Services Regulation.**

184. **Mr. Stagg** asked the Minister for Finance the action he intends to take regarding the endowment mortgage scandal as detailed in a television programme (details attached); and if he will make a statement on the matter. [27751/04]

**Minister for Finance (Mr. Cowen):** The Irish Financial Services Regulatory Authority, IFSRA, is studying the situation with regard to endowment loan shortfalls, having commenced a survey earlier this year, to determine whether and to what extent there will be difficulties for cus-



tomers. It would be inappropriate to reach any conclusions on this issue in advance of IFSRA's consideration of the outcome of the survey. I will continue to review the adequacy of the relevant legislative framework as information from IFSRA becomes available.

There are no reliable data on the overall number of cases where there may be a shortfall. However, endowment loan approvals in the last five years represent just 3% of the overall mortgage market, although it has been considerably higher in the past. Since 1989, a total of 90,000 endowment loans were approved, roughly 10% of total loan approvals since 1989.

These types of mortgages operate on the basis that instead of making capital payments on a mortgage, the client pays only the interest on the mortgage — therefore the capital amount owed does not decrease. However, the client also makes an investment with a life assurance company, the aim of which is to cover the mortgage and, possibly, provide some additional benefit beyond that. The products provided additional benefits, for example, in the form of higher tax relief, which were attractive to borrowers. These products inherently require customers to take some risk. They are exposed to market fluctuations, just like any market based life assurance investments. The fact that a person does not gain as much as expected is not in itself an indication of any inappropriate practices on the part of the bank or insurance company concerned.

The consumer director of IFSRA, Mary O'Dea, has encouraged people to come forward if they are worried about the possibility of having been mis-sold an endowment mortgage. They should complain in the first instance to the company from whom they bought the policy.

As regards the legal framework, there is already a substantial volume of legislation in place relating to these financial products. Following the enactment of the Insurance Act 1989, a code of conduct for insurance intermediaries and guidelines were drawn up by the industry in consultation with the then Department of Industry and Commerce. Key requirements of the code were that the intermediary should know the client and give best advice.

The Consumer Credit Act 1995, which commenced in May 1996, contains specific provisions relating to endowment loans and, in particular, prescribes certain information which must be included in any application form or information document issued to consumers applying for such loans. Since the commencement of the Act, for example, all endowment loan application forms must contain a prominent notice to the effect that: "There is no guarantee that the proceeds of the insurance policy will be sufficient to repay the loan in full when it becomes due for payment." The Act also obliges that in instances where the borrower may be required to increase premium payments on the insurance policy during the lifetime of the loan, any document approving the

loan must contain a prominent statement of this possibility. Similarly, obligations apply where a policy is surrendered early resulting in a net loss to the consumer.

The Act also places an obligation upon insurers underwriting policies relating to endowment loans to issue a statement to the consumer every five years setting out not only the value of the policy at the time of issue but also a comparison of this valuation to the valuation at such date projected at the time the policy was first written and a revised estimate of the valuation at maturity.

In addition to the provisions of the Consumer Credit Act, the Life Assurance (Provision of Information) Regulations, which came into being in 2001, obliges insurers to provide policy holders, including holders of policies relating to endowment mortgages, with an annual written statement containing *inter alia* information on the current surrender or maturity value of the policy. More recently, this Government has already considerably enhanced the regulatory and supervisory regime governing the financial services industry, primarily through the enactment of the Central Bank and Financial Services Authority of Ireland Act 2003, which established the Irish Financial Services Regulatory Authority or IFSRA.

The Central Bank and Financial Services Authority of Ireland Act 2004 complements the Act passed last year and further enhances IFSRA's powers and strengthens the regulatory environment. This Act will provide for an enhanced structure for dealing with consumers who have complaints about financial institutions and also provides consumer and industry consultative panels for the financial regulator. The consumer panel will have an important role in ensuring that the regulator is correctly reflecting the interests of consumers in its protective — issue of codes of conduct — and educational-information pamphlets and so forth — roles.

#### Disabled Drivers.

185. **Ms Lynch** asked the Minister for Finance if his attention has been drawn to the fact that the proposal to change the minimum length of time a new car must be retained by disabled drivers from two years to three years as proposed by the interdepartmental review group on disabled drivers' and disabled passengers' tax concessions scheme will cause undue hardship to disabled persons; and if he will make a statement on the matter. [27810/04]

**Minister for Finance (Mr. Cowen):** The disabled drivers' and disabled passengers' tax concessions scheme, which applies to certain persons with severe physical disabilities has been in operation since 1968. Its benefits have been considerably enhanced over the period and now involve the following.

There is relief in respect of vehicle registration tax, VRT, and value added tax, VAT, subject to the following maximum limits: €9,525 for a driver with a disability and €15,875 for a passenger,



[Mr. Cowen.] family member or organisation. Relief is available for a vehicle which has been specially constructed or adapted for use by a person with a disability and which has an engine size of less than 2,000cc in the case of a driver and 4,000cc in the case of a passenger or an organisation which represents persons with disabilities. The cost of the adaptation, in the case of a passenger, must amount to at least 10% of the cost of the vehicle exclusive of VRT. There is repayment of excise duty on fuel used in a vehicle for the transport of a person with a disability up to a maximum of 600 gallons or 2,728 litres per year. These limits are increased to 900 gallons and 4,092 litres for an organisation which represents persons with disabilities. There is exemption from annual road tax.

The benefits amount to over €5,250 on average per person per year. The scheme is not means-tested and the scale of benefits involved has created demand for the scheme to be extended to cover a much broader range of physical impairments. The scheme, excluding road tax, cost €36 million in 2003, compared with €5 million in 1994. The cost in 2004 of the scheme is expected to be €44 million.

An interdepartmental review group was convened to review the operation of the scheme. The terms of reference of the group were to examine the operation of the existing scheme, including the difficulties experienced by the various groups and individuals involved with it both on an administrative and user level, and to consider the feasibility of alternative schemes, with a view to assisting the Minister for Finance in determining the future direction of the scheme. The report of the interdepartmental review group on the disabled drivers' and disabled passengers', tax concessions, scheme made a number of recommendations for consideration by the Minister for Finance. In respect of the minimum period of retention of a vehicle, the report recommends that the minimum limits on the period of retention of a vehicle purchased under the scheme, and the frequency of renewal of a subsequent vehicle also purchased under the scheme, should be extended from two years to three years or, alternatively, the level of tax relief should be reduced in the case of second or subsequent applicants.

The basis for this recommendation is that the frequency of vehicle change is contributing to the ongoing steep rise in the cost of the scheme. The proportion of persons claiming every two years is at least 85%. The report highlights that the review group was not convinced by any evidence that vehicles used by persons with disabilities depreciate at a faster rate than other vehicles to the extent that they need to be replaced every two years. Moreover, the report highlights that a three-year warranty is standard for many makes of cars. Schemes in other countries were examined by the review group and indicate that tax relief or assistance on the purchase of a car is only

available after three to seven years use of a vehicle.

Given the scale and scope of the scheme, changes can only be made after very careful consideration. For this reason, the Government decided in June this year that the Minister for Finance will consider the recommendations contained in the report of the interdepartmental review group in the context of the annual budgetary process having regard to the existing and prospective cost of the scheme.

### **Tax Code.**

186. **Mr. Cregan** asked the Minister for Finance the reason the business of being a landlord in providing private residential accommodation is treated differently to other businesses in regard to the liability to capital gains tax when passing on property to one's adult children; if he will report on the current situation; if he will use budget 2005 to bring equality to the system and treat the landlord profession in the same way as other businesses; if he will cover transfers when alive and dead; and if he will make a statement on the matter. [27832/04]

**Minister for Finance (Mr. Cowen):** I am advised by the Revenue Commissioners that under section 599 of the Taxes Consolidation Act 1997, relief from capital gains tax applies on the transfer of "chargeable business assets" from parent to child. "Chargeable business assets" include assets used for the purpose of a trade or profession but exclude assets held as investments. The provision of private residential accommodation is not regarded as a trade or profession for tax purposes. Consequently, gains arising on the transfer, during the lifetime of the parent, of property used for that purpose are chargeable to capital gains tax.

Section 573 (2) of the Taxes Consolidation Act 1997 provides that the assets of a deceased person are not deemed to be disposed of by him or her on death. This provision ensures that assets passing from parent to child, on the death of the parent, are not subject to capital gains tax. Relief from capital acquisitions tax for all gifts and inheritances taken on or after 11 April 1994 of relevant business property was introduced in the Finance Act 1994. The relief amounts to a reduction of 90% in respect of the taxable value of relevant business property taken by the beneficiary. However, section 93(3) of the Capital Acquisitions Tax Consolidation Act 2003 specifically excludes certain types of business, including businesses which consist wholly or mainly of making or holding investments.

The letting of accommodation, whether on a long or short-term basis, is generally regarded as a business of making or holding investments and is therefore excluded from capital acquisitions tax business relief under section 93(3) of the Capital Acquisitions Tax Consolidation Act 2003. It is not the practice to comment in the lead up to the

annual budget and Finance Bill on the intention or otherwise to make changes in taxation.

#### **Garda Stations.**

187. **Mr. Perry** asked the Minister for Finance when work will commence on the refurbishment of Tubbercurry Garda station, County Sligo, in view of the inadequate conditions that exist: the progress made; and if he will make a statement on the matter. [27859/04]

**Minister of State at the Department of Finance (Mr. Parlon):** I am advised by the Commissioners of Public Works that tender documents for improvement works at Tubbercurry Garda station are currently being prepared with a view to invitation of tenders early in the New Year.

#### **National Development Plan.**

188. **Ms Cooper-Flynn** asked the Minister for Finance the details in percentage terms of the projected spend in the Border, midland and west and eastern region under the National Development Plan 2000-2006; the spend to date; and if he will make a statement on the matter. [27867/04]

**Minister for Finance (Mr. Cowen):** It is estimated that approximately €31 billion or some 87% of the profiled expenditure for the period of the plan to the end of June 2004 has been incurred. The regional breakdown of this expenditure is €8.3 billion for the BMW region and €22.8 billion for the southern and eastern region representing, 75% and 92% of profiled expenditure respectively.

With regard to the key NDP area of investment in infrastructure, the BMW region is at 85% of profiled expenditure under the economic and social infrastructure operational programme, ESIOP. Exchequer-funded investment in the BMW region is at 93% of profile under the ESIOP. The Government is committed to significant expenditure on infrastructure in the BMW region and I anticipate that this will continue to occur over the remainder of the NDP.

#### **National Monuments.**

189. **Mr. J. O'Keeffe** asked the Minister for Finance if the OPW will take over the maintenance of a national monument (details supplied) in County Cork, including the adjoining car park and public lighting; and the further works the OPW proposes at this location. [27881/04]

**Minister of State at the Department of Finance (Mr. Parlon):** The Office of Public Works recently completed a major works programme of re-roofing at Kilcrea Friary to house the extensive carved stone collection. A continued maintenance programme is planned to include improved access, resurfacing, cleaning of vegetation and some consolidation of wall tops.

While the area adjoining the friary is used as a car park, this is not in State ownership and the question of the Office of Public Works maintaining it does not arise.

#### **Tax Code.**

190. **Mr. J. O'Keeffe** asked the Minister for Finance if his attention has been drawn to the proposal from persons (details supplied) for staggered excise to apply to beer produced by micro-brewers as in the UK and the US; and if he will give consideration to the case made. [27888/04]

**Minister for Finance (Mr. Cowen):** A pre-budget submission from the Irish Craft Brewers Network has been received. This submission, as with all other pre-budget submissions, will be considered in the context of preparations for the forthcoming budget and Finance Bill.

#### **Departmental Properties.**

191. **Mr. McGuinness** asked the Minister for Finance the purchase price of properties (details supplied) in County Wexford; the selling price, if sold, and the date of sale; and the cost of maintenance and security while the property was in State ownership. [27930/04]

**Minister of State at the Department of Finance (Mr. Parlon):** The Commissioners of Public Works, acting on behalf of the Reception and Integration Agency of the Department of Justice, Equality and Law Reform, purchased the Devereux Hotel and bungalow in April 2000 for €2,745,808. The properties were disposed of on 21 July 2003 for €1,854,999. The security and other costs incurred on the property prior to disposal were €452,590.92.

192. **Mr. McGuinness** asked the Minister for Finance the cost of a property (details supplied) in Dublin 4; if the property has been disposed of; the cost to the State of the judicial review proceedings; the cost of security and maintenance of the property; and if he will make a statement on the matter. [27931/04]

**Minister of State at the Department of Finance (Mr. Parlon):** The Commissioners of Public Works, acting on behalf of the Reception and Integration Agency of the Department of Justice, Equality and Law Reform, purchased Broc House in June 2000 for €9,205,601. The security and other costs incurred on the building are €563,703.18 up to 8 November 2004. The property has not been disposed of but negotiations are in hand regarding its future use.

The court judgment in this case did not include an order for costs. The State used the services of the Chief State Solicitor's Office who also retained one senior and junior counsel. The costs of counsel are not readily available but on receipt

[Mr. Parlon.]  
of the information it will be communicated directly to the Deputy.

193. **Mr. McGuinness** asked the Minister for Finance the purchase price of a hotel (details supplied) in County Cork; the cost of the judicial review proceedings; the cost of security and maintenance; if the property was sold and the selling price; and if he will make a statement on the matter. [27932/04]

**Minister of State at the Department of Finance (Mr. Parlon):** The Commissioners of Public Works, acting on behalf of the Reception and Integration Agency of the Department of Justice, Equality and Law Reform, purchased Lynch's Lodge Hotel, Macroom, in October 2000 for €3,549,711.00. Judicial review proceedings are still ongoing and costs are not available. The property has not been sold and the total security and other costs incurred on the property are €637,235.12 to 8 November 2004.

194. **Mr. McGuinness** asked the Minister for Finance further to correspondence (details supplied) the projects he envisaged that might use the system built accommodation held in storage arising from the inability of his Department to use the structures in Kilkenny; if the buildings are in use or still in storage; if the units can be sold; and if he will make a statement on the matter. [27933/04]

**Minister of State at the Department of Finance (Mr. Parlon):** Two accommodation units have been allocated to other Departments. One unit has been given to the Irish Prison Service for use at Loughan House Prison, Blacklion, County Cavan, as a visitor centre-workshop. A second unit is in use at the Medialab Europe headquarters, the old Guinness hop store, Dublin 8 as an information technology suite for children. The remaining units are being allocated to the Department of Education and Science for use at various schools and as staff accommodation at Kilkenny Castle. The Department of Education and Science is examining layouts for the schools at present.

#### **Tax Code.**

195. **Mr. McGuinness** asked the Minister for Finance the reason for the delay in issuing a tax clearance certificate to a person (details supplied) in County Kilkenny; and if he will make a statement on the matter. [27934/04]

**Minister for Finance (Mr. Cowen):** I am advised by the Revenue Commissioners that the certificate referred to by the Deputy is a certificate of discharge from capital acquisition tax and this was issued on 4 November 2004. Documents submitted in connection with this matter were

received on 11 October 2004. The documents were processed in accordance with Revenue's customer service standards, that is, to respond to 80% of items of correspondence, e-mail or fax in clear and comprehensive terms within 20 working days.

#### **Pension Provisions.**

196. **Mr. R. Bruton** asked the Minister for Finance if he has plans to introduce early retirement schemes in the context of decentralisation or otherwise; and if he will make a statement on the matter. [28045/04]

**Minister for Finance (Mr. Cowen):** As the Deputy may be aware the Government decided in September 2004, to implement a number of further key recommendations of the Commission on Public Service Pensions. These included a cost neutral early retirement facility which will allow public servants to retire early with actuarially reduced superannuation benefits.

Under this arrangement, workers whose current minimum pension age is 60 years will be able to avail of the facility from age 50 years and upwards. Those whose minimum pension age is 65 years will be eligible from age 55 years and upwards. The facility is being made available to serving staff and the option will be extended to staff who resigned on or after 1 April 2004, with an entitlement to preserved superannuation benefits. Superannuation benefits in such cases will be based on pensionable service at the time of resignation reduced, on an actuarial basis, to take account of early payment.

Implementation of this and the other changes announced in September 2004 will commence as soon as detailed guidelines have been prepared and circulated by my Department. My officials are completing work on this aspect, at present. From time to time, early retirement schemes form part of broader policy measures aimed at achieving improvements in efficiency and effectiveness in areas of the public service or in specific public service bodies. However, no such proposals are under consideration at this time.

With reference to the decentralisation programme as announced in the budget for 2004, the programme will be implemented on a voluntary basis. There will be no redundancies, nor is any scheme of early retirement envisaged as part of the programme. As on previous occasions, the payment of removal or relocation expenses will not arise.

#### **Decentralisation Programme.**

197. **Mr. R. Bruton** asked the Minister for Finance if the implementation of decentralisation will affect the ceiling on public service numbers which he imposed in Budget 2003; and if this ceiling applies to promotion and grades. [28046/04]



**Minister for Finance (Mr. Cowen):** I accept that there may be pressure for temporary increases in numbers during the training of staff that are decentralising. However, the process is not intended to create extra costs for the Exchequer. Overall public service numbers will not increase as a result of decentralisation.

From the start, the policy of capping and reducing public service numbers was to be implemented by natural wastage and without impacting on front line services to the public as far as possible and this remains the case. No specific grades were targeted but it was intended that there would be an even distribution across grades rather than a concentration on lower grades.

198. **Mr. Healy** asked the Minister for Finance the position regarding the proposal to invite tenders to provide the public service with space and services in two world-class data centres; the proposed location of these centres; the security and sovereignty issues involved; and if he will make a statement on the matter. [28084/04]

**Minister for Finance (Mr. Cowen):** The first report of the decentralisation implementation group sets out a rationale and a recommendation for the public service acquiring space in private sector world-class data centres. It also recommended the establishment of an inter-agency group to progress such a procurement. My Department has established and chairs this group. It comprises senior IT representatives from the large Civil Service Departments and offices and from the justice, health and local authority sectors. It also includes project management experts from the Office of Public Works.

The group is considering all issues associated with such a procurement the most appropriate procurement approach, the type of facilities and services required, the technology and telecommunications issues involved, possible contract types, potential location options, ownership, management and operation requirements, and any possible security and sovereignty issues that may arise. These are complex issues by their nature and will take some time to work out in detail. The group is working to reach conclusions by the first quarter of 2005.

#### **Tax Code.**

199. **Mr. O'Shea** asked the Minister for Finance his proposals to reduce income tax on elderly pensioners; and if he will make a statement on the matter. [28111/04]

**Minister for Finance (Mr. Cowen):** It has been the practice of successive Ministers for Finance not to comment on what may or may not be contained in upcoming budgets and I do not intend to depart from that approach.

#### **Flood Relief.**

200. **Mr. O'Shea** asked the Minister for Finance his proposals to implement measures to prevent flooding in the Waterford constituency; and if he will make a statement on the matter. [28112/04]

**Minister of State at the Department of Finance (Mr. Parlon):** A flood relief scheme for John's River, Waterford city, was placed on public exhibition in March-April 2002. Certain revisions were subsequently made to the proposed works and OPW officials are in discussions with officials from Waterford City Council in relation to progressing the scheme. There are no other proposals at this time for the implementation of flood relief works elsewhere in Waterford.

201. **Mr. P. McGrath** asked the Minister for Finance if plans exist for alleviation measures in respect of serious flooding of the River Nore at Thomastown, County Kilkenny; and if he will make a statement on the matter. [28207/04]

**Minister of State at the Department of Finance (Mr. Parlon):** The OPW has no proposals at present in respect of flood alleviation measures in Thomastown. The possibility of devising flood relief measures and the priority to be accorded to any such measures may have to be examined in the light of the recent flood event. Existing OPW resources are heavily committed to dealing with areas, which are already in the OPW programme and which were also affected by the recent flooding.

#### **Tax Code.**

202. **Mr. P. McGrath** asked the Minister for Finance the estimated gain to the Exchequer by introducing a minimum flat rate of tax of 10%, 15%, 20%, 25% and 30% respectively to all persons who have gross income in excess of €200,000 per annum. [28208/04]

**Minister for Finance (Mr. Cowen):** Before the estimated gain to the Exchequer from introducing such a minimum flat rate of tax could be calculated, it would be necessary to make a number of assumptions regarding what would be allowed and not allowed, for example, in relation to deductions for the purpose of calculating the tax. Before such a tax could be introduced, it would be necessary to define the gross income to which it would apply and certain issues would arise in relation to that definition. For instance, it would be necessary to decide whether gross income should be defined as income prior to deductions for capital allowances, interest paid, losses, allowable expenses, retirement annuities or superannuation contributions. It would also be necessary to decide whether gross income should include certain other income which is not income for tax purposes or is exempt from tax and how to treat



[Mr. Cowen.]

other income sources such as interest income that does not need to be declared or is not recorded but from which tax has been deducted. For these reasons the definition of gross income for the application of such a tax is likely to be different to the gross income figures captured on Revenue's system.

While there are figures available on the gross income of individuals for the short tax year 2001, the figures on the gross income of individuals in respect of the tax year 2002 and later are not yet available. Estimating the gross income of such individuals and making assumptions regarding the level of their likely allowable deductions would add further unreliability to the estimation exercise. In addition, in attempting to estimate the gain to the Exchequer, it would be necessary to make assumptions regarding the behaviour of individuals in response to the introduction of such a minimum flat rate of tax. Those paying at tax rates in excess of whatever minimum was prescribed would undoubtedly see the new rate as an opportunity for a tax reduction. For these reasons, it is not possible at this time to answer the question in the form sought by the Deputy.

#### Departmental Properties.

203. **Mr. P. McGrath** asked the Minister for Finance the properties secured to date in provincial locations for the decentralisation programme in relation to his Budget Statement in 2004 (details supplied); and the way in which the Budget Statement was implemented. [28210/04]

**Minister of State at the Department of Finance (Mr. Parlon):** To date, eight property solutions have been identified for decentralisation purposes and a further 20 locations are at an advanced stage in the acquisition process. The locations involved are Carlow, Longford, Newcastle West, Athlone, the Curragh, Sligo, Dundalk and Furbo. In regard to Carlow, Longford and Newcastle West, the Chief State Solicitor is processing contract documents in respect of sites and it is expected that the associated acquisition phase will be completed as quickly as possible.

State-owned land will accommodate the decentralised buildings scheduled for Athlone, the Curragh, and Sligo, while the proposed location of the Dundalk building will be on land at the Dundalk Institute of Technology. It is proposed to locate the staff relating to Furbo in an extension to an existing building. The overall cost of acquiring sites will be funded from the disposal of surplus properties in Dublin. So far this year some €85 million in proceeds have been secured from property sales.

#### Special Savings Incentive Scheme.

204. **Mr. P. McGrath** asked the Minister for Finance if the 25% bonus paid to subscribers to the SSIA scheme is a tax refund, interest or some other payment; and if these bonus payments need to be included in income tax returns. [28211/04]

**Minister for Finance (Mr. Cowen):** The specific goal of the SSIA scheme is to encourage people to save over a period of at least five years. In order to provide an incentive to save for this period, the Exchequer makes a contribution of 25% of the amount that a person saves. This is equivalent to giving a tax credit at the standard rate of income tax in respect of the amount the person saves. This is the mechanism that is used in the legislation to provide for the Exchequer contribution. In effect, the saver is paid a tax credit in respect of an amount of tax that the saver is treated as having paid. Therefore, the Exchequer contribution is not income for tax purposes and is not required to be included in an income tax return.

#### State Property.

205. **Mr. Stanton** asked the Minister for Finance his plans for the future of properties (details supplied) in north Cork; the amount made available since 1998 towards the upkeep and refurbishment of the property and the amount expended; and if he will make a statement on the matter. [28213/04]

**Minister of State at the Department of Finance (Mr. Parlon):** In accordance with the Government decision with regard to the built heritage, responsibility for operational functions in relation to the management of Doneraile Park and Doneraile Court has recently transferred to the Office of Public Works from the Department of Environment, Heritage and Local Government while responsibility for policy functions, including capital funding, has been retained by that Department. The total current expenditure from 1998 to date is €1.23 million. Capital expenditure over this period has been limited mainly to securing the building by the provision a new roof in 2002 at a total cost of €1.59 million.

#### Coastal Protection.

206. **Mr. Stanton** asked the Minister for Communications, Marine and Natural Resources the amount made available in 2002, 2003 and 2004 for protection against coastal erosion; the amount expended in the respective areas in each of these years; and if he will make a statement on the matter. [28101/04]

**Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher):** Under the coast protection measure of the National Development Plan 2000-2006, €52.01 million is identified for expenditure. Expenditure under this measure in 2002 was €6.509 million, €2.9 million in 2003 and an allocation of €2.7 million for the coastal protection programme has been made available to my Department in 2004. Details of funding for coast protection projects are set out as follows:

## 2002 Coast Protection Programme.

Location	Project	Total Cost 2002
		€
Strandhill, Co Sligo	Shoreline Protection	710,000
Mullaghmore, Co Sligo	Road Protection	89,715
Keadew, Kincaslough, Co Donegal	Sea Wall	245,300
Maghery, Dungloe, Co Donegal	Road Protection	109,774
Mountcharles, Co Donegal	Road Protection	12,333
Kerrykeel, Co Donegal	Road Protection	1,574
Carrickaroary, Co Donegal	Repointing Existing Sea Wall	22,274
Drung, Quigley's Point, Co Donegal	Rock Armour	15,476
Lagg, Malin Head, Co Donegal	Study of Coastal Processes	31,058
Inver, Co Donegal	Protection Works	1,322
Inisboffin, Co Galway	Protection Works to South Facing Shore	190,500
Salin to Silverstrand, Co Galway	Study	106,441
Tawin Island, Co Galway	Road Protection	71,885
Claggan Island, Co Mayo	Repair Works	33,160
Bunnafolly, Co Mayo	Protection Works	36,144
Lacken, Co Mayo	Cliff/Road Study	30,000
Elly Bay, Co Mayo	Installation of ECAB Units	198,144
Bellurgan, Co Louth	Embankment Re-instatement	226,869
Louth Coastline	Survey of Coastline	10,091
Whitestown, Co Louth	Rock Armour Protection	49,781
Blackrock, Co Louth	Seawall Protection	43,317
Salterstown, Co Louth	Repairs & Protection to Road Verge	524,823
Seapoint, Co Louth	Dune Protection Works	100,000
Blackrock to Dundalk, Co Louth	Study	48,400
Shelling Hill/Gyles Quay, Co Louth	Protection Works	45,892
Carlingford Harbour, Co Louth	Repairs	831
Annagassan Harbour, Co Louth	Protection Works	34,758
Tramore, Co Waterford	Promenade Refurbishment	304,260
Cunnigar, Co Waterford	Rock Revetment	337,628
Rosslare Strand, Co Wexford	Study of North End of Spit	152,580
Courtown, Co Wexford	Design of Breakwater	178,414
Rosslare Strand, Co Wexford	Revetment Works	103,795
Rosslare Strand, Co Wexford	Maintenance	13,292
Cahore, Co Wexford	Rock Groynes & Beach Nourishment	57,289
Ballyconnigar, Co Wexford	Rock Revetment	29,000
Garretstown, Co Cork	Road Protection Works	279,013
Durris to Ahakista, Co Cork	Road Protection Works	180,239
Warren, Co Cork	Beach Groynes	150,000
Youghal, Co Cork	Planning Stage	50,000
Ballyheigue/Inch, Co Kerry	Road Protection Works	552,325
Knightstown, Co Kerry	Protection Works	50,475
Carrigaholt, Co Clare	Protection Works	61,196
Shanganagh, Co Dublin	Study	9,977
Bray, Co Wicklow	Pier Repair Works	586,992
Dún Laoghaire, Co Dublin	Vico Road Revetment	283,624
Portmarnock, Co Dublin	Dune Protection Works	49,984
Coastal Study	Consultancy Study	2,955
Coastal Surveys	General Coastal & Project Related	4,212
GIS System	Customisation, Maintenance & Training	9,537
Wave Buoys	Maintenance & Deployment	7,391
Beach Monitoring	Monitoring of Nourished Beach, Bray	5,816
East Coast	Aerial Survey— Carnsore to Killiney	21,785
Value for money	Review	37,368

[Mr. Gallagher.]

## 2003 Coast Protection Programme.

Location	Project	Total Cost 2003
		€
Elly Bay, Co Mayo	Installation of ECAB Units	92,244.00
Devlin, Co Mayo	Rock Armour, Retaining Wall	80,000.00
Bellurgan, Co Louth	Embankment Reinstatement	7,648.00
Salterstown, Co Louth	Repairs & Protection of Road Verge	120,000.00
Carlingford Harbour, Co Louth	Damaged Navigational Light	3,004.00
Shore Road, Dundalk, Co Louth	Sea Defence Embankment	78,000.00
Blackrock, Co. Louth	Rock Armour	54,540.00
Annagassan, Co. Louth	Protection Works	8,942.00
Cruisetown, Co. Louth	Extend coastal protection	80,984.00
Salterstown Pier, Co. Louth	Protection Works	30,037.00
Drung, Quigleys Pt., Co. Donegal	Road Protection Works	53,703.45
Meenacross, Co. Donegal	Rebuild Portion of Wall, Repoint Wall	20,000.00
Muckcross, Co. Donegal	Rock Armour Revetment to Protect Public Road	80,000.00
Carrigaholt Castle, Co. Clare	Protection Works to National Monument	43,549.00
Cappagh, Co. Clare	Road Protection Works	99,600.00
Carrigaholt, Co. Clare	Reconstruction of Rock Revetment	29,004.00
Doonbeg, Co. Clare	Rock Armour	22,682.00
Liscannor, Co. Clare	Rock Armour	18,280.70
Rosslare Strand, Co. Wexford	Study	11,488.00
Rosslare Strand, Co. Wexford	Capital Works	19,054.00
Rosslare Strand, Co. Wexford	Maintenance	7,957.00
Rosslare, Co. Wexford	New Scheme	207.00
Cahore, Wexford	Rock Groynes, Beach Nourishment	57,715.22
Rosslare, Co. Wexford	Revetment Works	37,094.68
Ballyconnigar, Co. Wexford	Rock Revetment	29,652.00
Warren Strand, Co. Cork	Beach Groynes	160,000.00
Youghal, Co. Cork	Coastal Protection Phase, Prep. Contract Documents	30,250.00
Warren Strand, Co. Cork	Complete Phase 2 Groyne	55,497.74
Tramore, Co. Waterford	Promenade Refurbishment	23,429.73
Cunnigar, Co. Waterford	Balance of 2001 Grant	1,339.00
Dublin City Council, Dublin	Risk Assessment Study	484,890.00
Ballyheigue, Co. Kerry	Road Protection Works	200,000.00
Ballyheigue, Co. Kerry	Complete Phase 1	300,000.00
Ventry, Co. Kerry	Coastal Protection Works	29,047.31
Kenmare, Co. Kerry	Sea Wall	15,026.36
Brittas Bay, Co. Wicklow	Update Study, Extension of Scheme	49,802.39
Burrow, Portrane, Fingal	Repairs to Embankment, etc.	10,000.00
Portmarnock to Malahide, Fingal	Repairs to Coastal Walkway	5,000.00
Coast Protection Strategy Study		370,471.00
GIS System Maintenance and Customisation		26,726.00
Bray Beach Monitoring		4,646.00
Basic Research Tide Gauge Review Statistical Analyses		19,800.00

## 2004 Coast Protection Programme Approvals.

Location	Project	Total Cost 2004
		€
Inishboffin, Co Galway	Emergency Work	350,000.00
Laytown, Co Meath	Laytown Study	40,000.00
Drogheda, Co Louth	Erosion of R167	35,000.00
Bellurgan, Co Louth	Erosion (Road)	10,000.00
Cooley, Co Louth	Replacement of rock armour	50,000.00
Kilfenora, Co Kerry	Revetment Works	200,000.00
Baile an Rannaig, Co Kerry	Provision of rock armour	150,000.00
Dún Laoghaire/Rathdown CC	Coastal Survey	25,000.00
Corbawn Lane, Co Dublin	Contract documents, etc.	30,000.00
Warren, Co Cork	Coast Protection Works	200,000.00
Youghal, Co Cork	Phase 1	500,000.00
Helvick Pier, Waterford	Emergency Works & Diving Survey	120,000.00
Courtown, Co Wexford	Design of Breakwaters, etc.	395,000.00
Curraclloe, Co Wexford	Dune Protection	75,000.00
Brittas Bay, Co Wicklow	Study	40,000.00
Greystones, Co Wicklow	Coast Protection Site Investigation	70,000.00
Coast Protection	Strategy Study	248,000.00
GIS System	Maintenance & Customisation	40,000.00
Wave Buoy	Maintenance & Deployment	15,000.00
Beach Monitoring	Monitoring of nourished beach at Bray	15,000.00
Tide Gauge	Installation of gauge for monitoring mean sea level	60,000.00
Coastal Video Survey	Video Survey of national coastline	20,000.00
Detailed Survey	Selected Coastal Areas	40,000.00
Rosslare, Co Wexford	Maintenance	60,000.00

**Broadcasting Funding.**

207. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if he has proposals to assist directly or indirectly TG4 with reference to home-produced material; and if he will make a statement on the matter. [28137/04]

**Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey):** Funding for TG4 is provided to RTE by means of an annual grant-in-aid, the level of which is determined as part of the annual Estimates process. It is a matter for TG4 to determine the mix of programming to be included in its schedules. I have no role in the matter.

**Coastal Protection.**

208. **Mr. Gilmore** asked the Minister for Communications, Marine and Natural Resources the progress which has been made to protect public access and to strengthen the existing revetment at a location (details supplied) in County Dublin; and if he will make a statement on the matter. [27801/04]

**Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey):** Responsibility for the coast protection of the location referred to by the Deputy rests with Dún Laoghaire Rathdown County Council in the first instance.

Under the coast protection programme 2004, I have allocated €25,000 to Dún Laoghaire Rathdown County Council for the preparation of contract documentation to protect public access and strengthen the existing revetment at Corbawn Lane, Shankill, County Dublin. The issue of providing further funding in 2005 will depend on the amount of Exchequer funding available for such works and overall national priorities.

**Communications Masts.**

209. **Mr. Sargent** asked the Minister for Communications, Marine and Natural Resources if a base station control unit causes a health and safety risk to patients and residents in a nursing home. [27459/04]

**Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey):** I understand the Deputy to be referring to a mobile phone base station situated on an upper floor of premises which also includes a nursing home. The Deputy has asked a number of questions in recent months concerning mobile phone base stations generally and so he will be aware of my Department's policy in this area. Summarised, this is that no adverse health effects have been proven to have been caused by the kind of non-ionising radiation which is emitted from mobile phone base stations. Ireland participates in a number of international projects which conduct relevant research into this area and my Department con-



[Mr. N. Dempsey.]  
tinually monitors the latest research to ensure that we have the best and most up-to-date information.

Limits are set for the allowable electromagnetic emissions from installations such as mobile base stations. These limits are set some 50 to 100 times lower than the experimental levels at which no ill effects have been found. My Department participates in the international process which regularly reviews these limits and validates them as continuing to offer protection to the public. ComReg polices compliance with these limits through the operator licensing process and appropriate measurements.

In the particular case of an installation on the upper floor of a building, the aerials emit electromagnetic energy laterally away from the aerial installation. It is a fact that the position which receives the lowest emissions from such an installation is directly underneath it. In fact, the residents of the nursing home receive much more electromagnetic emissions from the wiring and the electrical appliances in the building than they do from the base station and such emissions are well within the safety guidelines.

#### Postal Services.

210. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the progress in regard to the labour relations discussion with An Post; and if he will make a statement on the matter. [28005/04]

**Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey):** As outlined previously to the House, An Post management and the main union in An Post, the Communications Workers Union have been participating in negotiations under the auspices of the Labour Relations Commission aimed at reaching agreement on cost-saving measures to address the company's financial situation. It is my understanding that the union in question is currently considering the proposals which emerged from the negotiations. It would not be appropriate for me to comment further on proposals discussed at the Labour Relations Commission.

I have also been informed that the Labour Court issued a recommendation on issues in dispute with the Association of Higher Civil and Public Servants, the union representing management grades in An Post, on Friday, 7 October. This recommendation is now being implemented by both parties. I understand that negotiations are ongoing with other unions representing An Post employees.

#### Shipping Industry.

211. **Mr. Naughten** asked the Minister for Communications, Marine and Natural Resources the plans he has to develop projects which qualify for EU funding under the trans-European net-

work motorway of the sea concept; and if he will make a statement on the matter. [28035/04]

**Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher):** The Irish Maritime Development Office, IMDO, the development agency for our shipping and shipping services sector, has been active in advising our port companies, ship operators and others in the maritime sector about the opportunities provided by the Commission's motorways of the sea initiative.

In that regard the IMDO has organised a seminar entitled Motorways of the Sea, Opportunities and Challenges for Ireland which takes place on 17 November 2004 in the National Concert Hall. I will be opening the seminar which is intended both to publicise the motorways of the sea initiative and to give advice on how motorways of the sea projects can be developed for submission to the Commission. I am hopeful that suitable Irish projects will be developed which merit inclusion in this ambitious Community initiative.

#### Coastal Protection.

212. **Mr. Stanton** asked the Minister for Communications, Marine and Natural Resources his role in protection against coastal erosion; the amount expended by his Department in 2002, 2003 and 2004 in this regard; and if he will make a statement on the matter. [28091/04]

**Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher):** My Department's coast protection programme seeks to address the most urgent instances of erosion on the Irish coastline. Coastal erosion affects all coastal counties and is particularly prevalent on the softer coastline in the east and south east of the country. Allocation of funding for coast protection projects is currently made on the basis of initial project proposals from local authorities, subsequently screened and augmented by my Department's staff on the basis of a small number of selection criteria.

A value for money report in March 2002 highlighted the need for a more strategic focus in addressing the problem of coastal erosion in Ireland. In this respect, the coastal protection strategy study commenced in 2003. The study will address the nature and extent of erosion at various locations and different types of coastline in Ireland and seek to identify the most effective means, technically, financially and environmentally, in responding to particular instances and types of erosion. It is expected that when this study is completed, a more targeted approach to programme delivery will enable a greater level of efficiency to be achieved.

Under the coast protection measure of the National Development Plan 2000-2006, €52.01 million is identified for expenditure. Expenditure under this measure in 2002 was €6.509 million, €2.9 million in 2003 and an allocation of €2.7 mill-

ion for the coastal protection programme has been made available to my Department in 2004.

### **Military Overflights.**

213. **Mr. Gregory** asked the Minister for Foreign Affairs the number of overflights of foreign military aircraft which have taken place over Irish airspace in the five years by year and country to October 2004; if all these overflights had prior permission by the Government; and if he will make a statement on the matter. [27919/04]

#### **Minister for Foreign Affairs (Mr. D. Ahern):**

In the year 2000, permission was granted for 1,963 foreign military aircraft to overfly Ireland. Permission was granted to the following countries: Australia, Bangladesh, Belgium, Botswana, Egypt, Germany, France, Greece, Israel, Japan, Mexico, Oman, Romania, South Africa, Spain, Switzerland, Sweden, Ukraine, the UK and the United States.

In the year 2001, permission was granted for 1,766 foreign military aircraft to overfly Ireland. Permission was granted to the following countries: Algeria, Australia, Belgium Botswana, Egypt, Germany, France, India, Iran, Israel, Italy, Mexico, Netherlands, New Zealand, Oman, Romania, Russia, South Africa, Spain, Sweden, Turkey, Ukraine, the UK, the United States and the Republic of Yemen.

In the year 2002, permission was granted for 2,460 foreign military aircraft to overfly Ireland. Permission was granted to the following countries: Algeria, Australia, Bangladesh, Belgium, Botswana, Bulgaria, Czech Republic, Egypt, Ethiopia, France, Germany, Israel, Indonesia, Italy, Malaysia, Mexico, Morocco, New Zealand, Norway, Poland, Portugal, Romania, Spain, Sweden, Thailand, Turkey, Ukraine, Uzbekistan, the UK, the United States and the Republic of Yemen.

In the year 2003, permission was granted for 3,691 foreign military aircraft to overfly Ireland. Permission was granted to the following countries: Australia, Belgium, Canada, Egypt, France, Germany, Israel, Italy, Japan, Mexico, New Zealand, Norway, Philippines, Poland, Russia, Spain, Sweden, Turkey, Ukraine, the UK and the United States.

In the year 2004, to date — 1 January to 31 October — permission has been granted for 3,110 foreign military aircraft to overfly Ireland. Permission was granted to the following countries: Belgium, Botswana, Cameroon, Canada, Croatia, Egypt, France, Germany, Israel, Italy, Luxembourg, Malaysia, Mexico, Morocco, Netherlands, Norway, Poland, Russia, Spain, Sweden, Turkey, the UK and the United States.

Permission for foreign military aircraft to overfly the State is granted by the Minister for Foreign Affairs, under the Air Navigation (Foreign Military Aircraft) Order 1952. Permission is normally granted on condition that the foreign military aircraft is unarmed and not carrying arms, ammunition or explosives. The specific

arrangements that apply to the United States of America regarding overflights were agreed in an exchange of letters in January 1959 between the then Minister for External Affairs, Mr. Frank Aiken, and the US Ambassador. Under this agreement, the US is granted blanket permission for overflights of unarmed military aircraft. The US Embassy provides regular *post hoc* statistics of overflights, broken down by month. It is not the practice of the Government to release details of an individual country's landings and overflights.

### **Overseas Development Aid.**

214. **Mr. F. McGrath** asked the Minister for Foreign Affairs if the Government will put in place a ring-fenced multi-annual spending plan to achieve the UN target of 0.7% of gross national product, GNP, on overseas aid by 2007; and if he will make a statement on the matter. [27815/04]

223. **Mr. J. Higgins** asked the Minister for Foreign Affairs the way in which he intends achieving the target of spending 0.7% of gross national product, GNP, on overseas development aid by 2007; and if he will make a statement on the matter. [28078/04]

**Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan):** I propose to take Questions Nos. 214 and 223 together.

I refer the Deputies to my answer to Questions Nos. 156, 157 and 158 on 19 October 2004.

### **Referendum Commission.**

215. **Mr. F. McGrath** asked the Minister for Foreign Affairs if he will bring the referendum commission into being early and give it ample funds to inform citizens objectively on the proposed EU constitution and not leave it until just a month before the referendum as on previous occasions; and if he will make a statement on the matter. [27822/04]

**Minister for Foreign Affairs (Mr. D. Ahern):** Statutory responsibility for the establishment of the referendum commission lies with the Minister for the Environment and Local Government. Under the Referendum Act 1998, as amended in 2001, an order by him establishing the referendum commission for any given referendum can only be made following the initiation in the Dáil of the Bill to amend the Constitution.

The Government has already made clear that it is committed to ensuring that there referendum commission will have sufficient time and resources to fulfil its role in respect of the referendum on the European constitution, as indeed it had for the second referendum on the Nice treaty.

On that occasion, the Referendum Commission was established on 9 July 2002, more than three months before the polling day of 19 October. In its subsequent report the commission was "glad to report that the additional time made available

[Mr. D. Ahern.]  
to it on this occasion enabled it to carry out a much more wide-ranging and comprehensive information campaign than in the past.”

### Passport Applications.

216. **Ms Cooper-Flynn** asked the Minister for Foreign Affairs if a person travelling to the USA and currently holding a hand-written passport can have a replacement machine-readable passport issued free of charge; and if he will make a statement on the matter. [27868/04]

**Minister for Foreign Affairs (Mr. D. Ahern):**  
The appropriate statutory fee has to be paid on each occasion when a passport is sought. The relevant fees are set out in S.I. 82 Diplomatic and Consular Fees [Amendment] Regulations 2004. There is no provision in these regulations for the issue of replacement passports free of charge.

From 26 October 2004, all Irish passport holders visiting the United States require an individual machine-readable passport to avail of the US visa waiver programme. Holders of hand-written passports have the option of either replacing their existing passport with a machine-readable one (including, as indicated above, paying the appropriate fee) or obtaining a visa, in advance, from their nearest US diplomatic or consular mission. These new requirements apply to all visa waiver countries, including Ireland.

My Department has gone to considerable lengths to publicise these new requirements so that holders of Irish passports that are not machine-written would be able to obtain new, machine-readable passports in good time if they envisaged travelling to the US. The Passport Office advertised these new requirements in the national press of the 12 and 13 September and they have been publicised on the Department's website and on passport application forms for the past year. An arrangement was also put in place last year to produce machine-readable passports in Dublin for applicants abroad who requested such a passport.

All Irish passports produced in Ireland and in the Irish Embassy in London are machine-readable and meet the new US requirements. Only passports issued at other missions abroad, or by the Duty Officer Service in Dublin and Cork, are hand-written. These comprise approximately 5% of all Irish passports issued world-wide each year. My Department is currently developing a new passport issuing system, which is due to commence production before the end of this year. When that system is fully implemented, Irish passports, whether issued at home or abroad, will be machine-written.

### Suicide Incidence.

217. **Mr. J. Higgins** asked the Minister for Foreign Affairs if his attention has been drawn to the findings of the recent inquest into the death of a

person (details supplied); and if he will make a statement on the matter. [28038/04]

218. **Mr. J. Higgins** asked the Minister for Foreign Affairs the reason there was no representative from the Irish Embassy at the recent inquest into the death of a person (details supplied); and if he will make a statement on the matter. [28039/04]

220. **Mr. J. Higgins** asked the Minister for Foreign Affairs if the question of Irish deaths in Brixton Prison, south London, will be raised in the context of the task force on emigrants; and if he will make a statement on the matter. [28041/04]

**Minister for Foreign Affairs (Mr. D. Ahern):**  
I propose to take Questions Nos. 217, 218 and 220 together.

The person to whom the Deputy refers died on 12 May 2002 at King's College Hospital, having been found hanging in his prison cell while on remand at Brixton Prison on 9 May 2002. The Irish Ambassador in London wrote to the Governor at HMP Brixton on 16 May 2002 to express the Government's deep concern about his death and to request that the Embassy be informed of any developments in relation to the investigation of his death.

It is not the normal practice for a representative from an Irish Embassy to attend inquests into the death of Irish nationals in custody abroad. However, I am aware that, in the report of the inquest into this case on 15 October 2004, the coroner's Office, while concluding that he was suffering from severe depression, highlighted failures in the Prison Service that it felt could have contributed to his death.

The Irish Ambassador has made strong representations to the prison authorities in London following the deaths of a number of men of Irish nationality or of Irish descent, including the person to whom the Deputy refers, between 1998 and 2002 in HMP Brixton. Subsequently, the Governor of HMP Wandsworth was asked to conduct a review of all non-natural deaths in custody in HMP Brixton from 1998 onwards. In March 2003, the review team published its findings, known as the Heavens report.

The report concluded, *inter alia*, that, in some of these cases, policies and procedures were not properly carried out and that, in some instances, actions were taken that were not in accordance with the prison's suicide prevention policy. It also noted that there was no evidence to indicate that any of these deaths was as a result of prejudice against the men because of their Irish nationality or descent.

Shortly after the publication of the report, a new prison governor was appointed at Brixton drawn from the Prisons Services Inspectorate. Following the appointment, an officer from the embassy met with the Governor and the Director General of the Prison Services and was assured that both were committed to the implementation of the recommendations of the report. Also since



then, the embassy has had regular contacts with the new governor and his staff about the report and the implementation of its recommendations as well as other prison matters.

The Irish Ambassador has also met with the relatives and friends of the men involved to discuss the findings of the report.

Since the report's publication, the embassy has not been notified of any further deaths of Irish citizens in HMP Brixton but I can assure the Deputy that my Department, through the embassy, will continue to monitor the situation closely.

#### **Irish Commission for Prisoners Overseas.**

219. **Mr. J. Higgins** asked the Minister for Foreign Affairs his views on whether the Irish Commission for Prisoners Overseas should be given more resources to enable it to carry out its work in Britain; and if he will make a statement on the matter. [28040/04]

221. **Mr. J. Higgins** asked the Minister for Foreign Affairs if the question of adequate funding for the Irish Commission for Prisoners Overseas will be raised in the context of the task force on emigrants; and if he will make a statement on the matter. [28042/04]

**Minister for Foreign Affairs (Mr. D. Ahern):** I propose to take Questions Nos. 219 and 221 together.

As the Deputy is aware, my Department has been providing financial assistance to the Irish Commission for Prisoners Overseas for many years. The ICPO provide valuable support and assistance to Irish prisoners overseas and their families which complements the services provided by the consular section of my Department and our missions abroad.

Since 1997, an annual grant of €25,000 has been made to the ICPO here in Ireland and I am pleased to inform the Deputy that I am in a position to increase the amount this year to €30,000.

Assistance is also provided through the Díon fund to the ICPO office in London, which deals exclusively with Irish prisoners in Britain. Earlier this year, the ICPO in London received an initial grant of €110,000 from my Department. As a result of the additional funding for services to the Irish abroad this year which my predecessor announced last July, I understand that the Díon Committee, which advises me on welfare issues relating to the Irish community in Britain, has recommended that an additional grant be awarded this year.

As the funding for services to the Irish community in Britain is further increased in line with the recommendations of the task force on policy regarding emigrants, I can assure the Deputy that the valuable work done by the ICPO on behalf of Irish prisoners in Britain will be duly recognised.

*Question No. 220 answered with Question No. 217.*

*Question No. 221 answered with Question No. 219.*

#### **Communications Masts.**

222. **Mr. Kirk** asked the Minister for Foreign Affairs if the issue of the communication mast at a location (details supplied) was raised at the recent peace talks in Northern Ireland; and if he will make a statement on the matter. [28063/04]

**Minister for Foreign Affairs (Mr. D. Ahern):** Concerns regarding the progress toward security normalisation in Northern Ireland, including in regard to communications masts, are frequently raised with the British authorities at the highest level, and have been the subject of numerous discussions between my predecessor and the Secretary of State for Northern Ireland within the framework of the British Irish Intergovernmental Conference. While the specific communications mast referred to by the Deputy has not been raised at the most recent negotiations, we will continue to press on the British Government, as the security situation allows, the need to ensure continued progress toward the complete normalisation of security arrangements as set out in the Joint Declaration and Good Friday Agreement.

With regard to this particular communications mast, my officials have recently been in correspondence with local community representatives in the area with a view to meeting and discussing matters of particular concern to them at the present time. I will keep the Deputy fully informed of any developments as they arise in the coming period.

*Question No. 223 answered with Question No. 214.*

#### **Decentralisation Programme.**

224. **Mr. McGuinness** asked the Minister for Arts, Sport and Tourism the progress being made with plans for decentralisation to Kilkenny city; if he has identified suitable properties at both locations; if he is close to selecting the property solution; the locations of same [28089/04]

**Minister for Arts, Sport and Tourism (Mr. O'Donoghue):** The Arts Council, one of the State agencies under the aegis of my Department, is designated for transfer to Kilkenny under the Government's programme of decentralisation. I met the chairperson and the chief executive of the Arts Council in January this year to emphasise the Government's commitment to the process and to underline my firm resolve that the move to Kilkenny should take place as soon as possible. The Arts Council, at my request, nominated a representative to my Department's decentralisation committee.

In early June 2004, a decentralisation implementation plan was prepared by and in respect of the Arts Council and submitted to the decentralisation implementation group, chaired by Mr. Phil Flynn.



[Mr. O'Donoghue.]

There are currently 45 members of staff employed in the Arts Council and a total of 29 applications for transfer to Kilkenny have so far been received under the Central Application Facility.

The Office of Public Works is assessing a number of options regarding suitable locations and properties in Kilkenny for the Arts Council. However, a decision has not been made at this time on any particular property.

#### **Abbey Theatre.**

225. **Mr. Deenihan** asked the Minister for Arts, Sport and Tourism if his attention has been drawn to the fact that the foyer of the original Abbey Theatre, including the stones of the facade which were numbered and stored, the canopy over the original entrance, the railings, doors, windows and the last billboards from 1961 are available for incorporation into the proposed new Abbey Theatre; if the OPW will insist that this material, which has considerable historical and sentimental significance, will be incorporated in any future building that will house the new national theatre; and if he will make a statement on the matter. [27753/04]

**Minister for Arts, Sport and Tourism (Mr. O'Donoghue):** Design work on a new building for the Abbey Theatre has not begun as yet. Accordingly, it is impossible to make any detailed comment about what elements might or might not be incorporated within it. I will, however, bring the offer referred to by the Deputy to the attention of the OPW.

#### **Horse Racing Industry.**

226. **Mr. Wall** asked the Minister for Arts, Sport and Tourism the meetings he has had with Horse Racing Ireland regarding the provision of all weather horseracing track; the funding that is necessary for such a proposal; and if he will make a statement on the matter. [27913/04]

**Minister for Arts, Sport and Tourism (Mr. O'Donoghue):** As the Minister with responsibility for the horse racing industry, I meet the chairman and executives of Horse Racing Ireland on a regular basis, as do officials from my Department. Regular liaison meetings with HRI are held at various stages throughout the year. All policy issues are discussed at these meetings, including HRI's capital development programme, which includes the proposal to develop an all weather track.

Under the Horse and Greyhound Racing Act of 2001, HRI was established as the statutory body with responsibility for the horse racing industry. The general functions of HRI include the development and promotion of the Irish horse racing industry including the development of authorised racecourses and the making of grants, loans and other disbursements to authorised racecourses.

As outlined in their strategic plan for 2003-07, HRI pointed out that there is a compelling case for the development of an all-weather facility. HRI also takes the view that commercial considerations must also be taken into account, and it will support the development of an all-weather track either at an existing track or on a green field site subject to the following conditions being met: proximity to a major urban area; ability to stage floodlit evening racing; a left-handed oval circuit of ten furlongs in circumference; constructed using the best available surface; a dual-purpose facility which can stage national hunt racing.

I have been informed by HRI that it is considering three proposals for such a development and HRI expects to finalise its consideration of the various issues shortly.

#### **Arts Council.**

227. **Mr. Gormley** asked the Minister for Arts, Sport and Tourism if he intends to increase the budget to the Arts Council; and if he will make a statement on the matter. [27948/04]

**Minister for Arts, Sport and Tourism (Mr. O'Donoghue):** I will do my utmost to secure the best possible deal for the Arts Council in the context of the Estimates for next year.

#### **Decentralisation Programme.**

228. **Mr. McGuinness** asked the Minister for Enterprise, Trade and Employment the progress being made with plans for decentralisation to Thomastown, County Kilkenny; if he has identified suitable properties at both locations; if he is close to selecting the property solution; and the locations of same. [28089/04]

**Minister for Enterprise, Trade and Employment (Mr. Martin):** The Health and Safety Authority is actively working to implement the Government decision on the decentralisation of its offices to Thomastown, County Kilkenny. An implementation team has been set up which reports directly to the chief executive and progress is reported to the board of the authority on a regular basis. In addition, the interests of the authority are represented on my Department's main decentralisation implementation committee and senior representatives from the authority participate in a decentralisation implementation sub-group on decentralisation of agencies of the Department.

A detailed implementation plan has been prepared in consultation with the key stakeholders and submitted to the Flynn working group. The plan sets out the challenges, opportunities and issues arising for the authority and its staff from the decentralisation programme, along with proposed models for continuity of service. Proposals are being formulated for optimal delivery of compliance and enforcement services by the authority. In addition, discussions have commenced with the staff unions through the authority's industrial relations council.

To date, 11 of the authority's staff have applied to transfer to Thomastown. This figure represents 10% of the total figure of 110 staff required. However, when the total number of applications received from both within the agency and within the Civil Service and public service is considered, it climbs to 46% of the 110 staff required by the agency. Further analysis of expressions of interest from the central applications facility will be required in order to determine the grades and "fit", in terms of competencies and so on, of the external applications.

The Office of Public Works has identified a number of potentially suitable sites in Thomastown and the detailed evaluation process is at an advanced stage. It is expected that the acquisition negotiations phase for Thomastown will commence shortly.

### **Redundancy Payments.**

229. **Mr. McGuinness** asked the Minister for Enterprise, Trade and Employment the reason for the meeting held between officials of his Department and representatives of the workforce of a company (details supplied) in County Kilkenny which took place at the factory; if there was an outcome to the meeting; if officials have put forward a solution to satisfy all parties which is awaiting a political response; and if he will make a statement on the matter. [27757/04]

**Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen):** At the request of the Tánaiste, two officials of my Department travelled to Kilkenny to meet union officials, workers' representatives and Mr. Martin Carroll, county councillor, at the factory (details supplied) on 23 June 2003. The manager of the company attended as an observer for a short while. There have been no further meetings since that time, nor is it envisaged that there will be any such meetings.

The union officials and the workers' representatives spoke at the meeting. They made the case that the workers who had been made redundant up to January 2003, before the new enhanced rates came into force in May 2003, should be retrospectively paid these enhanced rates. However, these workers were paid about 3.2 times the then statutory rate by the company on a voluntary basis.

The legal advice given to my Department when this type of issue was considered during the drafting stage of the Bill to give statutory effect to the new enhanced rates was that retrospective effect could not be given, as to do so would be placing a legal onus on employers retrospectively. The Oireachtas is not permitted to impose retrospective on employers in these circumstances. Unfortunately for the workers concerned, my Department is precluded from paying the enhanced rates of redundancy with retrospective effect.

The case was also made on behalf of these workers that, if it was not legally possible to meet their claim for payment of the enhanced rates, the

Government should consider bringing a scheme to the Oireachtas to enable them to be paid the enhanced rates from the social insurance fund, SIF, as a special case. This proposal was also considered and deemed impractical. It would mean making a special case for the workers concerned on the basis that they had missed out by being made redundant quite some time before the new enhanced rates were passed by the Oireachtas into law. Many thousands of other workers are in a similar position and could make a case for special treatment.

It was also mentioned at the meeting, which the officials attended, that during the negotiations with the employer, the workers had intimated that they were at that time prepared to accept, in final settlement of their claim for extra statutory redundancy payments from the employer, the 60% rebate the employer was entitled to receive from the SIF. I have no say in what the employer does with the 60% refund, which he was legally entitled to be paid from the SIF.

It is regretted that the workers in this factory and other workers in similar circumstances have not been able to benefit from the increased redundancy payments. However, the legal position cannot be changed, nor can special legislative provisions be made for any particular group of people.

### **Skill Shortages.**

230. **Mr. Cregan** asked the Minister for Enterprise, Trade and Employment if he has considered the concept of a highly skilled migrant programme for all graduates and graduates educated at universities and colleges here; and when such a programme will be formally announced. [27828/04]

**Minister for Enterprise, Trade and Employment (Mr. Martin):** I have no plans to introduce a new scheme of migration for highly skilled graduates. I am satisfied that the current administrative arrangements are sufficient to allow highly skilled individuals to reside and work in Ireland, where the required skills cannot be sourced within the European economic area, EEA. The EEA comprises the 25 member states of the European Union and Norway, Switzerland and Lichtenstein. Nationals of the EEA do not require any form of authorisation or permit.

The working visas or work authorisations scheme is designed to facilitate the employment of individuals from outside the EEA who are highly skilled in particular economic sectors where labour shortages exist. Principally, these are health professionals, information computing technology professionals, and construction professionals, for example, architects, engineers and town planners. However, for international companies that are located here, an intra-company transfer facility is available, on a case-by-case basis, to enable them to transfer senior managers or exceptionally skilled staff to Ireland, for a fixed duration, without an economic needs test.

[Mr. Martin.]

Even in cases where skills shortages exist, employers should of course consider training suitable personnel within their own companies before seeking employment permits for overseas personnel.

### **Social Welfare Benefits.**

231. **Mr. Hayes** asked the Minister for Social and Family Affairs when an application for supplementary welfare allowance for persons (details supplied) in County Tipperary will be considered by his Department. [27775/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The supplementary welfare allowance scheme, which is administered on behalf of my Department by the health boards, provides for exceptional needs payments to help meet essential, once-off expenditure which a person could not reasonably be expected to meet out of his or her weekly income. In determining entitlement to an exceptional needs payment, the health board must be satisfied that an exceptional need exists which cannot be met from other sources. As a general rule, the supplementary welfare allowance scheme is not used to fund medical services or costs directly incurred in the delivery of medical services.

The South Eastern Health Board was contacted regarding this case and has advised that the couple in question made an application for an exceptional needs payment in respect of the cost of an alternative medical treatment. In the opinion of the board, the expenses in question are not considered appropriate to the supplementary welfare allowance scheme. The matter is being considered as a health services issue by the board, which is now examining the possibility of providing the treatment directly or of contributing to the cost of it for the couple through that system.

232. **Mr. Ring** asked the Minister for Social and Family Affairs if a person (details supplied) in County Mayo will be awarded unemployment assistance following an appeal. [27875/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The person concerned was in continuous receipt of unemployment assistance from 28 May 1992 to 20 July 2004. Following a review, a deciding officer disallowed her unemployment assistance claim from 21 July 2004 on the grounds that she was not available for and not genuinely seeking employment. An appeals officer subsequently upheld the deciding officer's decision. The person concerned made a repeat application for unemployment assistance effective from 28 September 2004. A deciding officer disallowed this application on the grounds that she was not genuinely seeking employment.

It is open to the person concerned to appeal this decision and a form for this purpose may be obtained from her local social welfare office. Under social welfare legislation, decisions with

regard to claims must be made by deciding officers and appeals officers. These officers are statutorily appointed and I have no role in regard to making such decisions.

### **Social Insurance.**

233. **Mr. Stanton** asked the Minister for Social and Family Affairs the amount paid into the social insurance fund in 2003; the amount paid out of the fund in 2003; the amount remaining in the fund at the end of 2003; the amount in the fund at present; and if he will make a statement on the matter. [27947/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The amount paid into the social insurance fund in 2003 was €6,058 million. Some €5,814 million was paid out of the fund in that year. The fund surplus at the end of 2003 was €1,529 million and the surplus at the end of August 2004 was €1,842 million, which is the latest confirmed figure available.

### **Special Savings Incentive Scheme.**

234. **Mr. Ring** asked the Minister for Social and Family Affairs his plans to amend the means assessment with regard to SSIA accounts held by social welfare recipients; the number of persons currently receiving a reduced payment due to their SSIA accounts; the total reduction in social welfare means-tested payments due to income assessed from SSIA accounts; if these persons will be reassessed and if so, the cost to his Department; and if he will make a statement on the matter. [28027/04]

**Minister for Social and Family Affairs (Mr. Brennan):** I have recently asked my Department to carry out a comprehensive examination of the arrangements for assessment of capital, particularly in so far as they apply to SSIA's, and I will consider what action needs to be taken on foot of it. I expect that this examination will be concluded in the near future.

It is not possible to readily quantify the number of persons in receipt of social welfare payments who are holders of SSIA accounts. This is because the source of any capital held is not maintained electronically on the relevant payment systems.

In assessing means for social assistance purposes, account is taken of any cash income the person may have, together with the value of capital and property. Capital may include stocks and shares of every description, which are assessed according to their current market value, savings certificates, bonds or national instalment savings, which are assessed according to their current market value, and money invested in a bank, building society, and so on. In assessing the value of capital, however, significant disregards are applied. The first €12,697.38 of capital is disregarded and the assessment is on a sliding scale for amounts above this. In the case of old age pensions, for example, a single pensioner with



capital of up to €20,315.80 qualifies for a full pension while a single pensioner with capital of up to €68,565.84 qualifies for a minimum pension. These amounts are doubled in the case of married pensioners.

### Social Welfare Benefits.

235. **Mr. R. Bruton** asked the Minister for Social and Family Affairs the cost of achieving the promised €185 target for child benefit in 2005; the commitments which have been made under the Sustaining Progress agreement for the achievement of this target; and if there are plans to achieve this in 2005. [28029/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The Government's strategy on child benefit is to increase the monthly rate payable in respect of the first and second child to €149.20 per month and to €185.40 for the third and subsequent children. The Sustaining Progress agreement contains a commitment that this strategy will be completed by 2005. It is estimated that completion will cost €239 million in full.

236. **Mr. R. Bruton** asked the Minister for Social and Family Affairs his plans to introduce an all-Ireland free travel scheme; and the work that has been done to date on this proposal. [28030/04]

**Minister for Social and Family Affairs (Mr. Brennan):** Under the existing free travel scheme, pass holders who reside in the Republic of Ireland can travel free within this jurisdiction. Similarly, people who live in Northern Ireland and who hold a concessionary travel pass can travel free within the North. Under the special cross-Border arrangements, in place since 1995, both southern and northern pass holders can undertake cross-Border journeys free of charge.

The introduction of free travel on an all-Ireland basis would enable southern pass holders to make free onward journeys within the North. Similarly, Northern Ireland pass holders would be able to make internal journeys within the Republic free of charge. There are a number of issues to be resolved in order to implement an enhanced all-Ireland free travel system on these lines. These issues will require co-operation between my Department and the Department of Regional Development in Northern Ireland as well, as the relevant northern and southern transport operator companies.

My predecessor met the Minister of State at the Department of Regional Development in Northern Ireland in September 2004 to explore the potential for co-operation between the two Departments with regard to the proposal. Contacts are continuing between officials of the two Departments. I have written to the Minister, Mr. John Spellar, in Northern Ireland stressing my interest in progressing this matter.

237. **Mr. Noonan** asked the Minister for Social and Family Affairs when rent allowance subsidy

will be awarded to a person (details supplied) in County Limerick. [28051/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The supplementary welfare allowance scheme, which is administered on behalf of my Department by the health boards, provides for the payment of a weekly or monthly supplement in respect of rent to assist with the reasonable accommodation costs of eligible people who are unable to provide for their housing costs from their own resources and who do not have accommodation available to them from any other source.

The Mid-Western Health Board was contacted regarding this case and has advised that the person concerned made enquiries regarding rent supplement at her local health centre. She was given the appropriate application forms and advised that she should apply to the local authority to be assessed in respect of her housing needs. The board understands that the local authority has deemed her not to be in need of accommodation.

While no formal application for rent supplement has yet been made by her, the board has further advised that such an application is unlikely to succeed in light of the local authority assessment.

### Social Welfare Overpayments.

238. **Ms Shortall** asked the Minister for Social and Family Affairs if he will consider amending SI 227/96 to allow a distinction be made by an approved officer of his Department between fraudulent welfare overpayments and welfare overpayments which have arisen from a genuine misunderstanding on the part of the claimant; and if he will make a statement on the matter. [28061/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The repayment of social welfare overpayments is regulated by a code of practice, Statutory Instrument No. 227 of 1996. The code requires that, in the context of overpayments, due account be taken of the interests of taxpayers and social insurance contributors who finance the various social welfare payments as well as the ability of the person concerned to repay and, in this regard, that every effort be made to recover overpayments in full.

Where an overpayment has been assessed, the person concerned is afforded an opportunity to bring to the notice of the Department or health board any views he or she wishes to offer on the assessment of the overpayment and the proposed method of repayment. The person's views are taken into consideration before the matter is finalised. There is provision within the code for the repayment of an overpayment to be deferred, suspended, or cancelled, or for the rate of repayment to be reduced depending on the circumstances of the case. When determining the method and rate of repayment, the authorised



[Mr. Brennan.] officer is required to give consideration to any facts or circumstances relevant to the question of the recovery, and the circumstances in which it arose.

The code of practice already ensures that account is taken of a person's ability to repay an overpayment, whether this is attributable to misunderstanding or fraudulent intent, while at the same time ensuring that moneys incorrectly paid are recovered. In 2003, 17,000 cases of fraud, costing €13.7 million, were discovered, while customer or third party error accounted for 23,000 cases, at a cost of €17.6 million. Almost €17 million was repaid to the Department last year for overpayments.

239. **Ms Shortall** asked the Minister for Social and Family Affairs his estimate of the number of cases in the past two years in which his Department has initiated overpayment requests from social welfare recipients of deserted wife's benefit or one parent family payment; and if he will make a statement on the matter. [28062/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The total numbers of overpayments raised by my Department in the case of recipients of deserted wife's benefit and one parent family payment for each of the years from 2002 to date are set out in the following table.

Year	Deserted wife's benefit	One parent family payment
2002	45	585
2003	51	1,113
2004 to date	71	2,027

Overpayments arise for a variety of reasons, including inadequate or incorrect information supplied by customers and fraudulent claiming. My Department's control programmes are aimed at ensuring that social welfare payments, funded by the taxpayer, are paid to those who are entitled to them and that payments wrongly made are recovered under the code of practice on overpayment recovery.

#### Social Welfare Benefits.

240. **Mr. Crowe** asked the Minister for Social and Family Affairs if he will report on the figures of persons benefiting from the back to work allowance over the past three years; and if there is a significant restriction on those now benefiting from this allowance. [28079/04]

241. **Mr. Crowe** asked the Minister for Social and Family Affairs if he will report on the figures of persons benefiting from the back to work enterprise allowance over the past three years; and if there is now a restriction in those benefiting from this allowance. [28080/04]

**Minister for Social and Family Affairs (Mr. Brennan):** I propose to take Questions Nos. 240 and 241 together.

The back to work allowance scheme which was introduced in September 1993 is part of my Department's programme of initiatives designed to assist long term unemployed people, lone parents and other social welfare recipients to return to the active labour force. There are two strands to the scheme, the back to work enterprise allowance for self-employment and the back to work allowance for employees.

The allowance was introduced at a time when long-term unemployment stood at 8.9%. In its early years, the scheme proved very effective in helping people who had been long-term unemployed to return to the labour force. However, changes in labour market conditions since the mid 1990s have reduced the need for the scheme. This is illustrated by the drop in numbers availing of it in recent years. At present, there are 12,097 participants in the scheme, compared to 39,343 in October 2000 when the scheme reached its peak.

The scheme was reviewed in 2002 in the light of economic and labour market changes and, in particular, the drop in unemployment levels since the introduction of the scheme in 1993. This review also took account of an evaluation of the scheme by independent consultants. They recommended that the scheme should be restructured in the light of the changes in the labour market. In particular, the review recommended that the scheme be refocused on the longer-term unemployed, that the non-financial supports be enhanced and that the overall numbers on the scheme be reduced.

In January 2003, the qualifying period for persons on unemployment benefit or assistance was increased to five years. Recipients of other social welfare qualifying payments were not affected by the change. The scheme is continually monitored to ensure its relevance to current labour market and economic conditions. It was recognised that there was some difficulty being experienced by persons wishing to enter self-employment after five years attachment to the live register. Therefore, in the budget of 2004, the qualifying period for access to the self-employed strand of the scheme was reduced to three years for those in receipt of an unemployment payment, effective from March 2004.

The numbers of recipients at the end of each of the years 2001, 2002 and 2003 are shown in the following table.

	2001	2002	2003
Self-employed	15,973	13,510	9,873
Employees	16,218	11,566	7,197
Total	32,191	25,076	17,070

#### Social Welfare Code.

242. **Mr. Stanton** asked the Minister for Social

and Family Affairs the regulations governing the way persons who are in long-term residential care are entitled to claim disability benefit or disability allowance; the restrictions that are involved; and if he will make a statement on the matter. [28103/04]

**Minister for Social and Family Affairs (Mr. Brennan):** In the case of disability benefit, entitlement to payment is not affected by the residential status of the claimant. Disability benefit is an insurance payment made to persons who are unable to work due to illness and is paid if the person satisfies the PRSI contributions for payment. Disability benefit is, therefore, paid while a person is in hospital or any long-term care institution without restriction.

Responsibility for the disabled person's maintenance allowance, DPMA, scheme was transferred from the Department of Health and Children and the health boards to the Department of Social and Family Affairs in October 1996. On the transfer of the scheme the existing qualifying conditions were retained and the scheme was renamed disability allowance.

One of the qualifying conditions applying to the former DPMA scheme was that the payment could not be made to people who were in residential care where the cost of the person's maintenance was met in whole or in part by a health board.

Effectively, persons who would otherwise have qualified for disability allowance would continue to have their maintenance costs and, in certain cases, an element of spending money met separately rather than through a disability allowance payment.

Since the take-over of the scheme by my Department, the restrictions on payment to persons in residential care have been progressively eased. From August 1999 existing disability allowance recipients who are living at home can retain their entitlement where they subsequently go into hospital or residential care.

A review of illness and disability payment schemes completed by my Department in September 2003 recommended the removal of the residential care disqualification for disability allowance purposes. The working group which oversaw the review recognised that the removal would have a range of implications, and that, in the absence of reliable data on the numbers involved and the funding arrangements currently in place, it was not possible to fully assess the likely impact or cost of such a move.

Budget 2003 provided for the take-over by my Department of the discretionary "pocket money" allowances paid to people with disabilities in residential care who are not entitled to disability allowance and for the standardisation of the level of these allowances. My Department is currently completing an information gathering process with

the health boards with a view to arranging for the transfer of responsibility for the payment of these allowances and of the funds involved. An assessment of the scale of the transfer and its implications for a more general removal of the residential care disqualification for disability allowance purposes will be made in the light of this transfer and having regard to available resources and priorities generally.

243. **Mr. Ring** asked the Minister for Social and Family Affairs the position regarding the review that he has asked to be carried out of the cutbacks which took place in December 2003; if the review has been completed; and when he expects a report on it. [28183/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The Estimates for the Department of Social and Family Affairs announced last November included a number of provisions to better target resources within the social welfare code.

My Department is currently reviewing all of the measures in question. It is expected that this review will be completed shortly and I will be bringing forward proposals, if appropriate, in the light of the findings of the review.

#### Social Welfare Benefits.

244. **Mr. Ring** asked the Minister for Social and Family Affairs if he will extend the Christmas bonus to persons in receipt of short-term social welfare payments; the number of persons who would be affected; and the costs of same. [28184/04]

**Minister for Social and Family Affairs (Mr. Brennan):** As the Deputy will be aware, the Christmas bonus will again be paid this year to all recipients of long-term social welfare payments, at a rate equivalent to 100% of the person's normal weekly payment, subject to a minimum payment of €30. The measure will cost an estimated €127.4 million in 2004 and will benefit 1.2 million persons comprising 816,000 recipients and 386,000 dependents.

The estimated cost of extending the Christmas bonus to all persons in receipt of short-term payments, including short-term unemployment payments, disability, maternity benefit, carer's benefit, family income supplement and supplementary welfare allowance, is €28.3 million. The number of persons currently receiving these short-term payments is 196,000.

#### Social Welfare Code.

245. **Mr. Ring** asked the Minister for Social and Family Affairs the last time the income guidelines were changed for the back to school clothing and footwear scheme; and the plans he has to change the income guidelines. [28185/04]

**Minister for Social and Family Affairs (Mr. Brennan):** Under the back to school clothing and footwear scheme, an allowance of €80 is payable in respect of qualified children aged two to 11 years while €120 is payable in respect of qualified children aged 12 to 22 years. The income limits for the scheme are increased each year.

The income limits for 2004 are as follows:

Couple with Income Limit		Lone Parent with Income Limit	
	€		€
1 child	348.10	1 child	238.90
2 children	367.40	2 children	260.50
3 children	386.70	3 children	282.10
4 children	406.00*	4 children	303.70**

\* Limit is increased by €19.30 for each additional child.

\*\* Limit is increased by €21.60 for each additional child.

Where the prescribed income limits are exceeded in the case of persons participating in approved employment schemes, including the back to work scheme, special arrangements are in place which allow such people to retain entitlement to the back to school clothing and footwear allowance subject to a separate income limit of €317.43 per week. The back to work allowance and family income supplement, in cases where one or both of these are in payment, are now disregarded in the assessment of the €317.43 weekly income limit.

As part of the expenditure review programme in my Department, a working group was established to undertake a review of the back to school clothing and footwear allowance scheme. The report of the working group is being finalised, and when completed I will consider any changes recommended to the scheme. Any further changes in income limits or in the amounts payable under the scheme would be a matter for consideration in a budgetary context.

### Social Welfare Benefits.

246. **Mr. Ring** asked the Minister for Social and Family Affairs the number of persons who have been refused unemployment assistance or benefit in the past three years on the grounds that they are not genuinely seeking work, despite producing letters from employers to the contrary; and the reason these letters are not accepted as proof that they are genuinely seeking work. [28186/04]

**Minister for Social and Family Affairs (Mr. Brennan):** To be entitled to unemployment benefit, UB, or unemployment assistance, UA, social welfare legislation provides that, among other conditions, a person must satisfy the condition of being genuinely seeking work.

The number of customers disallowed as not genuinely seeking work in each of the past three years is as follows:

Year	
2001	5,320
2002	3,567
2003	4,024

Up to August of this year 2,435 customers have been disallowed under this provision. The figures given above cover all disallowances for not genuinely seeking work, including any disallowances where the customers had produced letters from employers.

A deciding officer will take a number of factors into account in deciding whether a customer is genuinely seeking work. The production of letters from prospective employers is only one such factor and, of itself, may not be a sufficient indicator that a person is genuinely seeking work.

Regard may be had to any other steps which a person has taken — provided the person offers a reasonable chance of getting employment. The steps which are expected to be taken to seek work will vary from person to person and from one period to another. In determining what are reasonable steps, the deciding officer considers the nature and conditions of the employment sought and the individual circumstances of the persons concerned, including their level of skills and/or qualifications for the employment in question having regard to the state of the labour market and existing labour market opportunities.

Any person who fails to satisfy the deciding officer that he or she is genuinely seeking work is not entitled to an unemployment payment. Where a person is dissatisfied with a decision made by a deciding officer he or she may appeal this decision to the social welfare appeals office.

### Social Welfare Code.

247. **Mr. Ring** asked the Minister for Social and Family Affairs the costs of giving free travel and the household benefits package to all widows and widowers in the country, regardless of their age; and the plans he has to bring proposals to Government to give free travel and the household benefits package to all widows and widowers. [28187/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The household benefits package of schemes, which comprises the electricity, gas allowances, telephone allowance and television licence schemes, is generally available to people living permanently in the State, aged 66 years or over, who are in receipt of a social welfare type payment or who fulfil a means test.

The package is also available to carers and people with disabilities under the age of 66 who are in receipt of certain welfare type payments such as invalidity pension and disability allowance. People aged over 70 years of age can qualify regardless of their income or household composition. The free travel scheme is available to all people living in the State aged 66 years, or over,



to all carers in receipt of carer's allowance and to carers of people in receipt of constant attendance or prescribed relative's allowance. It is also available to certain people with disabilities.

Widows and widowers aged from 60 to 65 whose late spouses had been in receipt of the household benefit package or free travel retain that entitlement to ensure that those households do not suffer a loss of entitlements following the death of the spouse.

In the time available it has not been possible to cost the Deputy's proposal. This estimate will be communicated to him as quickly as possible.

A range of proposals, including that proposed by the Deputy, has been made to extend the free schemes to other groups. These are kept under review in the context of the objectives of the scheme and budgetary resources.

### **Asylum Support Services.**

248. **Mr. Penrose** asked the Minister for Social and Family Affairs if he intends the gross inequality of treatment of asylum seekers in direct provision compared to others in hostel type accommodation; his views on whether the direct provision rate for an adult of €19.10, which has remained unchanged since 2002, should be increased; and if he will make a statement on the matter. [28230/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The objective of the supplementary welfare allowance scheme, which is administered on my behalf by the health boards, is to make up the difference between a person's means and his or her basic needs. Where a person has access to some resources in kind or in cash, through the social welfare system or otherwise, the relevant legislation requires that this be taken into account in determining the amount of assistance payable.

Asylum seekers who are catered for under the direct provision system operated by the Department of Justice, Equality and Law Reform are provided with full board accommodation and other facilities such as laundry services and access to leisure areas. In recognition of the level of services provided in these cases a reduced rate of supplementary welfare allowance, that is, €19.10 per adult and €9.60 per child, is payable in respect of personal requisites.

In some cases asylum seekers are accommodated in step down facilities under the direct provision system. The criteria for assessment of such cases are the same as those applying to any other recipients, including people who have been supplied with hostel type accommodation. If accommodation only is supplied full rate supplementary welfare allowance less a deduction of €13 in respect of the accommodation is payable. If additional services are supplied, for example, breakfast or other meals, the amount of allowance payable is reduced to take account of the level of additional service supplied in each individual case.

With effect from May 2004 basic supplementary welfare allowance is subject to a habitual residence condition. Newly arrived asylum seekers are unlikely to satisfy this condition and are instead paid a direct provision allowance, equivalent to the relevant supplementary welfare allowance rate. Payment of this allowance is currently being made on an administrative basis through the supplementary welfare allowance scheme, as an interim measure, pending arrangements being put in place by the Department of Justice, Equality and Law Reform who will assume responsibility for direct provision allowance and in step down facilities with an similar agreement in place with the Department of Health and Children for that Department to take over responsibility for payments to unaccompanied minors.

The structure and rate of the direct provision payment is designed to give equality in the treatment of asylum seekers in direct provision compared to others in hostel type accommodation. Wherever there is a shortfall in the level of a person's means, assistance in the form a basic allowance may be paid to bring the person up to the appropriate supplementary welfare allowance rate.

Any increase in the rates of the weekly allowance paid to asylum seekers in direct provision would have to be considered in a budgetary context.

### **Insurance Industry.**

249. **Mr. Cregan** asked the Minister for Transport the situation in relation to insurance protection available to a person (details supplied); and if there is a fund from which this person can seek compensation. [27829/04]

**Minister of State at the Department of Transport (Mr. Callely):** Under an agreement dated 31 March 2004 between the Minister and the Motor Insurers Bureau of Ireland, the bureau continues its undertaking of liability to pay compensation to innocent victims of motor vehicle accidents involving uninsured drivers and untraced vehicles, in accordance with the terms of the agreement. Such compensation covers personal injuries and injury to property in the case of accidents caused by uninsured drivers and personal injury in the case of accidents caused by unidentified vehicles.

Determination of eligibility for compensation in individual cases is a matter for the Bureau. The agreement prescribes the conditions for notifying an accident to the bureau and indicates the procedures for making a claim against the bureau.

A copy of the agreement may be purchased from the Government Publications Sales Office, Sun Alliance House, Molesworth Street, Dublin 2, or by mail order from Government Publications, Postal Trade Section, 51 St. Stephen's Green, Dublin 2, price €3. It may also be accessed on my Department's website, [www.transport.ie](http://www.transport.ie).



### Public Transport.

250. **Mr. Kenny** asked the Minister for Transport the amount of funding which has been allocated for the purchase of additional buses to expand and increase the Dublin Bus fleet since 1997; and if he will make a statement on the matter. [27784/04]

251. **Mr. Kenny** asked the Minister for Transport the amount of funding which has been allocated for the purchase of replacement buses for the Dublin Bus fleet since 1997; and if he will make a statement on the matter. [27785/04]

257. **Ms O. Mitchell** asked the Minister for Transport the amount of funding under the NDP that has been allocated to Dublin Bus to purchase new buses in 2003 and in 2004; the number of new additional buses which were anticipated to be purchased from this allocation in both these years; the number of additional as opposed to replacement that have been purchased by the company in both these years; and if he will make a statement on the matter. [27861/04]

258. **Ms O. Mitchell** asked the Minister for Transport the number of the 276 additional buses promised to Dublin Bus over the lifetime of the NDP that have been delivered to date; the number that are now fully operational; and if he will make a statement on the matter. [27862/04]

**Minister for Transport (Mr. Cullen):** I propose to take Questions Nos. 250, 251, 257 and 258 together.

The national development plan, NDP, provides for the purchase by Dublin Bus of 275 additional buses and 500 replacement buses over the period to the end of 2006.

I am informed by Dublin Bus that since 1997 the company has allocated a total of €69 million for the purchase of new additional and €127 million of new replacement buses. These buses have been funded under the NDP from a combination of Exchequer grants, CIE borrowings and own resources, and EU funds. In 2003 and 2004, €22 million and €9.3 million, respectively, has been allocated for new buses. The NDP provides for the purchase by Dublin Bus of 275 additional buses over the period of the NDP to the end of 2006. To date 93 additional buses have been purchased by the company.

### Driving Tests.

252. **Ms Shortall** asked the Minister for Transport if he has plans to publish a circular for driver testers which would no longer require them to check for a valid tax disc before taking a driving test; if so, the reason such a basic fulfilment of the rules of the road should not be required of driving test applicants; his policy in this regard; and if he will make a statement on the matter. [27786/04]

**Minister for Transport (Mr. Cullen):** Following consultation with the Department of the Envir-

onment, Heritage and Local Government which is responsible for motor taxation, my Department recently issued a circular letter to driver testers instructing them not to check motor tax discs on vehicles presented for test with effect from 6 December 2004. In future, non-compliance with motor tax law will not be considered to be a valid reason for refusing to take a driving test candidate out on test. Under the Road Traffic Acts, the role of a driver tester is to assess the driving competency of candidates presenting for a driving test. A driver tester has no enforcement function in relation to the validity of motor tax discs. This is a matter for the Garda Síochána.

253. **Ms Shortall** asked the Minister for Transport his plans in relation to the oral part of the driving test; if he intends to abolish it to free up time for the new technical part of the test; and if so, the details of the research he has based this decision upon. [27787/04]

**Minister for Transport (Mr. Cullen):** I have no proposals at present to abolish the oral part of the driving test which is required under section 33(3)(b) of the Road Traffic Act 1961.

### Road Traffic Offences.

254. **Mr. O'Dowd** asked the Minister for Transport the reason penalty points cannot be endorsed on the entry in licence records from the date of payment of charge. [27807/04]

**Minister for Transport (Mr. Cullen):** The Road Traffic Act, 2002, which provides the legislative basis for the introduction and operation of the penalty points system, contains specific provisions governing application of such points on the licence record of an individual. Section 5 of the Act provides that where penalty points are to be endorsed on a record, a notification of that endorsement must be issued to the licence holder involved. The notice sets out in particular the basis for the endorsement of the points.

Section 7 of the Act provides that, save in very limited and quite specific instances, the operative date for penalty points is 28 days from the date of the notice issued under Section 5. This date is referred to in the Act as the appropriate date.

The provisions in the 2002 Act on the appropriate date recognise that as a result of the endorsement of penalty points a person may face the application of an automatic disqualification from driving. Section 3 of the Act establishes that where a person accumulates at least 12 penalty points, he or she will be disqualified for a period of six months.

If penalty points were to be applied from the date of the commission of the offence in the first instance or from the date of the payment of the fixed charge, a person could be faced with the prospect that they would have already been disqualified in advance of any notification being sent to that effect. This would in turn create the situation that a person would be open to a charge of

driving when disqualified where they had driven in the period between the commission of the original offence or the payment of the charge and the date of the notice.

The penalty points system has been designed and structured to ensure that any person who is accused of the commission of a penalty point offence is afforded a significant time period to choose whether or not to allow the matter to proceed to court. Save in respect of eight of the 69 offences determined to be penalty point offences in the Act, the option of the payment of a fixed charge is afforded to the accused person. A person presented with a fixed charge notice is given a period of 56 days in which to make such a payment before the certainty of a court summons is applied.

There is therefore a potentially significant period made available to a person to make a decision and all of the time period relating to the system that are established in the Act are set out in the fixed charge notice issued in respect of the alleged commission of the offence.

### **Traffic Management.**

255. **Mr. Durkan** asked the Minister for Transport if he will give consideration to requests to allow motorcyclists use dedicated bus lanes; and if he will make a statement on the matter. [27823/04]

**Minister for Transport (Mr. Cullen):** The use of bus lanes is provided for in the Road Traffic (Traffic and Parking) Regulations 1997 and 1998. The primary purpose of bus lanes is to facilitate and promote bus based public transport. The regulations, which have national application, generally limit the use of bus lanes to buses and, in the case of with-flow bus lanes, to cyclists also. Having regard to the role of taxis in providing on street immediate hire service, an exemption to the restriction relating to the use of with-flow bus lanes is allowed in respect of taxis when they are being used in the course of business. An overriding concern is the carrying capacity of bus lanes and the potential that their primary role to provide bus priority could be undermined if other vehicles are allowed access.

However, representations have been received by my Department seeking to extend access to bus lanes to a wide range of other road users, including hackney and limousine operators and motorcyclists. A review of the access issue was carried out in 2001. As part of that review the views of the director of traffic in Dublin City Council, the Dublin Transportation Office and the Garda Síochána were sought. All of those bodies suggested that there should be no change to the current position. I do not have any immediate proposals to review the question of extending access to bus lanes to other road users.

### **Driving Tests.**

256. **Mr. Aylward** asked the Minister for Trans-

port the progress to date on the provision of driving test centres for heavy goods vehicles in line with the EU directive governing such tests; and if Kilkenny will be one of the locations selected for such tests. [27838/04]

**Minister for Transport (Mr. Cullen):** A range of options in relation to off road driving test centres are currently under consideration in my Department in consultation with the Office of Public Works. No final decisions have yet been made.

*Questions Nos. 257 and 258 answered with Question No. 250.*

### **Airport Development Projects.**

259. **Mr. P. Breen** asked the Minister for Transport, further to Parliamentary Question No. 326 of 25 May 2004, if it was his Department or Aer Rianta that was responsible for initially giving the incorrect co-ordinates of the western threshold of proposed runway 10/28 to ERM; if he will confirm both the incorrect and amended co-ordinates as depicted respectively on the draft ERM report of June 2003 and the final version of the said report; and if he will make a statement on the matter. [28055/04]

260. **Mr. P. Breen** asked the Minister for Transport if SI 92 of 1977 still exists; if such statutory instrument was revoked by him; if so, the date of revocation; and if he will make a statement on the matter. [28056/04]

261. **Mr. P. Breen** asked the Minister for Transport if a green belt for 2.5 miles around the airport was designated by the then Department of Industry and Commerce at Dublin Airport in or around the 1940s; if this green belt still exists; if it has been revoked; if so, the means by which such revocation took place; and if he will make a statement on the matter. [28057/04]

262. **Mr. P. Breen** asked the Minister for Transport further to Parliamentary Question No. 264 of 28 October 2004, if the airport development plan prepared by his Department for Dublin Airport on 11 March 1968 indicated that each of the proposed parallel runways would be 11,500 feet in length; and if he will make a statement on the matter. [28058/04]

**Minister for Transport (Mr. Cullen):** I propose to take Questions Nos. 259 to 262, inclusive, together.

I am informed by Dublin Airport Authority that preliminary co-ordinates of the western threshold of proposed runway 10/28 were provided by the former Aer Rianta to ERM at the commencement of its study and the latter's draft report of June 2003 depicted, for illustrative purposes, the proposed runway 10/28. A minor amendment to the co-ordinates of the western threshold of the runway, in the order of approximately 100 m, was notified by the airport authority to ERM during the consultation phase of

[Mr. Cullen.]

the draft report and this correction was incorporated in the final version of the ERM report.

The Dublin Airport (Parking Fees) By-Laws, 1977, SI 92 of 1977, set the parking fees for vehicles in Dublin Airport from 1 April 1977. However, the airport by-laws of 1978, SI 225 of 1978, provided at Regulation 6(7) that parking fees at the airport may be prescribed from time to time by the Minister. The 1978 by-laws were revoked by the airport by-laws of 1994, SI 425 of 1994, which provided at Regulation 8(9) for the former Aer Rianta to set parking charges at the State airports.

Planning and development issues, including the designation of areas where development is restricted, such as green belts, are a matter for the local planning authorities who take account of the views and requirements of third parties and the facilitation of sustainable economic growth and development. In the case of lands in the vicinity of Dublin Airport, Fingal County Council and its predecessors are responsible for land use planning and the Deputy might consult the local authority on the status of its designations around Dublin Airport in the 1940s.

With regard to the documents of March 1968 referred to by the Deputy, I am informed by the Dublin Airport Authority that they indicated two parallel east-west runways of potentially 11,500 ft in length.

#### Driving Tests.

263. **Ms Cooper-Flynn** asked the Minister for Transport if he has received legal advice on the issue of retention of civil servant status for driving testers who will transfer to the Driver Testing and Standards Authority (details supplied). [28059/04]

**Minister for Transport (Mr. Cullen):** As is the case with all legislation the Driver Testing and Standards Authority Bill has been examined by the Office of the Attorney General prior to its introduction to the Dáil. The Bill is currently at second stage.

#### Public Transport.

264. **Mr. McGinley** asked the Minister for Transport if his attention has been drawn to the inadequacies of the Bus Éireann transport service between Letterkenny and Dublin particularly to the fact that the service does not avail of the M1 motorway and that there is no dedicated stop for Dublin Airport; if CIE will consider the feasibility of addressing these issues; and if he will make a statement on the matter. [28073/04]

**Minister for Transport (Mr. Cullen):** Changes in Bus Éireann services are an operational matter for the company. However, since 10 January 2001, Bus Éireann is required to notify my Department of proposed new services or proposed changes to existing services at least four weeks prior to their introduction. The sole pur-

pose of this notification procedure is to ensure a level playing field between public and private operators from a market regulatory perspective. In considering these notifications my Department makes no judgment on the operational merits of the proposed service changes.

Bus Éireann has been in correspondence with my Department about a number of proposed changes to their services between Letterkenny and Dublin among others. A number of the changes sought were noted by my Department on 16 June and 30 July. Bus Éireann have recently notified my Department of a number of additional proposed changes to services and these are currently being processed by my Department.

#### Rail Services.

265. **Ms Burton** asked the Minister for Transport the proposals he has to improve the Maynooth-Clonsilla rail line; if his attention has been drawn to the extreme overcrowding on the line; the plans he has for more services, longer trains and improvements to Connolly Station to facilitate trains from Clonsilla; and when these will come about. [28216/04]

**Minister for Transport (Mr. Cullen):** I refer the Deputy to a similar question put to me on Tuesday, 2 November 2004, by Deputy Durkan. The situation in relation to the Maynooth to Dublin railway line has not altered since then.

Irish Rail has significantly increased the capacity of services along the Maynooth rail line over the past five years and is committed to further increases in line with growth in commuter demands. In particular a step change increase in the order of 35% was implemented during peak periods from December 2003 onwards. This was achieved through the introduction of 80 diesel railcars for use on commuter services. Plans are currently in place to further increase capacity along the line with the deployment of new units of rolling stock to be introduced during 2005. I understand further service enhancements for commuters along this line are currently being planned by Irish Rail.

#### Harbours and Piers.

266. **Mr. Perry** asked the Minister for Community, Rural and Gaeltacht Affairs the funding that has been granted for work on the pier at Clare Island: the amount that has been sanctioned; the Department from which the funding came; and if he will make a statement on the matter. [27860/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** In January 2004, I approved funding of €11.604 million from my Department's Vote to Mayo County Council for the construction, under a single contract, of improved pier facilities on Clare Island and Inish-turk. The contract was awarded following a public tendering process. The balance of €380,920 of the



cost of this joint project will be paid by Mayo County Council.

*Question No. 267 answered with Question No. 97.*

*Question No. 268 answered with Question No. 106.*

*Question No. 269 answered with Question No. 104.*

### Grant Payments.

270. **Ms Enright** asked the Minister for Community, Rural and Gaeltacht Affairs when a decision on a grant application for a group (details supplied) in County Laois will be processed and adjudicated upon; if he will provide the funding sought; and if he will make a statement on the matter. [27865/04]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern):** My Department received an application for funding from the group in question under the 2004 programme of grants for locally-based community and voluntary organisations. The number of applications for funding received under the programme far exceeded the limited funds available and only those proposals which achieved a sufficiently high score arising from the assessment process have been recommended for funding.

The application for funding from the group in question failed to achieve a sufficiently high score to enable it to be considered at the moment. However, should further funds become available to the scheme this application will be then reconsidered.

### Departmental Funding.

271. **Mr. G. Mitchell** asked the Minister for Community, Rural and Gaeltacht Affairs if mainstream financing will continue to be made available for a centre (details supplied) in Dublin 10 in

order that it can continue its work when URBAN funding runs out early in 2005; and if he will make a statement on the matter. [27912/04]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern):** My Department currently provides a number of supports for volunteering, including: direct funding for Volunteering Ireland, the Tallaght Volunteer Bureau and Focus Ireland; funding via Partnerships and the Local Development Social Inclusion Programme; funding via the grants schemes established in the context of the White Paper on Supporting Voluntary Activity; and funding via the training and capital grants for locally-based voluntary groups.

The current budgetary position does not allow my Department to provide for any significant new initiatives in this area at this time. I understand that the organisation referred to by the Deputy is currently funded by Dublin City Council under the EU Community Initiative URBAN II Programme 2000-2006. It is also understood that options for future funding of the organisation following expiry of URBAN II funding are currently under consideration by the URBAN project in the area in question.

*Questions Nos. 272 and 273 answered with Question No. 122.*

### Community Development.

274. **Mr. Durkan** asked the Minister for Community, Rural and Gaeltacht Affairs the extent to which he has awarded grant aid to various community groups, urban or rural, throughout the country in the past 12 months; and the headings under which it was awarded in each case; and if he will make a statement on the matter. [28145/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** Information relating to grant aid awarded to community groups, urban or rural, throughout the country in the past 12 months is set out in the following appendix.

* Name of scheme	Amount
CLÁR (Community Initiatives Measure)	€185,425 (€433,000 allocated)
Rural Development Fund	€377,508
Community Development Programme	€16,510,025 (allocated)
Programme of Grants for Locally-Based Community and Voluntary Organisations	€2,417,415 (allocated)
Local Development/Social Inclusion Programme	€38,769,141
LEADER	€21,500,000
Drugs Initiative/Young Peoples Facilities & Services Fund	€30,123,297
Ciste na Gaeilge	€2,498,650
Islands	€45,098
RAPID (capital)	€4,700,000 (allocated)
(current)	€1,188,109
Údarás na Gaeltachta schemes	€1,373,000

\*(i) Amounts indicate spend, unless otherwise indicated.

(ii) Relevant period is 1 November 2003 to 31 October 2004.



### Grant Payments.

275. **Mr. Perry** asked the Minister for Agriculture and Food if the beef premiums will be awarded on two animals of a person (details supplied); and if she will make a statement on the matter. [27761/04]

**Minister for Agriculture and Food (Mary Coughlan):** The person named has to date submitted four applications under the 2004 special beef premium scheme, one on 26 January 2004, in respect of five animals, one on 8 June, 2004 in respect of ten animals, one on 7 October 2004, in respect of four animals and one on 20 October 2004 in respect of eight animals.

Under the terms and conditions of the scheme all animals are required to be CMMS compliant on the date of application. Following computer validation, two of the animals included on the application of 26 January 2004 were identified as non-CMMS compliant on the date of application, in that their movements were not recorded on the CMMS database until 8 April 2004. The person named was written to on 21 September 2004 advising that the animals in question would accordingly be rejected from the application and was informed of the right of appeal. To date the person named has not availed of this opportunity.

276. **Mr. Kehoe** asked the Minister for Agriculture and Food when a person (details supplied) in County Wexford will be awarded the bullock slaughter premium; the reason for the delay in processing the payment; and if she will make a statement on the matter. [27788/04]

**Minister for Agriculture and Food (Mary Coughlan):** Under the 2004 EU slaughter premium scheme, 48 animals have been deemed eligible for payment to the person named. The 60% advance payment has issued in respect of all these animals to the amount of €2,304.00. The 40% balancing payment shall be paid in 2005 after it has been established whether the national quota has been exceeded and after completion of all checks.

277. **Mr. Hayes** asked the Minister for Agriculture and Food the number of *force majeure* applications received by her Department to date; the number of these applications that have been processed; the number of these applications that have been rejected; and if she will give an outline of the cases that have been decided under different subject areas. [27789/04]

**Minister for Agriculture and Food (Mary Coughlan):** The following is the up-to-date position regarding the processing of *force majeure* applications under the single payment scheme:

No. cases received	15,288
No. cases processed	14,110
No. unsuccessful applicants	9,610
No. successful applicants	1,785
No. cases requiring additional information	2,715

### *Force majeure* decisions by category.

Death of applicant	938
Incapacity	1,999
Disaster	43
Destruction	27
Disease in herd	1,562
Other exceptional circumstance	5,221
Multiple circumstances	1,605

My Department has also received in excess of 2000 *force majeure* applications under the second tranche of this measure, which closed on 29 October 2004.

278. **Mr. Ring** asked the Minister for Agriculture and Food when a person (details supplied) in County Mayo will receive the slaughter premium payment. [27809/04]

**Minister for Agriculture and Food (Mary Coughlan):** Under the 2004 EU slaughter premium scheme, four animals have been deemed eligible for payment to the person named. The 60% slaughter premium advance payment of €192, together with the 60% national envelope top-up for beef heifers advance payment of €54.84 issued to the person named on 20 October 2004 and 21 October 2004, respectively. The 40% balancing payments shall be paid in 2005 after it has been established whether or not the national quota has been exceeded and after completion of all checks.

279. **Mr. J. O'Keeffe** asked the Minister for Agriculture and Food if a person (details supplied) has any other appeal mechanisms open to them. [27876/04]

**Minister for Agriculture and Food (Mary Coughlan):** The person named, having been notified that the circumstances outlined by him did not satisfy the criteria for *force majeure*-exceptional circumstances under Article 40 of Council Regulation (EC) No. 1782/2003, submitted an appeal to the independent single payment appeals committee.

Following a full examination of the circumstances outlined in the appeal, the independent single payment appeals committee made a recommendation and a letter issued to the person named on 23 August 2004. The findings of the appeals committee were that the original decision taken by my Department should be upheld.

It is open to the person named to have my Department's decision in his case examined by the Office of the Ombudsman. It is noted however, that the person named changed his farming system during 2002 and consequently he may be eligible for entitlements under the provisions of the national reserve for which application forms will be available shortly.

### Farm Retirement Scheme.

280. **Mr. Kehoe** asked the Minister for Agriculture and Food if a person (details supplied) in County Wexford will receive an increase to the early farm retirement pension; and if she will make a statement on the matter. [27877/04]

**Minister for Agriculture and Food (Mary Coughlan):** The person named is the husband of a participant in the 1994 scheme of early retirement from farming, who joined the scheme under the joint management arrangement. Consequently he too has ceased farming. His wife qualifies for the maximum rate of pension payable under the 1994 scheme, which is set by the EU Council regulation under which the scheme was introduced. Therefore it is not possible to increase the rate of pension.

### Grant Payments.

281. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason she reduced the eligible stock numbers by one animal for the 2003 suckler cow grant for a person (details supplied) in County Galway; and if she will make a statement on the matter. [27889/04]

**Minister for Agriculture and Food (Mary Coughlan):** The person named applied for premium on seven animals under the 2003 suckler cow premium scheme. While processing the application for payment it was found that according to CMMS records, one of these animals bearing tag number 181850810049 was not in the ownership and possession of the herd owner on 27 June 2003, that being the date of his application. Correspondence regarding this matter issued to the person named on 16 September 2003 and details of a formal decision to reject the animal were notified to him on 6 November 2003. At that time he was given the opportunity to appeal the decision. The herd owner did not request an appeal and so the application was processed on the basis of six eligible animals and one rejected animal.

### Milk Quota.

282. **Mr. Wall** asked the Minister for Agriculture and Food the position regarding milk quotas for a farmer who had milk quota leased for the period April 1998 to April 2005; the effect which the new agreement will have in regard to such a farmer regarding payments, remuneration and the quota; and if she will make a statement on the matter. [27907/04]

**Minister for Agriculture and Food (Mary Coughlan):** The milk quota regulations allow a number of options to a lessor when a lease expires. The lessor may resume production, renew the lease with the same lessee, establish a lease with a close family member, and in certain very limited circumstances where the lessor is in the early retirement scheme he or she may establish a new lease with a non family member. The

lessor may also sell the quota without the land to the departing lessee, sell the quota into the restructuring scheme, or sell the land with the quota attached on the open market.

Under the single payment scheme, the dairy premium is payable in respect of eligible quota available on a producer's holding on 31 March 2005. Where a person has leased out his or her quota to a producer for the period of 1 April 1997 to 31 March 2005, the dairy premium in respect of that quota is payable to the lessee.

283. **Mr. Wall** asked the Minister for Agriculture and Food the position regarding a farmer who has lands and milk quotas leased prior to the de-coupling agreement and whose lease expires within the next three months in respect of payments for milk quotas; the position regarding the remuneration to the landowner in regard to such quotas; the effect this will have in regard to the new agreements reached for the farmer; and if she will make a statement on the matter. [27911/04]

**Minister for Agriculture and Food (Mary Coughlan):** In respect of the decoupled dairy premium, where a lease of lands and milk quota expires during the milk quota year, that part of the milk quota utilised by the lessee will be available to that person for the purposes of establishing the de-coupled premium in 2005. The remainder of the leased quota will be transferred to the lessor, if the lease is not renewed. The lessor will be entitled to the de-coupled dairy premium on the transferred quota if he or she is a milk producer during the 2004-05 milk quota year or commences milk production in his or her own right prior to May 2005.

### Land Annuities.

284. **Mr. Naughten** asked the Minister for Agriculture and Food the current value of land annuity arrears owed to her Department; the value of such arrears in the case of annuities amounting to €200 or less per annum; and if she will make a statement on the matter. [28031/04]

**Minister for Agriculture and Food (Mary Coughlan):** The value of land annuity arrears outstanding on 31 October 2004 is €4.9 million. The value of arrears in respect of annuities of €200 or less per annum is €1.3 million.

### Departmental Staff.

285. **Mr. Naughten** asked the Minister for Agriculture and Food the number of staff employed in the lands division of her Department; the location, staff numbers and function of each section of the division; and if she will make a statement on the matter. [28032/04]

**Minister for Agriculture and Food (Mary Coughlan):** The 33 staff in the lands division of my Department are located in Cavan. The main functions of this division are the disposal of the

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land on hands which was owned by the former Land Commission, revesting title in those to whom land has been allotted, overseeing the operations of trusts established under the Land Acts, completion of commonage division and rearrangement for cases on hand, answering queries relating to the affairs of the former Land Commission and dealing with consents under sections 12 and 45 of the Land Act 1965.

286. **Mr. Naughten** asked the Minister for Agriculture and Food the number of staff employed in the lands division of her Department in each of the past ten years; and if she will make a statement on the matter. [28033/04]

**Minister for Agriculture and Food (Mary Coughlan):** There are at present 33 staff in the lands division of my Department in Cavan. There were 27 staff in the division in 1997 and the number of posts has not changed significantly over the past ten years.

#### Live Exports.

287. **Mr. Timmins** asked the Minister for Agriculture and Food the position regarding Northern Ireland sheep farmers not being allowed to buy breeding sheep in the Republic; if this can be reversed as speedily as possible; and if she will make a statement on the matter. [28043/04]

**Minister for Agriculture and Food (Mary Coughlan):** Sheep farmers from Northern Ireland are not precluded from buying breeding sheep here but the following rules apply to the export of such sheep. Intra-Community trade in sheep is governed by the provisions of Council Directive 2003/50/EC, which amends Council Directive 91/68/EEC as regards reinforcement of controls on movements of sheep and goats and which came into force on the 1 July 2004. These controls apply to breeding sheep whether they are imported or exported.

Under these rules, breeding sheep must be certified as having been continuously resident on a holding of origin for at least 30 days prior to export including a standstill period of 21 days prior to export during which time no sheep or goats have been introduced on to the holding. A derogation applies where sheep or goats introduced during the standstill period are completely isolated from all other animals on the holding. Breeding rams must also come from a holding on which no case of contagious epididymitis, *Brucella ovis*, has been recorded in the previous 12 months and they must have been kept permanently on the holding for 60 days prior to export. Breeding rams must also be tested for contagious epididymitis, *Brucella ovis*, with a negative result, within 30 days prior to export. The rules on scrapie are that all breeding sheep must either be of the ARR/ARR prion protein genotype, or have been kept in a scrapie monitored flock for at least

three years with no cases of scrapie being confirmed during this period.

In the case of exports from breeding shows, it is a fundamental requirement that breeding sheep being exported would not come into contact with animals of a lesser health status e.g. production or slaughter sheep. In this respect, prior arrangements between show organisers and the appropriate district veterinary office would be needed. Breeding sheep being exported must be inspected by an official veterinarian during the 24 hours preceding the loading of the animals and issued with an intra-Community health certificate signed by the official veterinarian.

#### Animal By-products Disposal.

288. **Mr. Timmins** asked the Minister for Agriculture and Food the Government policy on animal blood mixed with slurry from meat factories and spread on land; if this is Government policy; and if she will make a statement on the matter. [28065/04]

**Minister for Agriculture and Food (Mary Coughlan):** EC Council Regulation 1774/2002 stipulates the methods for handling, processing and disposal of all animal by-products including blood. The regulation does not permit the spreading of blood originating from meat factories on land. Manure may be spread on land in accordance with the regulation, provided that the competent authority does not consider it to present a risk of spreading any serious transmissible disease. Blood mixed with slurry may not be spread on land.

#### Departmental Staff.

289. **Mr. Gregory** asked the Minister for Agriculture and Food if there is any proposal to transfer staff from the Department of Agriculture and Food to the national parks and wildlife services; if so, the staff and the positions involved; and if she will make a statement on the matter. [28107/04]

**Minister for Agriculture and Food (Mary Coughlan):** The introduction of mechanical grading machines to carry out beef carcass classification has led to the redeployment of 55 supervisory agricultural officers to other duties. Some 35 of these officers were redeployed to posts within my Department. The remaining 20 are not yet redeployed.

There are staff shortages in the conservation ranger area in the Department of Environment, Heritage and Local Government and the feasibility of redeploying agriculture officers to suitable work in reasonable locations in that Department is being explored. Agricultural officers have been interviewed by officials from the Department of Environment, Heritage and Local Government and a panel has been created. Offers of appointment as conservation rangers have been made to the nine officers and replies are awaited.



### Decentralisation Programme.

290. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform the position regarding the proposed transfer of the headquarters of the Prison Service to Longford; the present staff numbers involved in headquarters; the number who have indicated a wish to relocate to Longford; and the arrangements in place for a building in Longford to house the service. [28110/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** As announced by my colleague the former Minister for Finance on 3 December 2003, the Irish Prison Service headquarters will be decentralised to Longford. It is anticipated that up to 178 jobs currently assigned to various Dublin locations, including 130 staff of the Prison Service employed at its current Clondalkin headquarters, together with other elements of prison management including the buildings services, purchasing services and a number of contract IT support staff will decentralise. The legal formalities relating to the acquisition from Longford County Council of the site selected for the new headquarters building are nearing completion.

Based on the decentralisation central applications facility, CAF, data of 7 September 2004 some 37 employees of the Prison Service together with 108 other civil servants and five public servants have nominated Longford as their first preference for relocation. As the Deputy is aware, the CAF continues to be open for the receipt of applications until such time as the decentralisation programme has been implemented in full.

### Departmental Bodies.

291. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform his views on whether it is appropriate to include in the membership of the new group set up to look at legal costs, either a solicitor in private practice, or a nominee of the Law Society. [27804/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** As the Deputy will be aware, I have established a working group to examine the present level of legal fees and costs arising in civil litigation and the system and arrangements in place relating to the taxation of costs. The best way of guaranteeing an independent, fair and balanced consideration of the complex issues the group has been asked to examine is for legal professional bodies to work closely with, but separately from, the group.

I fully accept that legal professionals are key players in any examination of legal costs and acknowledge their unique insight into the current system. I have no doubt that the process, which I have initiated, will fully and completely take into account the views and experience of legal professionals. To this end, the legal costs working group has invited submissions from interested parties. The invitation was advertised nationally

and is currently displayed on the Department’s website, [www.justice.ie](http://www.justice.ie).

### Garda Investigations.

292. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform the position regarding the investigation into the death of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [27820/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I am informed by the Garda authorities that inquiries into the death of this person are still ongoing and the file will remain open until a satisfactory conclusion is reached in the matter.

### Compensation Fund.

293. **Mr. Cregan** asked the Minister for Justice, Equality and Law Reform the situation related to Garda or insurance protection available to a person (details supplied); and if there is a fund from which this person can seek compensation. [27830/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** There is no fund under the remit of the Garda Síochána, or my Department, from which the person in question can seek compensation. However, I would refer the Deputy to Parliamentary Question No. 250, which is answered by my colleague, the Minister for Transport, today.

### Work Permits.

294. **Mr. Cregan** asked the Minister for Justice, Equality and Law Reform the situation in relation to the status of non-EU persons who have been living here on student visas for four years and wish to remain on after graduation; if they qualify as parents of a child born here before the change in the rules in 2002/2003; if they qualify under any scheme other than by obtaining a work permit or working visa; if such parents are both holders of PhDs obtained in universities here, if these qualifications are taken into account; and his views on whether a highly skilled migrant programme should or can be devised to attract them to stay. [27831/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** The information sheet which accompanies every visa application form states that in general, persons granted visas for particular purposes are not permitted to involve themselves in any activity or to remain in the State for any purpose other than that for which the visa was granted.

Generally, students are not able to change their status while in the State. If they wish to enter employment following completion of their studies they will require a work permit to do so. In general, visa required nationals are required to return home while the work permit is processed and apply for a visa in order to return to the



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State. However, where the prospective employment is directly related to the course of studies the person has recently completed then it is possible to change one's status from student to worker without having to leave the State. The working visa or work authorisation schemes may also be open to certain graduates depending on the field of their qualifications.

Being the parents of an Irish-born child does not of itself grant any special immigration status to non-nationals. Such persons must ensure they are legally resident in the State.

#### **Equal Opportunities Childcare Programme.**

295. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform when the next announcement of awards under the Equal Opportunities Childcare Programme 2000-2006 are due. [27847/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** The Equal Opportunities Childcare Programme 2000-2006 is a seven year development programme which aims to increase the availability and quality of child care to support parents in employment, education and training. The progress of the programme was commented upon very favourably by the mid-term evaluators of both the regional operational programmes and the National Development Plan 2000-2006 and, following the mid-term review, additional funding of approximately €12 million was made available for the child care measures. This brings the total funding available for the programme to €449.3 million. This now includes an increased provision for capital developments for which €157 million has been set aside.

Since 2000, my Department, with the technical assistance of ADM Limited, has processed and I have approved 1,253 applications for capital grant assistance of more than €120 million and 997 applications for staffing grant assistance totalling €103 million. Almost €45 million has been allocated for quality projects. A list of outstanding capital applications is now being finalised and my Department will write to the applicants in the near future.

#### **Garda Investigations.**

296. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform if the Garda authorities will report on an incident (details supplied); and if he will make a statement on the matter. [27848/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I am informed by the Garda authorities that criminal cases are currently pending before the courts in relation to this matter. As the Deputy will appreciate in the circumstances it would be inappropriate for me to comment further at this time.

#### **Visa Applications.**

297. **Mr. G. Mitchell** asked the Minister for Justice, Equality and Law Reform if he will review the case of persons (details supplied) in Dublin 15. [27882/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** The refugees in question made an application for ten family members to join them in the State. The application fell to be dealt with under the provisions of section 18 of the Refugee Act 1996 which provides a statutory mechanism for the evaluation of applications for family re-unification with family members by refugees who are resident in this jurisdiction. Under section 18(3) such permission will be granted to immediate family members, i.e. spouses, minor children and parents of minor children) upon verification of the authenticity of the relationship. Visas have now been approved in respect of three children of the applicants who came within the ambit of section 18(3).

Applications for other dependent family members may also be made under section 18(4). Dependent members of the family mean any grandparent, parent, brother, sister, child, grandchild, ward or guardian of the refugee who is dependent on the refugee or is suffering from a mental or physical disability to such an extent that it is not reasonable for him or her to maintain himself or herself fully. If such dependency is proved these applications may be granted at my discretion.

As six of the family members who are the subject of the current application do not come within the ambit of either of these provisions I am not in a position to grant family re-unification in respect of them under the provisions of the Act. In processing the application for the tenth person inconsistencies were noted which require further investigation before this application can be finalised. My Department has recently written to the refugees concerned informing them of the position relating to their application.

#### **Garda Secondments.**

298. **Mr. J. O'Keeffe** asked the Minister for Justice, Equality and Law Reform the provisions under which officers of the PSNI can be either members of or seconded to the Garda Síochána; if there are analogous provisions applicable in respect of other police forces throughout the world; and if so, the details of same. [27886/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** Section 2 of the Garda Síochána (Police Co-Operation) Act 2003 provides for the appointment of members of the Police Service of Northern Ireland (PSNI) to certain ranks in the Garda Síochána. Section 3 of the same Act provides for the secondment of members of the PSNI to the Garda Síochána. There is no provision which allows secondment or appointment of members of other police forces to the Garda

Síochána, except for the provision relating to the PSNI referred to.

### **Fireworks Seizures.**

299. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform the amount and approximate value of fireworks seized by the Garda Síochána or otherwise in each of the past five years; and the arrangements made for the disposal of same. [27887/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I am informed by the Garda authorities that the information requested is not readily available. I will be in touch with the Deputy as soon as I obtain the information from the Garda.

### **Naturalisation Applications.**

300. **Mr. O’Dowd** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 161 of 13 May 2004, the position regarding the application for citizenship for a person (details supplied) in County Cork. [27890/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I have been informed by officials in the citizenship section of my Department that the processing of the application for naturalisation by the person concerned has now been completed and that it is due to be forwarded to me for a decision in the coming weeks. I will inform the Deputy and the person concerned as soon as I have reached a decision in this case.

### **Residency Permits.**

301. **Mr. Gilmore** asked the Minister for Justice, Equality and Law Reform if a green card will be issued to a person (details supplied); and if he will make a statement on the matter. [27893/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** An application for permission to remain in the State based on marriage to an Irish national was received from the person concerned in September 2004. Applications of this type are dealt with in strict chronological order and currently take approximately 16 months to process.

### **Refugee Status.**

302. **Mr. Haughey** asked the Minister for Justice, Equality and Law Reform the position regarding an application by a person (details supplied) for refugee status; if he has received an application by this person, and his family for permission to remain in the State on humanitarian grounds; when this application will be determined; and if he will make a statement on the matter. [27894/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** The person in question and his

family entered the State on 28 December 2001 and applied for asylum. The office of the Refugee Applications Commissioner recommended that his asylum claim be refused and he was notified of this refusal on 19 June 2002. He subsequently appealed this recommendation to the Refugee Appeals Tribunal. Following an oral hearing, the original recommendation was affirmed and he was notified of this decision on 18 February, 2003. His wife’s asylum application has not been completed. An application for residency on the basis of an Irish-born child was received from the person in question on 11 October 2002.

In accordance with Section 3 of the Immigration Act 1999, he was informed on the 24 April 2003 that it was proposed to make a deportation order in respect of him and was given the following options: to make written representations within 15 working days to the Minister for Justice, Equality and Law Reform setting out reasons as to why he should not be deported, i.e. why he should be allowed to remain temporarily in the State; to voluntarily leave the State; or to consent to deportation. Representations have been received on behalf of the applicant setting out reasons as to why he should be granted humanitarian leave to remain, including that he is the father of an Irish born child.

This case will be processed in accordance with the provisions of the Immigration Act 1999, as amended. Because of the backlog of cases it will be several months before a final decision will be reached in this case.

### **Visa Applications.**

303. **Mr. G. Mitchell** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 414 of 5 October 2004, if he has received an appeal from a person (details attached) in Dublin 8 by registered post on 29 September 2004. [27896/04]

304. **Mr. G. Mitchell** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question Nos. 414 of 5 October 2004 and 458 of 19 October 2004, if a senior official of his Department will review a visa application in view of correspondence received (details supplied); and if he will make a statement on the matter. [27897/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I propose to take Questions Nos. 303 and 304 together.

The decision on the visa application in question is as outlined in my response to Parliamentary Questions Nos. 414 of 5 October and 458 of 19 October 2004. I am satisfied that the application in question has been processed in a fair and open manner by a visa officer and subsequently by a visa appeals officer of the immigration division of my Department and see no reason to have the application reviewed again. It is open to the person in question to submit a fresh application.

### International Terrorism.

305. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform if the Garda adopted a strategy to deal with the risk of international terrorism or the planning of it within Ireland; his views on whether there is a real and substantial risk; and if he will make a statement on the matter. [27918/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** The Garda authorities maintain an up-to-date assessment of the threat of attacks against this country from international terrorist groupings through analysis of intelligence gathered from domestic and international sources.

The Garda involvement over an extended number of years in fora within the European Union and further afield has ensured that excellent lines of communication and co-operation have been developed and fostered with police and security services worldwide. This facilitates ongoing sharing of intelligence concerning terrorist groupings and enables a rapid operational response to be put in place where circumstances dictate.

Moreover, the Criminal Justice (Terrorist Offences) Bill 2002, which concluded Committee Stage in Dáil Éireann on 4 November last, will further enable this State to fully play its part in the fight against international terrorism. In particular, it will give effect to a number of international instruments directed to terrorism and will enable the State to meet commitments undertaken as part of the European Union and the broader international community.

Specifically, the Bill will give effect to the European Union Framework Decision on Combating Terrorism by making provision for the first time for terrorist offences as a separate and distinct category of offence in our law and by making provision for the application of the relevant provisions of our existing anti-terrorist legislation to terrorist groups who commit terrorist offences whether based in or outside the State. It will also give effect to four United Nations conventions directed to specific manifestations of terrorism and its support structure.

Security threat assessments on the risk level to Ireland of terrorist attack are furnished by the Garda authorities at regular intervals to the Government and myself. While it is not the practice, and it would be contrary to the public interest, to reveal the content of these threat assessments, the Deputy will appreciate that it is vital that the resources of the State are used fully to combat the real, ongoing threat posed by international terrorism.

### Crime Levels.

306. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform the number of residents here of minority races and cultures who have been the subject of racist attacks in the past four years; and the number of arrests made lead-

ing to prosecution, arising from such attacks. [27920/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I am informed by the Garda authorities that the number of incidents with a racist motive recorded from 2000 to date are set out in the following table. The statistics for 2004 are provisional and are, therefore, subject to change. The total number of arrests is not readily available and can only be obtained by the disproportionate expenditure of Garda time and resources relative to the information sought.

Year	Reported	Detected	Proceedings
2000	71	38	18
2001	43	20	6
2002	102	40	21
2003	69	25	17
2004 (up to 8 Nov.)	42	13	5
Total	327	136	67

### Garda Strength.

307. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform if he has plans to expand the mounted police division of the Garda Síochána; and the current strength of same. [27921/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I have been informed by the Garda authorities which are responsible for the detailed allocation of resources, including personnel, that there are no plans to expand the Garda mounted unit.

The unit was established in March 1998 with one sergeant, six gardaí and a complement of six horses. As part of the approval to establish the unit, a review of the unit was conducted after the initial two years. The unit is a national resource in support of regional policing requirements. The current strength stands at 14, all ranks, and 13 horses.

A new competition will commence in the near future to return the strength of the unit to its authorised strength of 18 members, all ranks. In this regard, I am informed that one sergeant is currently serving on a UN Mission overseas and is due to return in May 2005.

### Asylum Applications.

308. **Mr. O'Shea** asked the Minister for Justice, Equality and Law Reform if he proposes to grant the right to work to asylum seekers (details supplied); and if he will make a statement on the matter. [27923/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** It is not proposed to allow asylum applicants to take up paid employment pending a final decision being made on their applications. There is a number of key reasons that



the present policy in regard to access to work by asylum seekers should not be changed.

Section 9 (4)(b) of the Refugee Act 1996, as amended, provides, *inter alia*, that an applicant for asylum shall not seek or enter employment. It must also be borne in mind that under the 1996 Act asylum seekers only have temporary permission to remain in the State pending the determination of their applications. However, we must face the fact that, despite its humanitarian purpose, people seek protection under the 1996 Act, which gives effect to the State's obligations under the 1951 Geneva Convention, for the purpose of avoiding legitimate immigration controls in order to gain a foothold in the State for economic reasons. Other EU states have experienced similar trends.

I am convinced that any extension of the right to work arrangement would greatly undermine the considerable progress which has been made in relation to asylum processing arising from the Government's asylum strategy which has resulted in more speedy decisions in regard to applications for refugee status. The continued momentum in processing timescales for asylum applications has resulted, for example, in a situation where prioritised applications receive an interview and decision at first instance within six weeks of application and timescales for considering appeals have also been reduced considerably. The number of applications over six months in the office of the Refugee Applications Commissioner and the refugee appeals tribunal at the end of September 2004 stood at 1,536 as compared to some 6,500 at the end of September 2001.

Extending the right to work would have a very negative impact on asylum numbers as was experienced in the aftermath of the July 1999 decision to do so. The immediate effect of that measure was a threefold increase in the average number of applications per month leading to a figure of 1,217 applications in December 1999 compared with an average of 364 per month for the period January to July 1999.

Any significant increase in applications would also have a negative impact on our capacity to accommodate asylum applicants while they are awaiting a determination of their claims. As things stand, the ongoing provision of services to meet the reception, health, welfare and accommodation needs of asylum seekers is an enormous challenge for all the State agencies who work in this area. The total cost to the Exchequer of the provision of services to asylum seekers was approximately €353 million in 2003.

Any proposal to grant asylum seekers access to the labour market would also undermine the current and effective work permit system which provides a comprehensive channel for legal migration to the State. It would further widen the gap in a negative manner in terms of reward between those who access the labour market legally through the work permit and visa channels

and those who simply abuse the asylum process to gain entry.

It is a well established fact that those engaged in trafficking and those seeking to access the labour market without going through the appropriate legal channels are very quick to identify any perceived attractiveness of a country as a preferred or easily accessed destination. It is clear from the profile of applicants, and the results of the determination process, that a significant number of people have sought asylum in Ireland with a view to seeking work. Many people are already working illegally. It is my very strong belief that any extension of the right to work to all applicants would be portrayed abroad by people traffickers to potential victims as a cast iron guarantee of a right to work.

The greatest service we can provide to those who should be recognised as refugees is to ensure that their claims are decided speedily and that nothing is done which undermines this policy priority by attracting large numbers of non-genuine applicants to the detriment of genuine applicants. The structures in place provide the State with an asylum system that meets the highest international standards and fulfils our international obligations under the Geneva Convention to those seeking asylum. Overloading the process with large numbers of new applicants who come here under the misguided expectation that they will be able to work would be totally contrary to these obligations and could completely negate the major investment in effort, time and resources which has gone into bringing our overall strategy to its current status.

#### Settlement Negotiations.

309. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 178 of 8 October 2003, his views on the case and the costs to date; if the Chief State Solicitor has received a fee note in the matter; and if he will make a statement on the matter. [27925/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** Settlement negotiations are ongoing in this case and, in the circumstances, it would be inappropriate for me to make any comment at this time.

#### Visa Applications.

310. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform if an application for a re-entry visa in the name of a person (details supplied) in County Carlow will be approved; the reason for the delay; and if he will make a statement on the matter. [27926/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** The visa application referred to by the Deputy was received in my Department on 29 March 2004 and was accompanied by a passport for the eight year old in question. The immigration authorities were not satisfied as to



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the authenticity of this passport and the visa was refused on 11 October 2004.

It may be of benefit to the Deputy if I outline some background to this case. The eight year old in question arrived in the State in the company of his mother in January 2000 whereupon his mother made an application for asylum. She gave birth in July 2000. The husband arrived in the State in November 2000 and made an application for asylum. Both parents subsequently withdrew their asylum applications and applied for permission to remain in the State on the basis of parentage of an Irish born child. This permission was granted to both parents in March 2001. The mother of the person in question has since come to the adverse attention of the Garda authorities.

#### **Residency Permits.**

311. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform the reason the residency permit has not been renewed in the case of a person (details supplied) in County Carlow; if a decision will be expedited; and if he will make a statement on the matter. [27927/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** When renewing permission to remain in the State, all relevant circumstances are examined. The person in question had a significant change in circumstances which required consideration but I can inform the Deputy that a further period of permission to remain has now been granted.

#### **Asylum Applications.**

312. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform the status of an application for permission to stay here in the name of a person (details supplied); and if a decision will be expedited in the case. [27928/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** The person concerned and her son arrived in the State on 18 August 2003 and claimed asylum. Their application was refused following consideration of their case by the office of the Refugee Applications Commissioner and on appeal by the refugee appeals tribunal.

A notification under section 3(3)(a) of the Immigration Act 1999 issued to the person and her son on 14 October 2004 in which they were advised that the Minister had decided to refuse them a declaration as refugees and setting out the options now open to them, that is, to leave the State before the Minister decided whether or not to make deportation orders in respect of them; to consent to the making of deportation orders in respect of them; or to make written representations within 15 working days to the Minister for Justice, Equality and Law Reform setting out reasons they should not be deported, that is, why they should be allowed to remain temporarily in the State.

Their cases will shortly be considered under section 3 of the Immigration Act 1999 and section 5 of the Refugee Act 1996, prohibition of refoulement. All representations received from, or on behalf of the persons concerned, will be taken into consideration in reaching a decision. It is still open to the person concerned and her son to return voluntarily to their country of origin before their cases are considered.

#### **Visa Applications.**

313. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform if a multi-entry visa will be issued in the case of a person (details supplied); and if a decision will be expedited in the case. [27929/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** The person concerned was granted a C visit visa to enter the State to spend her school holidays with her mother for a period of three months. It now appears that she is seeking an extension of her permission to remain in the State.

An examination of the papers in relation to the case indicates that the father of the person concerned gave his permission for her to travel to Ireland for three months, to visit her mother, in the company of named persons who guaranteed they would return his minor daughter to her country of origin.

A wrap around information sheet accompanies every visa application form. That sheet makes it clear to the applicant that, in general, persons granted visas for particular purposes are not permitted to involve themselves in any activity or to remain in the State for any purpose other than that for which the visa was granted. Every visa applicant is required to state on the application form the dates on which he or she proposes to enter and leave Ireland. He or she is also required to declare that the information supplied is correct and complete.

A C visa is granted for visits of less than 90 days. As a consequence, it is not the general policy to extend permission to remain to persons who are admitted initially for a period of 90 days or less on a C visa, save in very exceptional and unforeseen circumstances. The person concerned must leave and reapply from outside the State should she wish to return. She should include in her new visa application the purpose and duration of her intended stay.

#### **Garda Deployment.**

314. **Mr. Healy** asked the Minister for Justice, Equality and Law Reform the number of gardaí of all ranks stationed at Clonmel Garda station on 1 January 1997 and on 1 January 2004. [27956/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I have been informed by the Garda authorities which are responsible for the detailed allocation of resources, including person-

nel, that Garda statistics regarding the personnel level in every Garda station within each Garda division refer back to 31 January 1997. Accordingly, I am informed that the personnel strength of Clonmel Garda station as at 31 January 1997 was 40, all ranks. The personnel strength of Clonmel Garda station as at 1 January 2004 was 40, all ranks.

In regard to Garda resources generally, I am pleased to say that the Government has approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis in line with An Agreed Programme for Government commitment in this regard. This is a key commitment in the programme for Government, and its implementation will significantly strengthen the operational capacity of the force. The commissioner will draw up plans on how best to distribute and manage these resources. However, the additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies, in particular, areas with a significant drugs problem and a large number of public order offences, but it will be possible to address other priorities as well, such as the need to significantly increase the number of gardaí allocated to traffic duties. I have already promised that the additional gardaí will not be put on administrative duties. They will be put directly into front line, operational, high-visibility policing and they will have a real impact.

315. **Mr. Healy** asked the Minister for Justice, Equality and Law Reform the number of gardaí stationed at stations (details supplied) on 1 January 2004. [27957/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I have been informed by the Garda authorities which are responsible for the detailed allocation of resources, including personnel, that the personnel strength of Clonmel, Thurles, Kilkenny, Wexford and Tralee Garda stations as at 1 January 2004 is as set out as follows:

Station	Number
Clonmel	40
Thurles	59
Kilkenny	66
Wexford	71
Tralee	83

In regard to Garda resources generally, I am very pleased to say the Government has approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with An Agreed Programme for Government commitment in this regard. This is a key commitment in the programme for Government, and its implementation will significantly strengthen the operational capacity of the force. The Commissioner will draw up plans on how best to dis-

tribute and manage these resources. However, the additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies, in particular, areas with a significant drugs problem and a large number of public order offences but it will be possible to address other priorities as well, such as the need to significantly increase the number of gardaí allocated to traffic duties. I have already promised that the additional gardaí will not be put on administrative duties. They will be put directly into front line, operational, high-visibility policing and they will have a real impact.

### Visa Applications.

316. **Ms O. Mitchell** asked the Minister for Justice, Equality and Law Reform the reason a person (details supplied) in Dublin 10 has recently been informed that there was no application on file. [28024/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** An application for a certificate of naturalisation from the person referred to by the Deputy was received in the citizenship section of my Department on 11 November 2002. The application was submitted to me in July 2004 and I decided not to grant a certificate of naturalisation on foot of that application. The legal representatives of the person in question were informed in writing of this decision on 10 August. There is no record of a further application for naturalisation having been submitted by the person concerned.

### Garda Deployment.

317. **Mr. Crowe** asked the Minister for Justice, Equality and Law Reform the number of gardaí allocated to the Cabra west area; and the roads they are allocated to. [28025/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I have been informed by the Garda authorities which are responsible for the detailed allocation of resources, including personnel, that the personnel strength of Cabra Garda station as at 4 November 2004 was 64, all ranks. This figure is supplemented by gardaí from the divisional crime task force, divisional traffic unit and district detective units, as necessary. I am assured by the Garda authorities that all areas of Cabra west are patrolled.

In regard to Garda resources generally, I am very pleased to say that the Government has approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with An Agreed Programme for Government commitment in this regard. This is a key commitment in the programme for Government, and its implementation will significantly strengthen the operational capacity of the force. The commissioner will draw up plans on how best to distribute and manage these resources. However, the additional resources will

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be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies, in particular, areas with a significant drugs problem and a large number of public order offences but it will be possible to address other priorities as well, such as the need to significantly increase the number of gardaí allocated to traffic duties. I have already promised that the additional gardaí will not be put on administrative duties. They will be put directly into front line, operational, high-visibility policing and they will have a real impact.

#### **Registration of Title.**

318. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform when dealing applications on folios in County Mayo will be completed for a person (details supplied) in County Mayo. [28026/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I am informed by the registrar of titles that there are no applications pending on the folios mentioned by the Deputy. I am further informed that there were a number of applications in respect of the folios mentioned by the Deputy in recent years, all of which have been completed. The most recent application, relating to a release of a charge was lodged on 3 July 2003 and was completed on 4 June 2004. Dealing number D2003SM005554P refers.

#### **Garda Investigations.**

319. **Mr. Ferris** asked the Minister for Justice, Equality and Law Reform if an investigation was carried out in 1997 into a water scheme (details supplied) in County Sligo; and if so, the outcome of same. [28081/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I am informed by the garda authorities that a thorough investigation was carried out by the Garda into allegations that were made and a file was submitted to the Director of Public Prosecutions who directed there should be no prosecution. As the Deputy will appreciate, I have no role in the investigation or prosecution of cases. This is a long standing principle of our system of justice. The role of the Garda is to investigate alleged offences, to gather whatever evidence may be available and to submit a report to the Director of Public Prosecutions. The question of whether or not a particular person should be prosecuted, and for what criminal offence, is the responsibility of the DPP. The DPP, who is independent in the performance of his functions, makes his decision on the basis of the Garda findings viewed against the background of common and/or statute law.

320. **Mr. G. Mitchell** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 304 of 8 July 2004, if he will report on the progress of the investigations,

the response the Garda have had from the Dutch authorities and the actions taken since; and if he will make a statement on the matter. [28088/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I am informed by the Garda authorities that the Dutch authorities are continuing their inquiries into this incident.

#### **Road Traffic Accidents.**

321. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform the action he is taking in conjunction with the Garda to combat road carnage; and if he will make a statement on the matter. [28164/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** The Government's road safety strategy 2004-06, which forms the framework within which road safety policy will be developed over the next few years, sets out a number of ambitious targets and strategies. The Garda Commissioner is fully committed to the enforcement strategies laid out in the strategy. Many of the targets and actions recommended are already at various stages of implementation or planning, including the private operation of speed cameras and the outsourcing of the collection of fixed charges.

I recently announced the Government approval for an extra 2,000 gardaí. Additional resources provided to the Commissioner will be used to optimum effect and in a focused way. I have asked the Garda Commissioner to examine the question of resource allocation. Among the areas being examined is the number of gardaí deployed in traffic units. The increase in the number of gardaí will enable extra manpower to be allocated to the traffic units which enforce road traffic legislation and contribute to reducing road fatalities and casualties throughout the State. In particular, it will make possible an increase in targeting enforcement on high risk locations and times and days of the week, in line with Garda operational policy.

In addition, the Commissioner is considering structural changes in this area of Garda activity with the aim of increasing the effective use of personnel and equipment resources available. I will announce changes in this area in the near future.

I understand from the Garda authorities that collision-prone locations are being identified on an ongoing basis, with the assistance of the National Roads Authority and local authorities. These data serve as input into the enforcement activities of the Garda Síochána. The Garda Síochána have carried out Operation Lifesaver since 1998, focusing on three main collision causation factors, excessive speeding, non-compliance with seat belts and driving while intoxicated. The annual Christmas campaign focusing on drink driving will commence at the end of this month.

### Garda Deployment.

322. **Ms Burton** asked the Minister for Justice, Equality and Law Reform the number of gardaí deployed at each Dublin station and district for each year from 1997 to date in 2004; and the number of gardaí allocated to community policing, administrative duties and specialist policing duties. [28214/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** In relation to Garda resources generally, I am very pleased to say that the Government has approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with An Agreed Programme for Government commitment in this regard. This is a key commitment in the programme for Government, and its implementation will significantly strengthen the operational capacity of the force. The Commissioner will now draw up plans on how best to distribute and manage these resources. Clearly, however, the additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme iden-

tifies in particular areas with a significant drugs problem and a large number of public order offences, but it will be possible to address other priorities as well, such as the need to significantly increase the number of gardaí allocated to traffic duties. One thing I have already promised is that the additional gardaí will not be put on administrative duties. They will be put directly into front-line, operational, high-visibility policing. They will have a real impact.

As regards resources in the Dublin metropolitan area, I have been informed by the Garda authorities who are responsible for the detailed allocation of resources, including personnel, that the number of personnel, all ranks, assigned to each Garda station as at the 31 December each year from 1997 to 2003 is as set out in the table following.

In this regard I should like to mention that the personnel resources in the Dublin metropolitan area as of 8 November, 2004 is approximately 230 greater than the comparable number in 1997. Furthermore, there has also been a considerable increase since 1997 in the number of gardaí serving in national units which are available to all the stations in the Dublin metropolitan area.

	1997	1998	1999	2000	2001	2002	2003
Pearse St	231	215	215	221	216	214	238
Harcourt Terrace	91	93	84	84	80	79	74
Kevin Street	124	122	113	116	117	117	117
Kilmainham	75	87	101	97	76	76	73
Donnybrook	126	129	126	120	116	114	123
Irishtown	60	59	57	59	54	49	55
Crumlin	82	85	83	84	86	88	83
Sundrive Rd	54	57	52	56	58	57	60
Rathfarnham	63	57	63	63	67	74	71
Tallaght	133	139	142	159	159	159	165
Rathmines	90	90	76	79	81	67	72
Terenure	49	46	60	67	66	84	86
Santry	93	87	78	77	83	91	105
Whitehall	45	42	38	43	40	40	40
Ballymun	57	57	56	63	64	64	63
Dublin Airport	50	48	56	57	58	19	23
Coolock	93	89	93	89	85	84	87
Malahide	43	39	39	44	43	43	40
Swords	45	44	49	52	54	57	56
Raheny	64	59	61	63	61	64	60
Clontarf	57	59	56	56	60	64	62
Howth	30	34	35	37	39	41	42
Blanchardstown	89	94	104	106	124	132	140
Cabra	82	76	80	83	76	76	66
Finglas	76	83	90	88	78	78	70
Lucan	58	61	57	67	75	73	65
Leixlip	11	16	19	21	18	24	26
Ballyfermot	72	71	66	77	75	73	77
Clondalkin	56	51	62	63	66	82	81
Ronanstown	58	65	63	65	66	72	79
Rathcoole	*	17	19	19	23	21	23
Store St.	231	227	234	233	228	225	260
Fines Office	9	8	8	8	7	8	8



	1997	1998	1999	2000	2001	2002	2003
Fitzgibbon St	120	118	114	113	112	116	119
Mountjoy	78	84	80	75	77	82	86
Bridewell	156	157	167	167	155	157	164
Dún Laoghaire	109	110	104	107	109	106	90
Dalkey	27	23	23	23	23	29	28
Kill-O-Grange	35	35	38	36	33	36	37
Cabinteeley	42	42	46	49	41	39	40
Bray	76	74	76	77	77	79	75
Enniskerry	6	7	7	6	6	5	5
Shankhill	50	48	53	53	48	53	55
Greystones	28	28	28	28	26	28	29
Blackrock	71	75	75	75	74	66	66
Dundrum	62	57	51	53	62	69	65
Stepaside	40	40	42	42	37	36	32

\*In 1997 Rathcoole formed part of the Carlow-Kildare Division.

I am further informed that the number of personnel assigned to each Garda station in the Dublin Metropolitan region and the number assigned to community policing and administrative duties as at 8 November 2004 was as set out as follows.

	Number Assigned	Community Policing	Administrative Duties
Pearse St	244	15	5
Harcourt Terrace	77	2	0
Kevin Street	114	9	4
Kilmainham	76	7	0
Donnybrook	122	5	3
Irishtown	55	3	0
Crumlin	86	5	3
Sundrive Rd	63	4	0
Rathfarnham	72	5	0
Tallaght	169	24	1
Rathmines	69	3	0
Terenure	87	7	1
Santry	102	3	3
Whitehall	32	3	0
Ballymun	64	8	0
Dublin Airport	23	0	0
Coolock	81	6	1
Malahide	43	3	0
Swords	67	8	0
Raheny	64	5	1
Clontarf	64	6	0
Howth	43	4	0
Blanchardstown	143	17	2
Cabra	64	2	0
Finglas	73	13	0
Lucan	70	5	1
Leixlip	27	4	0
Ballyfermot	75	9	0
Clondalkin	79	11	1
Ronanstown	82	11	0
Rathcoole	28	1	0
Store St.	260	21	2
Fines Office	8	0	0
Fitzgibbon St	117	15	0

	Number Assigned	Community Policing	Administrative Duties
Mountjoy	87	13	2
Bridewell	162	15	9
Dún Laoghaire	102	5	3
Dalkey	26	3	0
Kill-O-Grange	34	4	0
Cabinteeley	38	5	0
Bray	81	6	1
Enniskerry	5	0	0
Shankhill	59	4	0
Greystones	28	3	0
Blackrock	67	6	1
Dundrum	65	6	0
Stepaside	28	1	0

It is not clear specifically what specialist policing duties the Deputy is referring to. The figures for personnel allocated to administrative duties is based on those personnel who are in receipt of designated post and ex-gratia allowances and as such employed on a full time basis in Garda stations in the Dublin metropolitan area.

### Departmental Properties.

323. **Ms Burton** asked the Minister for Justice, Equality and Law Reform the position regarding the building (details supplied) purchased by his Department; its proposed use by the probation services; the cost to date of the premises; the estimated refurbishment costs, and if he has made efforts to secure locations more central to Blanchardstown town centre in order to meet the stated objectives of the probation service in having a town centre location for the service. [28215/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** The building referred to was acquired by the Office of Public Works on behalf of the probation and welfare service on 15 April 2002. The total cost of the purchase was €1.5 million, including VAT. Additional costs to date amount to € 240,000, including VAT. If further

envisaged refurbishment were to proceed, the future costs associated with that work have been estimated to be in the region of € 2.4 million, including VAT.

On purchasing the building, the intention was to renovate and extend the premises, using one portion as a local office and the other as a probation centre. However, before proceeding with the refurbishment project, due to concerns which emerged in the matter, the Department decided to review the suitability of the location in question and examine alternative location options in the Blanchardstown area. If an alternative location ultimately emerges for this centre appropriate steps will be taken to avoid loss to the Exchequer arising from the acquisition of the original premises in Blanchardstown.

### Schools Refurbishment.

324. **Ms Enright** asked the Minister for Education and Science the development and improvement plans for a school (details supplied) in Dublin 7; when development and improvement works are scheduled to begin at this school; and if she will make a statement on the matter. [27750/04]

**Minister for Education and Science (Ms Hanafin):** The Deputy's question refers to two separate schools. The scope of the works required at one of the schools, post-primary, is appropriate for consideration under the summer works scheme. An application has been received in school planning section of my Department under the summer works scheme, 2005. All applications are currently being assessed and the list of successful applicants will be published by 31 January, 2005. The works required at the primary school are being considered in the context the multi-annual programme which I intend to publish later.

### Schools Building Projects.

325. **Mr. Timmins** asked the Minister for Education and Science if funding will be provided in the Estimates in 2004 to allow a school (details supplied) to progress to stage two of building; and if she will make a statement on the matter. [27755/04]

**Minister for Education and Science (Ms Hanafin):** The refurbishment-extension project to which the Deputy refers has progressed beyond stage 2 of architectural planning and is currently at stage 3, the developed sketch scheme.

My officials are nearing completion of a review of all projects which did not proceed to construction as part of the 2004 school building programme, with a view to including them as part of a multi-annual programme from 2005. All projects are being assessed against the published prioritisation criteria, agreed earlier this year with the education partners. Each project will be assigned a band rating and the progress of all pro-

jects will be considered in the context of the programme, from 2005.

Following conclusion of the current estimates and budgetary process I intend to publish the 2005 building programme which will operate in a multi-annual framework.

### Higher Education Grants.

326. **Mr. O'Shea** asked the Minister for Education and Science her proposals to extend eligibility for third level maintenance grants to single parents under 23 years of age who are living independently (details supplied); and if she will make a statement on the matter. [27766/04]

327. **Mr. O'Shea** asked the Minister for Education and Science her proposals to extend to married persons under 23 years of age the right to be assessed on their own income for the purposes of eligibility to third level education grants; and if she will make a statement on the matter. [27767/04]

**Minister for Education and Science (Ms Hanafin):** I propose to take Questions Nos. 326 and 327 together.

The decision on eligibility for maintenance grants is a matter for the relevant local authority or VEC. These bodies do not refer individual applications to my Department except, in exceptional cases, where, for example, advice or instruction regarding a particular clause in the relevant scheme is desired.

Under the terms of the Department's maintenance grants scheme, a mature student is defined as a candidate who is at least 23 years of age on 1 January of the year of entry or re-entry to an approved course.

When assessing students other than independent mature students, the means test provision of the scheme specifies that the students' means and those of their parents or guardians must be below a prescribed limit. This provision requires that parental income be taken into account irrespective of the individual circumstances in any case where the student is not an independent mature student.

The Deputy will appreciate that the terms of the schemes are of general application and it is not open to me to make exceptions in individual cases. It is not proposed, in the foreseeable future, to change the current position in relation to the assessment of students under 23 years of age.

### Special Educational Needs.

328. **Mr. Ring** asked the Minister for Education and Science when the additional special needs assistants for 500 schools, announced by her on 22 October 2004, will be employed; and the difference it will make to persons who are waiting for these hours. [27768/04]

**Minister for Education and Science (Ms Hanafin):** My officials have been making tele-

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phone contact with the relevant schools in recent weeks in relation to the additional special needs assistant, SNA support being allocated on foot of my announcement on 22 October. Letters of confirmation will issue to the schools in the coming days. Responsibility for the recruitment and appointment of the SNAs is a matter for individual school boards of management.

I am confident that this additional support will improve the capacity of pupils with significant care needs to participate in and derive benefit from the education process.

### **Schools Building projects.**

329. **Mr. J. O’Keeffe** asked the Minister for Education and Science the position regarding the proposed extension to a college (details supplied) in County Cork. [27777/04]

**Minister for Education and Science (Ms Hanafin):** The application for an extension at the school to which the Deputy refers is being considered as part of a review of all projects which did not proceed to construction as part of the 2004 School Building Programme with a view to including them as part of a multi-annual programme from 2005. All projects are being assessed against the revised prioritisation criteria, published earlier this year following consultation with the Education partners. Each project will be assigned a band rating and the progress of all projects will be considered in the context of the multi-annual programme.

Following conclusion of the current estimates and budgetary process I intend to publish the 2005 building programme which will operate in a multi-annual framework.

### **School Curriculum.**

330. **Mr. Howlin** asked the Minister for Education and Science the position regarding the analysis being taken in her Department in relation to the future needs of primary education in New Ross town, County Wexford; when a final decision will be made on this issue; and if she will make a statement on the matter. [27778/04]

**Minister for Education and Science (Ms Hanafin):** My Department’s planning section is in ongoing discussions with the trustees of all schools in New Ross regarding the future shape of educational provision in the town. It is not possible to predict when these discussions will be fully concluded. However, it is expected a number of key decisions can be made shortly.

### **Special Educational Needs.**

331. **Mr. Kehoe** asked the Minister for Education and Science the status of the application for resource hours and a special needs assistant for a person (details supplied) in County Wexford; when a decision will be made available

to the school; and if she will make a statement on the matter. [27824/04]

**Minister for Education and Science (Ms Hanafin):** My Department received an application for resource teaching and special needs assistant, SNA, support for the pupil in question.

I am pleased to advise the Deputy that my Department has sanctioned 12.5 hours SNA support for the pupil. The school was advised of this by telephone on 6 November and a letter of confirmation will follow within the coming days. The pupil did not qualify for resource teaching support and the basis for this decision will be clarified to the school in the letter referred to.

### **Unfair Dismissals.**

332. **Mr. F. McGrath** asked the Minister for Education and Science the reason a person (details supplied) in Dublin 16 was dismissed by a college without prior notice and due process; and if she will investigate the matter. [27825/04]

**Minister for Education and Science (Ms Hanafin):** The issue raised by the Deputy is a matter between the person in question and her employer, the school authority. It would, therefore, be inappropriate for me to intervene.

### **School Accommodation.**

333. **Mr. F. McGrath** asked the Minister for Education and Science if urgent assistance will be given to a school (details supplied) in Dublin 9 with regard to its request for a new school, particularly in view of the recent report by OTS on behalf of the INTO; and if she will make a statement on the matter. [27826/04]

**Minister for Education and Science (Ms Hanafin):** My Department is investigating a number of options to cater for the long-term accommodation needs of the school referred to by the Deputy. Central to this investigation is an analysis of the overall future provision of primary education in the general area. Specifically, my Department is engaged in discussions with the primary education providers in the area to determine the likely demand for primary school places in the medium to long term and the way existing provision can be maximised to cater for this demand. No decisions will be taken on capital investment for the school in question pending the conclusion of this broader examination of the area.

### **Special Educational Needs.**

334. **Ms Lynch** asked the Minister for Education and Science when a special needs assistant (details supplied) in County Cork will be made full-time; and if she will make a statement on the matter. [27836/04]

**Minister for Education and Science (Ms Hanafin):** An application for an increase in the level of full and part time special needs assistant support has been received from the school to

which the Deputy refers. Additional information has been submitted in support of the application and is being considered. A decision on the application will be conveyed to the school as soon as this process has been completed.

### **Schools Building Projects.**

335. **Mr. P. McGrath** asked the Minister for Education and Science if the new post primary school announced for Dublin 15 will go to tender in 2004; the location of the site; if the purchase price of the site is agreed; if a board of management is in place; if it will be run under the City of Dublin VEC; when construction is scheduled to commence; when classrooms will be available for first enrolment; and the catchment area and the enrolment criteria for the new school. [27846/04]

**Minister for Education and Science (Ms Hanafin):** The capital programme for 2004 indicated that a new post primary school will be provided in the Dublin 15 area. My Department is pursuing the acquisition of a suitable site for this purpose. When the acquisition process is complete, a post primary school will be constructed to cater for in excess of 800 pupils. However, due to the commercial sensitivities surrounding site acquisitions the Deputy will appreciate that I am unable to comment on specific site issues. No decisions have been taken on the other matters to which the Deputy referred.

### **Special Educational Needs.**

336. **Mr. Stagg** asked the Minister for Education and Science the reason for the delay in opening the unit for children with autism at a school (details supplied) in County Kildare; if there will be any further delays; and if she will make a statement on the matter. [27866/04]

**Minister for Education and Science (Ms Hanafin):** My officials wrote to the school authorities on 15 April 2004 advising them of my Department's willingness to establish two special classes for children with autism on receipt of a formal application from the board of management. The matter was further discussed at a meeting between school representatives and Department officials last June. My understanding of the outcome of that meeting is that the points raised were to have been taken up by the school representatives with the board of management with a view to making further contact with my Department.

### **School Staffing.**

337. **Mr. Crawford** asked the Minister for Education and Science the number of students who qualified for primary teaching in 2004 and who have failed to obtain employment; her plans to reduce class sizes and make proper use of these young well trained teachers; and if she will make a statement on the matter. [27878/04]

**Minister for Education and Science (Ms Hanafin):** My Department is not aware of the number of primary teachers who qualified in 2004 who have failed to obtain employment. Significant improvements have been made in the pupil-teacher ratio at primary level in recent years. The ratio has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year. Arising from these improvements, class sizes have reduced in the same period. I am committed to reducing class sizes still further. However, this can only be done on a phased basis having regard to available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs and those from disadvantaged areas and junior classes.

### **Schools Building Projects.**

338. **Mr. D. Moynihan** asked the Minister for Education and Science when refurbishment work on the unused Coláiste Íosagain building will commence for the All-Irish Education Centre in Baile Mhuirne, having regard to the fact that funding for the project has already been allocated in this year's capital programme and the project was announced as far back as 2000. [27884/04]

339. **Mr. D. Moynihan** asked the Minister for Education and Science the amount of planning which her Department has carried out regarding the education projects which will be carried out at the All-Irish Education Centre in Baile Mhuirne; and when these projects will commence. [27885/04]

**Minister for Education and Science (Ms Hanafin):** I propose to take Questions Nos. 338 and 339 together.

This project was included in section 1 of the 2004 school building programme which was due to proceed to tender and construction in the first quarter of 2004. Issues surrounding the optimum location for the centre subsequently arose and are being investigated. A proposal to house the All-Irish National Education Centre in Coláiste Íosagain, Bhaile Mhuirne, is being considered in conjunction with the Department of Community, Rural and Gaeltacht Affairs. A structural survey of the building is being carried out at present.

The project is being considered as part of a review of all projects which did not proceed to construction as part of the 2004 school building programme with a view to including them as part of a multi-annual programme from 2005. All projects are being assessed against the revised prioritisation criteria published earlier this year following consultation with the education partners. Each project will be assigned a band rating and the progress of all projects will be considered in the context of the multi-annual programme. On conclusion of the current Estimates and budgetary process, I intend to publish the 2005 building programme which will operate in a multi-annual framework.



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The national education centre is proposed to support teaching of and through Irish, be a national centre of excellence working closely in collaboration with other bodies across all levels of education, and provide in-career development for teachers. Key functions planned for the centre are the provision of training, resources and research and sharing of best practice for teaching of and through Irish in first and second level schools. The centre will work closely with colleges of education on the pre-service training of teachers to ensure a high quality supply of teachers of Irish and support, where relevant to its remit, the work of other agencies which promote the Irish language. The centre will provide training to teachers, advisers and policy makers.

It is envisaged that An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta, established in March 2001 under section 31 of the Education Act, will manage the centre when it becomes operational. Detailed plans will be further developed in conjunction with progress on the building project.

#### **Special Educational Needs.**

340. **Mr. Ellis** asked the Minister for Education and Science if a classroom assistant will be sanctioned for a person (details supplied) in County Leitrim; and the reason for the delay in sanctioning this appointment. [27904/04]

**Minister for Education and Science (Ms Hanafin):** My Department is examining the matter referred to by the Deputy and my officials expect to be in a position to convey a decision to the school shortly.

#### **School Accommodation.**

341. **Mr. McGuinness** asked the Minister for Education and Science further to a previous parliamentary question if she has considered a use for the system built accommodation held in storage by the Office of Public Works arising from the fact that the buildings could not be used by the Department of Justice, Equality and Law Reform on a site in Kilkenny; and if she will make a statement on the matter. [27935/04]

**Minister for Education and Science (Ms Hanafin):** A key function of my Department's planning and building unit is to examine alternative methods of delivering school accommodation. This process of exploration inevitably demands that a broad range of delivery methodologies are scrutinised including system-built accommodation. My Department is working with the Office of Public Works to optimise the use of system-built accommodation.

#### **Teaching Qualifications.**

342. **Mr. McGuinness** asked the Minister for Education and Science if a decision will be expedited in the case of a person (details

supplied) in County Kilkenny; the reasons for the delay in registering this person as a secondary school teacher; if all pay issues relating to the case will be resolved; and if she will make a statement on the matter. [27938/04]

**Minister for Education and Science (Ms Hanafin):** The Registration Council is the statutory body responsible for the recognition of qualifications for the purpose of teaching in voluntary secondary schools. The delay in registering the teacher in question was due to the omission by the applicant of relevant information and documentation in her initial application. This information was required by the council to process the application. In light of the decision of the council on the qualifications of the person referred to by the Deputy, my Department is satisfied that she is qualified for the post to which she has been appointed. Arrangements have therefore been made to make any necessary adjustments to her salary.

#### **Tipperary Rural and Business Development Institute.**

343. **Mr. Healy** asked the Minister for Education and Science when she intends to approve the relocation of the Tipperary Rural and Business Development Institute from the Frank Drohan Road Clonmel to the Watson Estate, Ballingarrane, Clonmel to enable the creation of an education and technology park at Ballingarrane. [27958/04]

**Minister for Education and Science (Ms Hanafin):** The report of the capital review and prioritisation working group established under the Higher Education Authority was published recently. It sets out a strategy to meet the future capital needs of the third level sector. Tipperary Rural and Business Development Institute included the proposal to develop a permanent campus in the planned Clonmel technology park at the Ballingarrane estate in its submission to the review group. The group's report stated that the institute's proposal for the disposal of an existing property in Clonmel and acquisition of an alternative one had merit on the basis that no Exchequer funding was required. The submission by the institute to the review group also included several capital proposals on other campus developments in both Clonmel and Thurles. However, the review group recommended that the policy framework for the institute should be re-examined before the other proposed investment proposals could be considered. My Department understands the institute is considering its capital development proposals in this context.

Officials of my Department met with the institute earlier this year to discuss the capital proposal referred to by the Deputy and it is likely that a further meeting will take place shortly.

#### **Vocational Education Committees.**

344. **Ms O. Mitchell** asked the Minister for

Education and Science when the current cap on numbers permitted in post leaving certificate colleges and schools will be lifted; and the reasoning behind the imposition of this ceiling. [27988/04]

**Minister for Education and Science (Ms Hanafin):** The post leaving certificate programme is a labour market programme aimed at providing vocational education and training for school leavers and re-entrants to the labour market. The programme also offers alternative pathways to higher education. The allocation of places on post leaving certificate courses has always been subject to an approval process. Vocational education committees and individual schools and colleges outside the VEC system have been given an allocation of post leaving certificate places for 2004-05 equivalent to their 2003-04 allocation except where the application by an individual school or college was for a lesser number. Nationally, a total of 28,588 places have been approved for post leaving certificate courses for 2004-05.

This level of provision is considered by my Department to be consistent with the requirements of persons eligible to participate on these programmes.

#### **Schools Building Projects.**

345. **Mr. McGuinness** asked the Minister for Education and Science the amount of funds allocated for the refurbishment of an old school building at Goresbridge County Kilkenny, to be used for educational purposes by parents of children with autism and which was announced publicly some months ago; if the running costs and staff costs will be met directly by her Department; if these costs have been assessed by her Department; if she will expedite a decision in this urgent matter; and if she will make a statement on the matter. [28036/04]

**Minister for Education and Science (Ms Hanafin):** I understand from my officials that a contract in the amount of €253,105, including VAT, was placed on 10 September 2004 to carry out refurbishment works at the old school building in Goresbridge. It is envisaged that these works will be completed before Christmas. Funding for the approved staffing levels and approved running costs will be provided by my Department. Details of the projected operating costs have been submitted by the promoters and these are currently being examined by my Department. It is expected that these issues will be finalised prior to the completion of the current refurbishment project. Pending the completion of the refurbishment works, my Department is funding a home tuition programme for pupils awaiting placement.

#### **Special Educational Needs.**

346. **Mr. McGuinness** asked the Minister for Education and Science, further to Parliamentary Question No. 324 of 5 October 2004, if a special needs assistant was granted to the person in ques-

tion (details supplied); the reason there is such a delay in dealing with urgent issues like this; if the system will be reviewed and changed to give a faster response time; and if she will make a statement on the matter. [28037/04]

**Minister for Education and Science (Ms Hanafin):** I am pleased to advise the Deputy that my Department has sanctioned a full-time special needs assistant post to the school to help support the significant care needs of identified pupils, including the pupil in question. A letter to this effect issued to the school on 21 October 2004. My officials have also spoken with the school principal about the matter.

To appreciate the scale of improvement in the provision of resources to primary schools for special needs, it is worth reflecting on the fact that there are now more than 5,000 special needs assistants in the primary school system, up from a figure of 300 in 1998.

I accept, however, that there are individual cases where schools are awaiting decisions on applications for additional resources and I am taking measures to ensure the process is speeded up. This whole process will shortly undergo major transformation as the National Council for Special Education commences operation on the ground throughout the country.

The Deputy may be aware that my Department has established a team to review the level of special needs assistant support in mainstream schools generally. The team has commenced its task and is assessing the levels and deployment of such support to ensure the needs of children are being met in the context of new applications for resources for the school.

#### **School Transport.**

347. **Ms B. Moynihan-Cronin** asked the Minister for Education and Science, further to Parliamentary Question No. 435 of 2 November 2004, if her attention has been drawn to the fact that many of the children involved live more than two miles from an existing pick-up point; if her attention has further been drawn to the fact that most of the children concerned live within the catchment area of a school (details supplied); the reason some of the children are outside of the catchment area; the catchment area they are within; the number of children in each case; if her attention has further been drawn to the fact that a publicly funded bus service collected children from their homes at similar locations some years ago when there was a similar demand; if the catchment areas have changed since then; the reason she has rejected this application despite recommendations in favour from the local VEC and Bus Éireann; the cost to her Department of providing this service to the pupils concerned; if she will reconsider this decision; and if she will make a statement on the matter. [28044/04]

**Minister for Education and Science (Ms Hanafin):** My Department has requested further

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background information from the transport liaison officer of the relevant VEC. When the relevant report has been received and assessed, I will arrange for a full and comprehensive reply to be forwarded to the Deputy.

#### **Educational Disadvantage.**

348. **Mr. O'Connor** asked the Minister for Education and Science if her attention has been drawn to the publication of youth needs in Tallaght 2004, a study initiated by Tallaght voluntary youth leaders forum in partnership with Tallaght youth service and young persons in Tallaght; if she will examine the recommendations; and if she will make a statement on the matter. [28053/04]

**Minister for Education and Science (Ms Hanafin):** I understand from the youth affairs section of my Department that the Youth Needs in Tallaght 2004 publication was launched recently. A copy of this publication has been forwarded to the section and is being examined.

I am very much aware of the serious issues facing young people today and my Department is active both in encouraging initiatives which seek to address their needs and in supporting the youth work sector in the provision of the necessary supports and services needed. I understand that many of these concerns have been highlighted in this report which was compiled on a consultative basis with young people. I am also conscious of the concerns being raised by the youth work sector in general, regarding future funding for the sector and I assure the Deputy I am making every effort to provide ongoing support programmes and services for the sector.

The youth affairs section of my Department funds Tallaght youth services through the special projects for disadvantaged youth scheme. In 2004 a grant of €700,529 has been allocated to Tallaght youth service under this scheme.

#### **Autism Services.**

349. **Mr. Naughten** asked the Minister for Education and Science when a decision will be made on an application by a person (details supplied) in County Roscommon for education in the specialised autism unit commencing in Summerhill national school; the reason for the delay in making a decision on same; and if she will make a statement on the matter. [28054/04]

**Minister for Education and Science (Ms Hanafin):** : My Department recently sanctioned the establishment of an autism class in the school referred to by the Deputy. The staffing level of the class will comprise of a teacher and two special needs assistants. My officials are liaising with the National Educational Psychological Service regarding the application for the pupil in question. A decision will be conveyed to the school as soon as this process has been completed.

#### **Household Expenditure.**

350. **Mr. Healy-Rae** asked the Minister for Education and Science if she will take into account all household expenditure such as bank, credit union loans and mortgages when assessing for higher education grants (details supplied); and if she will make a statement on the matter. [28083/04]

**Minister for Education and Science (Ms Hanafin):** The assessment of means under the higher education grants schemes is based on gross income from all sources, with specified social welfare and health board payments being excluded from the calculation. Under the schemes reckonable income is defined as income from employment-pensions; social welfare in certain circumstances; self employment-farming; rent and income from land-property; deposit-investment accounts; maintenance arrangements; and gifts-inheritances and disposal of assets and rights. I have no plans at present to depart from the above practice in respect of the determination of income.

#### **School Transport.**

351. **Mr. Deasy** asked the Minister for Education and Science if she has received requests from educational interests to carry out a review of the school transport catchment areas; and if she will make a statement on the matter. [28085/04]

**Minister for Education and Science (Ms Hanafin):** For the purposes of post-primary education provision, the country is divided into catchment areas, each of which has its own post-primary education centre. These areas were drawn up in the late 1960s in the context of the free education scheme. The catchment boundaries were determined following consultation with local educational interests and the intention was that certain primary schools would feed exclusively into each centre. A relatively small number of primary schools are shared between two or more centres.

A small number of requests from educational interests in relation to adjustments to specific catchment area boundaries have been received and processed on an individual basis. However, my Department has no plans at present to carry out a full review of all such boundaries.

#### **Public Private Partnerships.**

352. **Ms Enright** asked the Minister for Education and Science if an evaluation has been carried out on the experience of the five post-primary schools built under public-private partnerships; her own assessment on its success or otherwise to date; if problems have been experienced; and if she will make a statement on the matter. [28093/04]

**Minister for Education and Science (Ms Hanafin):** My Department's interest in participating in the Government's pilot programme arose



primarily for four reasons: to take schools-colleges principals and managers away from running buildings and thereby allow them concentrate on their core educational-management functions; to test value for money of school-college provision over a longer period than construction; to get new ideas on school and college design through an output-based approach; and to see better usage of school-college buildings outside of school hours. These objectives are now being analysed in the operation phase of the project and it is the intention to carry out a full evaluation of all aspects of the process following a suitable timeframe. In addition, the Comptroller and Auditor General recognised in his recent report on the project that “ultimately, the full value for money represented by the grouped school project will be determined over the 25-year life cycle of the project”.

Difficulties arose regarding the supply of some equipment to the schools. However, these have been dealt with by my Department in consultation with the operator. Other smaller issues arose with individual schools regarding for example, the installation of IT software or the interpretation of some terms in the contract and these were also resolved. My Department receives a monthly report of any issues raised in each of the schools that allows us to monitor the operation phase carefully.

The first pilot programme has highlighted two issues, first, the speed of delivery and, second, the quality of the school buildings. In his report, the Comptroller and Auditor General highlighted the fact that the schools were constructed far more quickly than under traditional procurement. The entire process, from seeking expressions of interest to hand over of the schools took a total of two and a half years.

As the PPP contract is for 25 years the operator, Jarvis, takes a stake in the whole-life cycle of the building by aligning responsibility for operation and maintenance with responsibility for design and construction. Therefore, the operator adopted a “spend to save” policy. In essence this means that the quality of materials and construction are high to militate against future depreciation and to minimise maintenance and operational costs. The principle of everything works applies under the PPP process. Classrooms, laboratories, heating and lighting all have to be available every day during the lifetime of the project to avoid deductions to the operator’s unitary payment. Given the experience and knowledge gained by my Department on the pilot projects, it is my intention to procure further school building projects using the PPP process.

#### **School Curriculum.**

353. **Ms Enright** asked the Minister for Education and Science the reason the special payment for the implementation of the new junior certificate science syllabus has not been awarded to a school (details supplied) despite the fact that it is implementing the new syllabus and is in

urgent need of the grant to bring its science facilities up to a proper standard; and if she will make a statement on the matter. [28094/04]

**Minister for Education and Science (Ms Hanafin):** I am pleased to inform the Deputy that arrangements are in hand to issue the outstanding payment to the school in question to facilitate the implementation of the new junior certificate science syllabus.

#### **Schools Refurbishment.**

354. **Ms Enright** asked the Minister for Education and Science the reason she paid for only half the cost of the provision of a fire system, electrical work and health and safety work to a school (details supplied) in County Cork despite a commitment that the work would be funded by her; when the remainder of the grant will be awarded to the school; and if she will make a statement on the matter. [28095/04]

**Minister for Education and Science (Ms Hanafin):** I am pleased to inform the Deputy that the school in question has recently been grant aided for the associated works in relation to the fire alarm system.

#### **Schools Building Projects.**

355. **Ms Enright** asked the Minister for Education and Science the status of an application by Clonakilly community college for extra classrooms; when a decision will be made on this application; if a letter issued from her Department in April 2002 confirming that this project would proceed; and if she will make a statement on the matter. [28097/04]

**Minister for Education and Science (Ms Hanafin):** The application for an extension at the college to which the Deputy refers is being considered as part of a review of all projects which did not proceed to construction as part of the 2004 school building programme with a view to including them as part of a multi-annual programme from 2005. All projects are being assessed against the revised prioritisation criteria, published earlier this year following consultation with the education partners. Each project will be assigned a band rating and the progress of all projects will be considered in the context of the multi-annual programme. Estimates and budgetary process I intend to publish the 2005 building programme which will operate in a multi-annual framework.

356. **Ms Enright** asked the Minister for Education and Science when funding for an extension to a school (details supplied) in County Laois will be provided; if her attention has been drawn to the difficult conditions under which the school is operating at present; and if she will make a statement on the matter. [28098/04]

**Minister for Education and Science (Ms Hanafin):** The school planning section of my



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Department is currently nearing completion of an examination of all building projects in hand in line with the project prioritisation criteria that were recently revised in consultation with the education partners. The proposed project for the school referred to by the Deputy is included in this review. I expect to be in a position to provide an update in relation to the progress of individual projects in the context of a multi-annual building programme. I intend to publish this programme as soon as possible after the budgetary process.

### Special Educational Needs.

357. **Cecilia Keaveney** asked the Minister for Education and Science the position in relation to a special needs assistant application for a person (details supplied) in County Donegal; and if she will make a statement on the matter. [28099/04]

**Minister for Education and Science (Ms Hanafin):** I can confirm that an application for a special needs assistant for the pupil in question has been received. My Department expects to be in a position to convey a decision on the application to the school shortly.

### School Staffing.

358. **Mr. Murphy** asked the Minister for Education and Science her views on proposed cuts in staffing (details supplied); and her further views on whether these cuts will have a serious effect on teaching services provided to children in the school. [28118/04]

**Minister for Education and Science (Ms Hanafin):** I am conscious of difficulties that could arise regarding the proposed model for allocating resource teachers to primary schools, particularly for children in small and rural schools, if it were implemented as proposed. Accordingly, I will be reviewing the proposed model to ensure that it provides an automatic response for pupils with common mild learning disabilities without the need for cumbersome individual applications while at the same time ensuring that pupils in receipt of service continue to receive the level of service appropriate to their needs. The review will involve consultation with educational interests and the National Council for Special Education before it is implemented next year. It is important to emphasise that applications may be made for specific resource teacher allocations in respect of pupils with lower incidence special educational needs.

### Higher Diplomas in Education.

359. **Mr. Curran** asked the Minister for Education and Science the number of applicants for higher diploma in education places in the years 1998, 2000, 2002 and 2004; and the number of higher diploma in education places available for these years. [28178/04]

**Minister for Education and Science (Ms Hanafin):** Applications for the higher diploma in education are made through the Higher Diploma in Education (National University of Ireland) Applications Centre, known as HDEAC, which was established in 1998. HDEAC centrally accepts and processes applications to the four constituent colleges of the National University of Ireland for the higher diploma in education, namely, National University of Ireland, Cork; the National University of Ireland, Dublin; National University of Ireland, Galway; and National University of Ireland, Maynooth. Previously, graduates interested in studying for the higher diploma in education applied directly to the university of their choice.

Applications are made to HDEAC through one common application form. In the case of Trinity College, applicants continue to apply directly to the university and I understand that places on the higher diploma in education course are awarded on the basis of academic qualifications and the results of a competitive interview process. My Department is responsible for approving the annual number of places on the higher diploma in education course. The numbers of applicants to HDEAC and approved places in the years referred to by the Deputy are set out in the following table:

	Number of Applicants	Number of Approved Places
1998 (1998/99)	940	Exact figure not available*
2000 (2000/01)	1,000	1,892
2002 (2002/03)	1,000	2,340
2004 (2004/05)	1,000	3,169

\* Applicants applied directly to the constituent colleges in 1998.

On Trinity College, the numbers of applicants for the years in question are held by the college and I will arrange to have them forwarded directly to the Deputy as soon as they are made available to my Department. The numbers of approved places are set out in the following table.

	Number of Approved Places
1998 (1998/99)	130
2000 (2000/01)	130
2002 (2002/03)	130
2004 (2004/05)	130

360. **Mr. Curran** asked the Minister for Education and Science the number of teachers without the higher diploma in education qualification or its equivalent who were teaching in post-primary schools here in each of the years 1998, 2000, 2002 and 2004. [28179/04]

**Minister for Education and Science (Ms Hanafin):** The information requested by the

Deputy will take some time to collate in my Department. I will arrange for it to be forwarded to the Deputy as soon as it becomes available.

### Schools Building Projects.

361. **Mr. P. McGrath** asked the Minister for Education and Science the capital expenditure for each of the past five years and to date for 2004 and the projected outturn on primary school buildings and second level schools; and her plans to reduce the waiting time for such projects. [28212/04]

**Minister for Education and Science (Ms Hanafin):** The capital expenditure figures at primary and post-primary levels for the five years 1999 to 2003 and to date in 2004 are as follows:

Year	Primary Capital	Post-Primary Capital
	€	€
1999	76,619,804.00	117,404,786.00
2000	102,978,000.00	154,532,421.00
2001	139,828,636.00	177,857,292.00
2002	172,788,186.00	171,346,627.00
2003	175,440,731.00	151,520,699.00
2004	103,190,081.03	112,958,867.82

The entry for 2004 represents the expenditure to 5 November 2004.

The expenditure target for the year is based upon the actual capital allocations for 2004 of €201 million at primary level and €187 million at post-primary level. All projects are being assessed against the published prioritisation criteria agreed earlier this year with the education partners. Each project will be assigned a band rating and the progress of all projects will be considered in the context of the schools building programme for 2005. Following the conclusion of the current Estimates and budgetary process, I intend to publish the 2005 building programme, which will operate in a multi-annual framework.

### National Parks.

362. **Mr. Ferris** asked the Minister for the Environment, Heritage and Local Government if he has been informed of the current consultation process in Northern Ireland regarding the possible establishment of national parks; and his views on the possibility of such parks being operated on a cross-Border basis if applicable. [27839/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** My Department is aware of consultations being conducted by Department of Environment, Northern Ireland, on the possibility of establishing a national park in the Mountains of Mourne.

This proposal does not envisage a cross-Border dimension. However, the National Parks and Wildlife Service of my Department maintains regular and beneficial contact with their counterparts in Northern Ireland and I would certainly

be prepared to give careful consideration to any proposal for cross-Border co-operation on national parks that may evolve.

### Nuclear Safety.

363. **Mr. Gregory** asked the Minister for the Environment, Heritage and Local Government if the supply of iodine tablets is still considered to be a key part of the Government's nuclear safety strategy; if the Government's strategy has developed in further ways; and if he will make a statement on the matter. [27917/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** In accordance with An Agreed Programme for Government, the Government is committed to maintaining up-to-date nuclear emergency plans, including sufficient stocks of medical supplies, so as to minimise harm to public health from the effects of any possible exposure to radiation in Ireland. Stable iodine tablets are regarded as an effective counter-measure to radiation in certain circumstances. The question of the provision, supply and distribution of iodine tablets is a matter for the Minister for Health and Children.

There is a national emergency plan for nuclear accidents, NEPNA, in place. This is a continually evolving issue and is under constant review and maintenance in accordance with international developments and best practice. An information booklet describing the main features of the NEPNA can be accessed on the website of my Department, [www.environ.ie](http://www.environ.ie), and on that of the Radiological Protection Institute of Ireland, [www.rpii.ie](http://www.rpii.ie).

### Grant Payments.

364. **Ms Cooper-Flynn** asked the Minister for the Environment, Heritage and Local Government the grants available through his Department for marts; if applications have been made by many marts for consideration by him; if so, the locations of same; and the assistance which is being sought. [27941/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** The provision of grant aid for marts is a matter for my colleague, the Minister for Agriculture and Food, and my Department has no function in this regard.

### Urban Renewal Schemes.

365. **Mr. Healy** asked the Minister for the Environment, Heritage and Local Government when he intends to approve the appointment of consultants, requested by Clonmel Borough Council, to progress a remedial works scheme for the Wilderness Grove and Carrigeen areas of Clonmel. [27955/04]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** My Department recently received an outline brief from Clonmel Borough

[Mr. N. Ahern.]

Council for the appointment of a consultant architect to prepare a strategy for the regeneration of Wilderness Grove and Carrigeen. The matter is under examination in my Department and a decision will be made shortly.

### **Decentralisation Programme.**

366. **Mr. McGuinness** asked the Minister for the Environment, Heritage and Local Government the progress being made with plans for decentralisation to Kilkenny city; if he has identified suitable properties at both locations; if he is close to selecting the property solution; the locations of same [28089/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** My Department is co-operating with the Department of Finance, the decentralisation implementation group, DIG, and the Office of Public Works to ensure co-ordinated and effective implementation of the Government's decentralisation programme. An implementation plan which sets out the broad issues to be addressed in implementing the decentralisation programme for my Department has been drawn up and submitted to the DIG. A copy of the plan is available on my Department's website, [www.environ.ie](http://www.environ.ie). On property requirements for Kilkenny, the Office of Public Works is evaluating a number of options in Kilkenny and this process has yet to be finalised.

### **Local Authority Housing.**

367. **Mr. J. Higgins** asked the Minister for the Environment, Heritage and Local Government if city and county councils are obliged to take the carer's allowance into account when assessing the amount of rent payable from their tenants; and if he will make a statement on the matter. [28104/04]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** I refer to the reply to Question No. 378 of 27 October 2004. The position is unchanged.

### **Rural Depopulation.**

368. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if rural depopulation is likely to be accelerated by the new vastly increased housing development levies; and if he will make a statement on the matter. [28139/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Development contributions have been levied on developments since 1964 to ensure some recoupment to local authorities of the cost of servicing lands for development. Planning authorities have been drawing up development contribution schemes in accordance with the revised framework established by section 48 of the Planning and Develop-

ment Act 2000. These schemes are intended to ensure that the long-standing practice of levying development contributions to help fund local authority infrastructure is implemented in a more transparent and consistent way across the country than has been the case in the past. This process has led to a reduction in the level of development contributions in a number of local authority areas.

Under section 48 of the Planning and Development Act 2000, it is the responsibility of planning authorities to determine the level of contributions for their functional areas, the classes of development to which the contributions will apply and any waivers which should apply in their areas. By way of departmental circular letter, planning authorities were advised that a scheme can allow for a reduced contribution or no contribution in certain circumstances, for example, for particular types of community infrastructure, shops, etc., in areas in need of regeneration, in brownfield areas or for charitable developments. All planning authorities have provided for waivers or reduced contributions in their development contribution schemes. These were adopted by the statutory deadline of 10 March 2004 and are now in force.

Development contributions are now being levied to help pay for recreational and community facilities, among other amenities. These recreational and community amenities will help to ensure the national spatial strategy objective of achieving better quality of life for everyone, both in urban and rural areas.

### **Architectural Heritage.**

369. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he will consider an application for grant assistance from the authorities at a listed building (details supplied) in County Kildare; and if he will make a statement on the matter. [28140/04]

392. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he will consider an application for grant assistance from the authorities at a listed building (details supplied) in County Kildare. [28142/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 369 and 392 together.

No application has been received in my Department for grant assistance for the building referred to in the question under the scheme of EU co-financed grants for the conservation of the architectural heritage provided for under the National Development Plan 2000-2006. My Department has also established that no application for funding has been made to Kildare County Council under the grants scheme for the conservation of listed buildings, which is administered by local authorities, although the council is aware of the project. If the project promoters wish to proceed with an application for grant assistance under either of these schemes, they are



advised to do so as early as possible as the deadline for receipt of applications is imminent.

### Water and Sewerage Schemes.

370. **Mr. McCormack** asked the Minister for the Environment, Heritage and Local Government his plans for the upgrading of the sewerage system in Oughterard, County Galway; and if he will make a statement on the matter. [28239/04]

385. **Mr. Grealish** asked the Minister for the Environment, Heritage and Local Government the situation with regard to the upgrades for sewerage plants (details supplied) due to the threat of pollution to Lough Corrib from the existing sewerage plants; the timescale for the completion of these projects; and if he will make a statement on the matter. [27880/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 370 and 385 together.

The Oughterard sewerage scheme is included in my Department's water services investment programme 2004-2006 and is to commence construction in 2005. My Department is awaiting the submission by Galway County Council of a preliminary report for the scheme. The Headford sewerage scheme has also been approved for construction in the programme and my Department is awaiting submission of Galway County Council's tender recommendation for this scheme. I understand that Galway County Council is progressing the Clonbur sewerage scheme under the small public schemes measure of the devolved rural water programme.

### Animal Shelters.

371. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government the number of dogs and cats which were put down by wardens in 2003 on a county basis; the costs of putting down these animals for each county; the length of time the animals are kept before being put down; and the costs of keeping the animals for that period. [27791/04]

372. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government his proposals to set up animal shelters and homes in order that impounded cats and dogs can be given to good homes rather than being put down. [27793/04]

373. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government the grants which were allocated in 2003 towards the provision of purpose-built centres to house stray cats and dogs; and the EU regulations which are in place in relation to this matter. [27794/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 371 to 373 inclusive together.

The number of dogs humanely destroyed in 2003 is set out by local authority area in the fol-

lowing table. Under the Control of Dogs Acts 1986 and 1982, county councils and city councils are responsible for operating dog control and licensing services. The legislation requires local authorities to appoint dog wardens and to arrange for the provision of shelters for stray and unwanted dogs. The proceeds from the sale of licences, less the commission charged by an Post, are available to local authorities to fund, or to assist in funding, their dog control services. It is a matter for each local authority to decide on the level of additional resources, if any, to be applied to these services.

Section 11 of the Control of Dogs Act 1986 provides that if a seized dog has not been returned to its owner after five days, it may be disposed of or destroyed in a humane manner. There is no information available to my Department regarding the costs of destroying dogs or the cost of keeping the dogs prior to their disposal or destruction. My Department has no funding line for the provision of shelters for stray dogs and, therefore, no grants were allocated or paid in 2003. However, I understand that the Department of Agriculture and Food provided funding in 2003 to voluntary organisations dealing with animal welfare.

Certain provisions of the Control of Dogs Act 1986 may be extended, by regulations, to other species of domesticated animals, including cats. In the absence of reliable data regarding the number of feral cats, and of appropriate solutions, it is not proposed to place an additional responsibility on local authorities that might dilute their control efforts in relation to dangerous and stray dogs which are generally viewed as presenting greater problems than feral cats. There are no EU regulations governing the provision of dog shelters.

County Council and City Council	Number of Dogs Humanely Destroyed
Carlow	67
Cavan	442
Clare	1,401
Cork City	230
Cork County	923
Donegal	997
Dublin City	974
South Dublin	960
Fingal	468
Dún Laoghaire/ Rathdown	361
Galway City	208
Galway County	453
Kerry	1,403
Kildare	247
Kilkenny	95
Laois	232
Leitrim	88
Limerick City	546
Limerick County	1,382
Longford	490



County Council and City Council	Number of Dogs Humanely Destroyed
Louth	547
Mayo	366
Meath	262
Monaghan	351
Offaly	305
Roscommon	237
Sligo	242
Tipperary N.R.	421
Tipperary S.R.	862
Waterford City and County	242
Westmeath	519
Wexford	1,158
Wicklow	216
<b>TOTAL</b>	<b>17,695</b>

### Architectural Heritage.

374. **Mr. Hayes** asked the Minister for the Environment, Heritage and Local Government the plans there are for restoration works at the Rock of Cashel. [27795/04]

379. **Mr. Hayes** asked the Minister for the Environment, Heritage and Local Government the status of Attassell Abbey, Golden, County Tipperary; and the plans there are for restoration works at same. [27808/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 374 and 379 together.

I am advised that the Office of Public Works has appointed consultants to carry out a feasibility study to assess the future visitor requirements, access routes, visitor management and visitor numbers at the Rock of Cashel. It is expected that the final draft of the study will be completed by the end of the year. On foot of this study, the Office of Public Works, in consultation with my Department will consider what changes, if any, are necessary for the efficient management of visitors at the site.

The Office of Public Works is also currently engaged in a programme of conservation/stabilisation works at this site under the National Development Plan 2000-2006; but there are no plans for restoration works beyond these. I am advised that the Office of Public Works has commissioned a conservation plan for Athassel Abbey. It is hoped to have this plan completed by the end of the year. In light of this plan, the Office of Public Works in consultation with my Department, will consider whether conservation or consolidation works are required at this site.

### Recycling Policy.

375. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government his plans for the separation and recycling of motor car parts and materials; and if he will make a statement on the matter. [27797/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** European Parliament and Council Directive 2000/53/EC on end-of-life vehicles, ELVs, incorporates measures aimed at ensuring that ELVs can be deposited free of charge by their final owners at authorised treatment facilities and then dismantled, treated and recovered in an environmentally sound manner, and meeting new recovery and recycling targets, by average weight per vehicle, of 85% reuse-recovery by 2006, to include 80% materials recycling, and 95% reuse-recovery by 2015, to include 85% materials recycling. Article 6.3(c) of the directive specifically requires that the ELV stripping operations undertaken at authorised treatment facilities shall be carried out in such a way as to ensure the suitability of vehicle components for reuse and recovery, and in particular for recycling.

Enabling provisions to facilitate implementation of the directive were incorporated in the Protection of the Environment Act 2003. It is intended to make regulations as soon as possible fully transposing the directive provisions and facilitating its full implementation in 2005.

### Social and Affordable Housing.

376. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government if he has received a cost plan for a proposed social housing scheme at a location (details supplied) in County Dublin; when he received the cost plan; if he has given consideration to it; and if he will make a statement on the matter. [27798/04]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** My Department received a budget cost application in August 2004 from Dún Laoghaire-Rathdown County Council for the construction of 103 houses at Stonebridge Road, Shankill, involving the combining of phases one and two of the original proposals. My Department is awaiting a technical report from the council on measures to address the presence of ground gas on the site before determining a budget cost for the scheme prior to the seeking of tenders.

### Local Authority Funding.

377. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government if he has received an application for funding to provide central heating in 200 dwellings in the Dún Laoghaire-Rathdown County area; if he has given consideration to the request; and if he will make a statement on the matter. [27799/04]

389. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government the funding being made available to the respective local authorities to enable them to provide for central heating in local authority houses; and if he will make a statement on the matter. [28100/04]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** I propose to take Questions Nos. 377 and 389 together.

The following applications from local authorities have been approved for funding under my Department's central heating programme for 2004:

	Allocation
	€
<i>City Councils</i>	
Cork	500,000
Dublin	500,000
Galway	280,000
Waterford	500,000
<i>Borough Councils</i>	
Drogheda	112,000
Kilkenny	200,000
Wexford	150,000
<i>County Councils</i>	
Carlow	100,000
Cavan	200,000
Clare	200,000
Cork (North)	150,000
Cork (South)	200,000
Donegal	200,000
Dún Laoghaire-Rathdown	300,000
Fingal	300,000
Galway	200,000
Kerry	200,000
Kilkenny	200,000
Laois	200,000
Leitrim	150,000
Limerick	120,000
Longford	200,000
Meath	200,000
Monaghan	200,000
North Tipperary	120,000
Offaly	200,000
Roscommon	200,000
Sligo	200,000
South Dublin	250,000
South Tipperary	200,000
Waterford	200,000
Westmeath	200,000
Wexford	200,000
Wicklow	200,000
<i>Town Councils</i>	
Arklow	50,000
Ballina	120,000
Ballinasloe	100,000
Birr	100,000
Bray	300,000
Buncrana	70,000
Bundoran	140,000
Carlow	230,000

	Allocation
	€
Carrickmacross	50,000
Cashel	200,000
Castlebar	240,000
Castleblayney	70,000
Cavan	140,000
Clones	70,000
Dundalk	300,000
Dungarvan	260,000
Ennis	150,000
Fermoy	30,000
Kells	140,000
Kilkee	10,000
Kilrush	120,000
Letterkenny	200,000
Listowel	120,000
Longford	300,000
Mallow	100,000
Nenagh	170,000
New Ross	120,000
Skibbereen	100,000
Thurles	138,000
Tipperary	100,000
Tralee	150,000
Trim	60,000
Tullamore	70,000
Westport	100,000
Wicklow	100,000

An application for funding has been received from Dún Laoghaire-Rathdown County Council and as indicated above, an allocation of €300,000 has been made this year towards their ongoing programme to provide central heating for an estimated 2,000 rented dwellings over the period 2004-08.

#### Road Network.

378. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government if he has received an application from Dún Laoghaire-Rathdown County Council for funding to carry out an improvement scheme on the Rathsallagh access road from Shanganagh Road; if he has given consideration to the application; if he will fund the scheme; and if he will make a statement on the matter. [27800/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** The prioritisation of non-national road improvements in their area is a matter for consideration by Dún Laoghaire-Rathdown County Council on the basis of funding from their own resources supplemented by State grants.

In August this year, my Department sought applications from local authorities for funding under the 2005 EU co-financed specific improvements grant scheme. The application submitted by Dún Laoghaire-Rathdown County Council did not include improvement of the Rathsallagh access road. Local authorities may also use their

[Mr. Roche.] discretionary improvement grant allocations from my Department to fund eligible road improvement schemes. In 2004, the total discretionary improvement grant allocation to Dún Laoghaire-Rathdown County Council is €322,000. The selection of works to be funded from this allocation is a matter for the council.

*Question No. 379 answered with Question No. 374.*

#### **Planning Issues.**

380. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government the number of grants of planning permission by Fingal County Council which were overturned by An Bord Pleanála since 1999. [27842/04]

381. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government the number of appeals of planning refusals made by Fingal County Council which were overturned by An Bord Pleanála since 1999. [27843/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 380 and 381 together.

Information on the number of planning decisions of Fingal County Council, which were overturned on appeal to An Bord Pleanála, is contained in the annual reports of An Bord Pleanála, which are available in the Oireachtas Library. However, these reports do not distinguish whether the overturn was of a grant or a refusal of planning permission by the local authority. The breakdown of figures sought in the question is not available in my Department.

382. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government if an Bord Pleanála has put a system in place to monitor the quality of its decisions and a system to set out reasons in cases in which its final decisions depart from an inspector's recommendation. [27844/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Under section 34 (10) of the Planning and Development Act 2000, the board is required to indicate the main reasons and considerations on which its decisions are based. Where a decision by the board to grant or refuse permission is different from the recommendations in the report of the inspector in any particular case, the Board must indicate the main reasons for not accepting the recommendations.

As part of the response to the report of the Comptroller and Auditor General on the operation of the planning appeals system, an Bord Pleanála has put in place a mechanism in relation to complaints against its decisions, upon receipt of such a complaint, the file relating to the decision will be reviewed and, although the decision itself will stand, where necessary, the board may issue a clarification.

383. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government if

guidelines or rules are in place for An Bord Pleanála in relation to the provision of an inspector's report when determining a planning matter. [27845/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Section 146 of the Planning and Development Act 2000 enables An Bord Pleanála to authorise a person to prepare a report on any matter on behalf of the board. Any person so authorised must make a written report to the board, which must include recommendations, and the board must consider the report and recommendations before determining the matter. An Bord Pleanála has issued guidance notes to its Inspectors on the main issues to be reported on in making a report to the board. Section 150 of the Planning and Development Act, 2000 Act provides for the adoption by An Bord Pleanála of a code of conduct for dealing with conflicts of interest and promoting public confidence in the conduct of its business.

The code further requires that persons employed by the board are to carry out its work in an independent manner that embodies the public service ethos of integrity, impartiality and a desire to serve the public interest while giving due consideration to all legitimate viewpoints and interests.

#### **Local Authority Housing.**

384. **Dr. Upton** asked the Minister for the Environment, Heritage and Local Government the position regarding the application of Dublin City Council to enable its flat tenants to purchase their dwellings; and if he will make a statement on the matter. [27879/04]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** I refer to the reply to Question No. 586 of 19 October 2004. The position is unchanged.

*Question No. 385 answered with Question No. 370.*

#### **Local Authority Staff.**

386. **Mr. Healy** asked the Minister for the Environment, Heritage and Local Government the position regarding the reappointment of county heritage officers; if the heritage officer scheme set up by the Heritage Council will continue; if not, if alternative additional funding will be provided; and the way in which he proposes to ensure that local authorities have sufficient resources to protect heritage and fulfil obligations under section 6 of the Heritage Act 1995. [27954/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** In 1998, the Heritage Council developed a pilot scheme for the placement of heritage officers, dedicated to the conservation and promotion of heritage, within local authorities. This pilot scheme involved a partnership agreement with local auth-

orities for the appointment of heritage officers. The council co-funds the appointments with local authorities, on a declining scale, over a five-year period. The pilot scheme has since been mainstreamed in many local authorities and to date, 24 heritage officers have been employed.

The heritage officer scheme has operated well and has been very successful in raising heritage awareness at a local level, consistently with my Department's overall heritage objectives. I would expect that local authorities would favourably consider the continuation of heritage officer appointments in the context of allocating resources and within the overall framework of Government policy on public sector numbers.

### Recycling Policy.

387. **Mr. R. Bruton** asked the Minister for the Environment, Heritage and Local Government the volume of glass, plastic, paper, cans, cartons and so on recycled; the proportion of each recycled material for which the recycling process occurs here; and the final end use of each recycled material by volume. [28021/04]

	Total Recovered/ Packaging	Recycled in Ireland
	tonnes	tonnes
Paper and cardboard	132,321	47,500
Glass	58,175	5,000
Plastic	29,344	3,800
Aluminium	999	Nil
Ferrous/other metals	25,063	Nil
Wood	50,260	45,000
Composite material (i.e. beverage cartons)	227	Nil
Total	296,389	101,300

On the basis of the Repak data indicated in column two of the table, an estimated 34.2% of packaging waste recovered was recycled in Ireland. In addition, most of the materials exported for recycling are subject to initial partial processing in Ireland. For example, glass is processed into cullet before being transported for recycling, primarily to a facility in Northern Ireland, ferrous metals are often sorted according to various grades and shredded, plastic is crushed and baled, paper is shredded and cardboard baled.

The packaging waste materials recovered are principally recycled into intermediate raw materials which are ultimately used in the manufacture of new packaging materials and other products.

### Grant Payments.

388. **Mr. Noonan** asked the Minister for the Environment, Heritage and Local Government when a thatching grant will be awarded to persons (details supplied) in County Limerick. [28064/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** The latest finalised data on packaging waste materials and recovery are contained in the national waste database interim report for 2002 published by the EPA in June 2004. The EPA estimates that 296,389 tonnes of packaging waste was recovered for recycling in that year, representing an overall recovery rate of 33%.

Indications are that packaging waste recovery has increased further since 2002 arising from the implementation of the local and regional waste management plans, assisted by my Department from the environment fund, and new packaging regulations introduced last year requiring the segregation and recycling of specified back-door packaging waste by producers.

Column one of the following table gives a breakdown of the overall tonnage of packaging waste recycled by packaging material in 2002, as outlined in the EPA interim report. Based on data supplied by Repak — the voluntary compliance scheme established by Irish industry to meet Ireland's packaging waste recovery targets — column two of the table indicates the estimated tonnage by packaging material which was recycled in Ireland in that year.

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** An inspection with a view to payment of the grant, if in order, will be carried out as soon as possible.

*Question No. 389 answered with Question No. 377.*

### Departmental Staff.

390. **Mr. Gregory** asked the Minister for the Environment, Heritage and Local Government if there is any proposal to transfer staff from the Department of Agriculture and Food to the national parks and wildlife services; if so, the staff and the positions involved; and if he will make a statement on the matter. [28106/04]

391. **Mr. Gregory** asked the Minister for the Environment, Heritage and Local Government if it is intended to employ additional conservation rangers with the national parks and wildlife service; and if so, when these positions will be advertised. [28108/04]



**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 390 and 391 together.

Conservation rangers are being recruited to fill nine vacancies within the national parks and wild-life service in my Department. Interviews under the auspices of the public appointments service, PAS, are being completed and offers of assignment will be made by PAS as soon as possible.

My Department has agreed in principle with the Department of Agriculture and Food, following consultation also with the trade union concerned, to accept suitable staff from the supervisory agricultural officers grade for secondment on an additional basis to the national parks and wild-life service. Interviews have been held and discussions are taking place with identified candidates on possible assignments.

*Question No. 392 answered with Question No. 369.*

### Water and Sewerage Schemes.

393. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government if an application for funding in respect of a sewage scheme at Mooncoin, County Kilkenny, has been received by his Department; the date of receipt of application; if the scheme has been approved by his Department; the estimated cost of the scheme; if approval to proceed has been granted; and if not, the timeframe for such approval. [28204/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** The Mooncoin sewerage scheme has been approved for funding in my Department's water services investment programme 2004-06 under the serviced land initiative at an estimated cost of €600,000.

My Department is awaiting submission of revised contract documents for the scheme by Kilkenny County Council. Following receipt and approval of the contract documents the council will be in a position to invite tenders for the scheme.

394. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government if an application for funding, in respect of a drainage scheme at Piltown, County Kilkenny, has been received by his Department; the date of receipt of application; if the scheme has been approved by his Department; the estimated cost of the scheme; if approval to proceed has been granted; and if not, the timeframe for such approval. [28205/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** A proposal for a wastewater scheme to serve Piltown, at an estimated cost of €300,000, was ranked ninth in the list of waste water schemes submitted by Kilkenny County Council in November 2003 in response to my Department's request to all local authorities to undertake fresh assessments of the needs for capital works in their areas and to prioritise their proposals on the basis of the assessments.

The priority lists were taken into account in the framing of my Department's water services investment programme 2004-06, published in May 2004. Given the ranking afforded to the scheme by the council, it has not been possible to include it in the programme.

395. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government if an application for funding, in respect of a sewage scheme at Kilmacow, County Kilkenny, has been received by his Department; the date of receipt of application; if the scheme has been approved by his Department; the estimated cost of the scheme; if approval to proceed has been granted; and if not, the timeframe for such approval. [28206/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** The Kilmacow sewerage scheme has been approved for funding in my Department's water services investment programme 2004-06 under the rural towns and villages initiative at an estimated cost of €2.8 million. My Department is awaiting the submission of tender documents by Kilkenny County Council for approval.

### Development Levies.

396. **Mr. R. Bruton** asked the Minister for the Environment, Heritage and Local Government, further to Parliamentary Question No. 387 of 28 October 2004, the value of development levies raised by local authorities from housing development, commercial developments and other developments in respect of each year since 1997. [28232/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** My Department compiles statistics on the collection of development contributions on an annual basis but these are not broken down between the types of development set out in the question. The following table sets out the total development contributions collected by planning authorities between 1997 and 2002.

Year	1997	1998	1999	2000	2001	2002	1997-2002
Development Contributions (€ million)	57.813	66.326	87.172	110.380	121.976	150.995	594.662

The amount of development contributions collected in 2003 is being compiled and will be available shortly.